

THE GOVERNOR

Proclamation of Emergency

January 21, 2011

Whereas, a prolonged period of severe winter weather across the northeastern United States including Pennsylvania has resulted in serious logistical problems associated with the distribution and delivery of propane gas and heating oil in the Commonwealth; and

Whereas, representatives from the propane gas and heating oil industry indicate that relief from hour of service limitations for drivers of commercial motor vehicles is necessary to overcome these logistical problems; and

Whereas, investigations made on my behalf by the Department of Environmental Protection and the Pennsylvania Emergency Management Agency have determined that the Commonwealth is at this time in need of greater flexibility in the application of federal and state motor carrier regulations to drivers of commercial vehicles transporting propane gas and heating oil within the state; and

Whereas, a duly declared emergency is necessary in order for the Pennsylvania Department of Transportation to waive federal and state motor carrier regulations related to hours of service for drivers of commercial motor vehicles transporting propane gas and heating oil to avoid interruption of the deliver of supplies of propane gas and heating oil in quantities essential to public welfare within the Commonwealth; and

Whereas, the serious impact of this continuing weather event on both the immediate and long-term economy of the Commonwealth represents a major hardship requiring a comprehensive federal, state, and local partnership for effective recovery.

Now Therefore, pursuant to the provisions of Subsection 7301(c) of the Emergency Management Services Code (35 Pa.C.S. § 7101, et seq.), I do hereby proclaim the existence of a disaster emergency across the Commonwealth. In accordance with the State Emergency Operations Plans, I hereby direct the Pennsylvania Department of Transportation to waive any laws or regulations in the manner and to the extent necessary to permit the motor carrier operations necessary to provide supplies of propane gas and heating oil adequate to preserve the public welfare in the Commonwealth. This proclamation does not direct or authorize the waiver of any provisions of Title 18 of the Pennsylvania Consolidated Statutes (the Crimes Code) or Title 75 of the Pennsylvania Consolidated Statutes (the Vehicle Code). This proclamation shall terminate at 11:59 p.m., February 7, 2011, unless extended by an amendment.

Given under my hand and the Seal of the Governor, at the city of Harrisburg, this twenty-first day of January in the year of our Lord, two thousand eleven, and of the Commonwealth, the two hundred and thirty-fifth.



Governor

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