

State of Maine



WHEREAS, the northeastern United States, including Maine, is experiencing arctic cold temperatures, heavy snowfalls, and dangerous wind chills;

WHEREAS, this cold weather is expected to continue for the next several days and affect the entire State;

WHEREAS, heating fuel in Maine continues to be in great demand because of the cold;

WHEREAS, Federal motor carrier safety regulations determine the number of hours the drivers of heating fuel and bulk petroleum transport and delivery vehicles may operate;

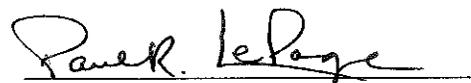
WHEREAS, many such drivers in the State will shortly be approaching the Federal limit on hours of operation and may have to cease delivery of heating fuel and bulk petroleum fuels;

WHEREAS, these conditions threaten public health and safety and endanger public property if heating fuels cannot be transported or delivered;

WHEREAS, the declaration of a State of Emergency will facilitate the granting of a waiver from the U.S. Department of Transportation – Federal Motor Carrier Safety Administration, pursuant to 49 C.F.R. part 390.23 to allow relief from 49 C.F.R. parts 390 through 399, specifically 49 C.F.R. part 395 Hours of Service of Drivers, and subject to the limitation described below, and therefore allow heating fuel and bulk petroleum transport and delivery drivers to operate additional hours; and

WHEREAS, motor carriers that have an Out-of-Service Order in effect may not take advantage of the relief from regulation that such a declaration provides under 49 C.F.R. 390.23.

NOW, THEREFORE, I, Paul R. LePage, Governor of the State of Maine, by virtue of the authority vested in me by the Constitution and laws of Maine, find that these conditions constitute a civil emergency under 37-B M.R.S.A. § 742, and for the purpose pursuant to 49 C.F.R. part 390.23 of facilitating a waiver to the U.S. Department of Transportation, Federal Motor Carrier Safety Regulations, specifically 49 C.F.R. part 395 Hours of Service of Drivers, do hereby declare that a State of Emergency exists for fuel drivers operating within the State of Maine as of January 24, 2013 through February 1, 2013.


Paul R. LePage, Governor