



**OFFICE OF THE GOVERNOR**

**EXECUTIVE ORDER #254**

**Relating to a Proclamation Declaring a State of Emergency, Calling to Active Duty Elements of the Wisconsin National Guard under the Emergency Management Assistance Compact and allowing the Transportation of Emergency Relief Supplies**

**WHEREAS**, Hurricane Irma is a major hurricane projected to reach the State of Florida in the coming days, and has the potential to cause dangerous and life-threatening conditions and destruction of property for the population of Florida thus requiring assistance with the preparation for the storm and other aid to areas most likely to be affected by the storm; and

**WHEREAS**, the Governor of Florida has declared that a state of emergency exists in their state; and

**WHEREAS**, President Trump has approved an emergency declaration in the State of Florida, and ordered Federal assistance to supplement the response efforts due to the emergency conditions resulting from Hurricane Irma; and

**WHEREAS**, a request was made by the State of Florida for the assistance of other State's National Guard forces under the Emergency Management Assistance Compact (EMAC); and

**WHEREAS**, a response by the Wisconsin National Guard cannot be made under the Emergency Management Assistance Compact, section 323.80 Wisconsin Statutes, without a declaration of emergency and an authorization to utilize the Wisconsin National Guard personnel in a State Active Duty Status; and

**WHEREAS**, personnel and resources of the Wisconsin Army and Air National Guard are required and critical for this EMAC response; and

**WHEREAS**, in addition to the formal response pursuant to the EMAC, Wisconsinites and other Midwesterners have generously offered to assist those in areas projected to be most affected by providing emergency relief and assistance; and

**WHEREAS**, this potentially catastrophic damage creates a need to transport large amounts of emergency relief supplies (including food, clothing, fuel, building materials, and medical supplies) on Wisconsin highways; and

**WHEREAS**, allowing the transportation of loads of emergency relief supplies, in a safe manner and as described in this Order, will benefit persons injured by Hurricane Irma; and

**WHEREAS**, on September 6, 2017, in response to Hurricane Irma and its anticipated effects on people and property, including the immediate threat to human life or public welfare, the Regional Field Administrators for the Federal Motor Carrier Safety Administration's Southern and Eastern Service Centers issued a Regional Declaration of Emergency in the States of Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, Tennessee, the Commonwealth of Puerto Rico, and the territory of the U.S. Virgin Islands and an exemption from Parts 390 through 399 of the Federal Motor Carrier Safety Regulations, subject to restrictions; and

**WHEREAS**, the Secretary of the Wisconsin Department of Transportation has waived the fee required to obtain a 72-hour trip permit for vehicles traveling into Wisconsin that are not registered in Wisconsin nor enrolled in the International Registration Plan (IRP) of the International Fuel Tax Agreement (IFTA) and are providing emergency relief and assistance to the affected areas;

**NOW THEREFORE, I, SCOTT WALKER**, Governor of the State of Wisconsin, by the authority vested in me by the Constitution and the laws of this State, and specifically by sections §§ 321.39(1)(a), 323.10, and 323.12(3), (4) of the Wisconsin Statutes, and section 390.23 of Title 49 of the Code of Federal Regulations do hereby:

1. Declare the catastrophic damage that could be caused by Hurricane Irma to be a potential natural disaster causing indirect impacts on the State of Wisconsin; and
2. Proclaim the State of Wisconsin to be in a State of Emergency, and that the State of Florida has requested assistance from the State of Wisconsin under the provisions of the Emergency Management Assistance Compact; and
3. Direct all state agencies of the State of Wisconsin to assist the Wisconsin Department of Military Affairs in responding to this situation; and
4. Call to state active duty such elements of the Wisconsin National Guard as the Adjutant General deems necessary to assist in responding to the Emergency Management Assistance Compact in providing rescue and relief to those affected states; and
5. Authorize the Adjutant General to use personnel called to state active duty pursuant to this Order in emergency status; and
6. Order that interstate and intrastate carriers providing direct emergency relief and assistance relating to Hurricane Irma are relieved from the requirements contained in the Federal Motor Carrier Safety Regulations, Title 49 C.F.R. Parts 390-399 and Wis. Admin. Code chs. TRANS 325 and 327, subject to the restrictions and limitations described in the U.S. Department of Transportation, Federal Motor Carrier Safety Administration's September 6, 2017, Regional Declaration of Emergency Under 49 C.F.R. § 390.23. This relief is valid for the duration of the motor carrier's assistance in the disaster relief effort or the duration of this Order, whichever is less; and
7. This Order does not suspend the operation of any state or federal laws within the State of Wisconsin except as specifically described in the Order. All other laws remain in full force and will be enforced.

**IN TESTIMONY WHEREOF**, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol in the City of Madison this eighth day of September in the year two thousand seventeen

  
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SCOTT WALKER  
Governor

By the Governor:

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DOUGLAS LA FOLLETTE  
Secretary of State