



State of Rhode Island and Providence Plantations

State House
Providence, Rhode Island 02903-1196
401-222-2080

Donald L. Carcieri
Governor

EXECUTIVE ORDER

January 23, 2009

09-03

DECLARATION OF HOME HEATING FUEL
TRANSPORTATION EMERGENCY NOTICE

SECRETARY OF STATE
PROVIDENCE, RHODE ISLAND

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WHEREAS, pursuant to R.I. Gen. Laws § 43-3-28, the Governor is authorized to determine the existence of an emergency brought about by the disruption and/or interruption of transportation service and that rights and obligations are adversely affected thereby; and

WHEREAS, Rhode Island has recently been experiencing and may continue to experience a prolonged period of cold weather that has resulted in an increased demand for home heating fuel; and

WHEREAS, federal law ordinarily imposes certain limitations upon the number of consecutive hours commercial truck drivers can operate; and

WHEREAS, federal law also permits exemptions from these limitations in the event of an emergency proclamation by the Governor.

NOW, THEREFORE, I, DONALD L. CARCIERI, by the virtue of the power vested in me as Governor of the State of Rhode Island and Providence Plantations and pursuant to Title 49 of the Code of Federal Regulations, section 390.23, do hereby order as follows:


1. A proclamation of emergency is hereby ordered.
2. As a result of this proclamation, commercial carriers of home heating fuel and liquid natural gas are afforded relief from the provisions of 49 CFR 395.3(b) of the Federal Motor Carrier Safety Regulations for

interstate motor carriers while providing liquid natural gas and home heating fuels to customers in Rhode Island during the pendency of this proclamation of emergency.

3. Nothing contained in this proclamation shall be construed as seeking an exemption from the Controlled Substances and Alcohol Use and Testing requirements (49 CFR 382), the Commercial Driver's License requirements (49 CFR 387), or any other portion of federal regulations not specifically identified.
4. This proclamation shall not apply to motor carriers that have an Out of Service Order in effect.
5. All persons operating under this proclamation should maintain a copy of it in their possession.

This Executive Order shall take effect immediately and shall remain in effect until this Order is terminated, but in no event later than ten (10) days from the date of this Order.

So Ordered:



Donald L. Carcieri

1/23/09
Date