

**STATE OF ARKANSAS**  
**EXECUTIVE DEPARTMENT**

**PROCLAMATION**

DR 13-29

TO ALL TO WHOM THESE PRESENTS COME -- GREETINGS:

WHEREAS: A severe winter weather system, beginning December 5, 2013, and continuing, has resulted in dangerous road conditions and widespread power outages, creating a backlog of deliveries by carriers hauling gasoline, diesel, jet fuel, and liquefied petroleum products to customers in Arkansas; and

WHEREAS: Adverse circumstances have been brought to bear upon the citizens and public properties within the State; and

WHEREAS: 49 C.F.R. Section 390.23 authorizes a state governor to declare a regional emergency during the duration of the emergency conditions, not to exceed thirty (30) days from the date of the initial declaration of emergency, and to exempt any motor carrier or driver operating a commercial motor vehicle to provide direct assistance in providing emergency relief during an emergency from Parts 390 through 399 of Chapter 49, Code of Federal Regulations;

NOW, THEREFORE, I, MIKE BEEBE, Governor of the State of Arkansas, acting under the authority vested in me by Act 511 of 1973, as amended, do hereby declare that a state of emergency exists in the State of Arkansas insofar as applied to commercial carriers hauling gasoline, diesel, jet fuel, and liquefied petroleum products to customers in Arkansas, and said state of emergency and the provisions of this proclamation shall exist and be in effect through December 19, 2013, or until such time as emergency conditions shall cease to exist, whichever is sooner.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Arkansas to be affixed this 5<sup>th</sup> day of December, in the year of our Lord 2013.

  
\_\_\_\_\_  
MIKE BEEBE, GOVERNOR

  
\_\_\_\_\_  
MARK MARTIN, SECRETARY OF STATE



**STATE OF ARKANSAS**  
**EXECUTIVE DEPARTMENT**

**PROCLAMATION**

DR 13-30

TO ALL TO WHOM THESE PRESENTS COME -- GREETINGS:

WHEREAS: A severe winter weather system, beginning December 5, 2013, and continuing, has created an emergency situation in Arkansas, and has resulted in hazardous road conditions that have limited the delivery of propane gas; and

WHEREAS: Adverse circumstances have been brought to bear upon businesses, citizens, and public and private properties within the State of Arkansas due to these extreme conditions, causing a spike in demand for the delivery of residential and commercial propane gas across Arkansas, and it is essential that propane marketers meet the required deliveries to provide heat to Arkansans; and

WHEREAS: Arkansas Code Annotated Section 15-75-322 authorizes the Governor to declare a liquefied petroleum gas shortage emergency;

NOW, THEREFORE, I, MIKE BEEBE, pursuant to Arkansas Code Annotated Section 15-75-322, and acting under the authority vested in me as Governor of the State of Arkansas, do hereby declare that a liquefied petroleum gas shortage exists within the State of Arkansas, and liquefied petroleum gas trucks and operators meeting all certification, permit, and licensing requirements of the federal government and their home state shall be permitted to transport liquefied petroleum gas in and through the State of Arkansas without obtaining any license, permit, or certification by an agency of the State of Arkansas.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Arkansas to be affixed this 5<sup>th</sup> day of December, in the year of our Lord 2013.



  
\_\_\_\_\_  
MIKE BEEBE, GOVERNOR

  
\_\_\_\_\_  
MARK MARTIN, SECRETARY OF STATE



# STATE OF ARKANSAS

## EXECUTIVE DEPARTMENT

### PROCLAMATION

DR 14-01

TO ALL TO WHOM THESE PRESENTS COME -- GREETINGS:

WHEREAS: A winter weather system containing extremely cold air and heavy snow in the northern states has resulted in Arkansas's propane supplies being shared with those affected northern states; and

WHEREAS: The extreme weather conditions surrounding Arkansas are forecast to arrive in our State and the neighboring areas, requiring liquefied petroleum gas transporters to travel further distances to secure propane in order to meet the needs of consumers in Arkansas and the surrounding states, creating an emergency situation that is limiting the delivery of propane gas; and

WHEREAS: Adverse circumstances have been brought to bear upon businesses, citizens, and public and private properties within the State of Arkansas due to these extreme conditions, causing a spike in demand for the delivery of residential and commercial propane gas across Arkansas, and it is essential that propane marketers meet the required deliveries to provide heating fuel to Arkansans; and

WHEREAS: Arkansas Code Annotated Section 15-75-322 authorizes the Governor to declare a liquefied petroleum gas shortage emergency;

NOW, THEREFORE, I, MIKE BEEBE, pursuant to Arkansas Code Annotated Section 15-75-322, and acting under the authority vested in me as Governor of the State of Arkansas, do hereby declare that a liquefied petroleum gas shortage exists within the State of Arkansas, and liquefied petroleum gas trucks and operators meeting all certification, permit, and licensing requirements of the federal government and their home state shall be permitted to transport liquefied petroleum gas in and through the State of Arkansas without obtaining any license, permit, or certification by an agency of the State of Arkansas.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Arkansas to be affixed this 3<sup>rd</sup> day of January, in the year of our Lord 2014.



  
MIKE BEEBE, GOVERNOR

  
MARK MARTIN, SECRETARY OF STATE

**STATE OF ARKANSAS**  
**EXECUTIVE DEPARTMENT**

**PROCLAMATION**

DR 14-02

TO ALL TO WHOM THESE PRESENTS COME -- GREETINGS:

WHEREAS: A winter weather system containing extremely cold temperatures and heavy snow in the northern states has resulted in Arkansas's propane supplies being shared with those affected northern states; and

WHEREAS: The extreme weather conditions surrounding Arkansas are forecast to arrive in our State and the surrounding areas, requiring liquefied petroleum gas transporters to travel further distances to secure propane to meet the needs of consumers in Arkansas and its neighboring states, creating an emergency situation that is limiting the delivery of propane gas; and

WHEREAS: 49 C.F.R. Section 390.23 authorizes a state governor to declare a regional emergency during the duration of the emergency conditions, not to exceed thirty (30) days from the date of the initial declaration of emergency, and to exempt any motor carrier or driver operating a commercial motor vehicle to provide direct assistance in providing emergency relief during an emergency from Parts 390 through 399 of Chapter 49, Code of Federal Regulations;

NOW, THEREFORE, I, MIKE BEEBE, Governor of the State of Arkansas, acting under the authority vested in me by Act 511 of 1973, as amended, do hereby declare that a state of emergency exists in the State of Arkansas insofar as applied to commercial carriers hauling liquefied petroleum products to customers in Arkansas, and said state of emergency and the provisions of this proclamation shall exist and be in effect through January 17, 2014, or until such time as emergency conditions shall cease to exist, whichever is sooner.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Arkansas to be affixed this 3<sup>rd</sup> day of January, in the year of our Lord 2014.



MIKE BEEBE, GOVERNOR



MARK MARTIN, SECRETARY OF STATE





**STATE OF ARKANSAS**  
**EXECUTIVE DEPARTMENT**

**PROCLAMATION**

DR 14-04

TO ALL TO WHOM THESE PRESENTS COME -- GREETINGS:

WHEREAS: A winter weather system containing extremely cold temperatures and heavy snow in the northern states has resulted in Arkansas's propane supplies being shared with those affected northern states; and

WHEREAS: The extreme weather conditions surrounding Arkansas are forecast to arrive in our State and the surrounding areas, requiring liquefied petroleum gas transporters to travel further distances to secure propane to meet the needs of consumers in Arkansas and its neighboring states, creating an emergency situation that is limiting the delivery of propane gas; and

WHEREAS: 49 C.F.R. Section 390.23 authorizes a state governor to declare a regional emergency during the duration of the emergency conditions, not to exceed thirty (30) days from the date of the initial declaration of emergency, and to exempt any motor carrier or driver operating a commercial motor vehicle to provide direct assistance in providing emergency relief during an emergency from Parts 390 through 399 of Chapter 49, Code of Federal Regulations;

NOW, THEREFORE, I, MIKE BEEBE, Governor of the State of Arkansas, acting under the authority vested in me by Act 511 of 1973, as amended, do hereby declare that a state of emergency exists in the State of Arkansas insofar as applied to commercial carriers hauling liquefied petroleum products to customers in Arkansas, and said state of emergency and the provisions of this proclamation shall exist and be in effect through January 31, 2014, or until such time as emergency conditions shall cease to exist, whichever is sooner.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Arkansas to be affixed this 21<sup>st</sup> day of January, in the year of our Lord 2014.



  
MIKE BEEBE, GOVERNOR

  
MARK MARTIN, SECRETARY OF STATE



U.S. Department of Transportation  
Federal Motor Carrier Safety Administration

Midwestern Service Center  
4749 Lincoln Mall Drive - Suite 300A  
Matteson, IL 60443

JANUARY 19, 2014

EMERGENCY DECLARATION 49 CFR § 390.23  
&  
EXTENSION OF STATE DECLARATIONS NOTICE 49 CFR § 390.25

Pursuant to Title 49 CFR §§ 390.23 and 390.25, I, Darin G. Jones, Field Administrator of the Federal Motor Carrier Safety Administration, declare an emergency exists that warrants issuance and extension of the State Regional Emergency Declarations continuing the exemptions granted in accordance with §§ 390.23 and 390.25 from Part 390 through 399 of the Federal Regulations (Federal Motor Carrier Safety Regulations), except as otherwise restricted by this declaration. The emergency declarations were in response to the extreme cold experienced throughout the Midwestern states from the polar vortex and the possible continuing effects of the arctic cold on people and property, including an immediate threat to human life or public welfare in the Midwestern United States.

The emergency exemption is issued as a result of extreme arctic cold weather conditions causing shortages and interruptions in the availability and/or delivery of propane and other home heating fuels throughout the States affected in the Midwestern Region to include the following: Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, Ohio and Wisconsin.

This declaration provides for the regulatory relief for commercial motor vehicles operations while providing direct assistance supporting the delivery of propane and home heating fuels into the affected areas and consumers in the above mentioned states during the emergency. Direct assistance terminates when a driver or commercial motor vehicle is used in interstate commerce to transport cargo or provide services not directly supporting the emergency relief effort.

Nothing contained in this declaration shall be construed as an exemption from the controlled substances and alcohol use and testing requirements (49 CFR Part 382), the commercial driver's license requirements (49 CFR Part 383), the financial responsibility (insurance) requirements (49 CFR Part 387), applicable size and weight requirements, or any other portion of the regulations not specifically authorized pursuant 49 CFR §390.23.

**Emergency Declaration Restrictions & Limitations**

By execution of this Emergency Declaration Extension, motor carriers and drivers providing direct assistance to the propane and home heating fuel emergency within the identified states are not granted emergency relief from and must comply with the following Federal Motor Carrier Safety Regulations (FMCSR) and conditions:

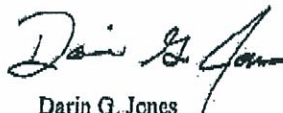
1. 49 CFR Part 392 related to the operation of a commercial motor vehicle in accordance with state laws and regulations, including compliance with applicable speed limits.



2. 49 CFR Part 392 related to operation of a commercial motor vehicle while a driver's ability or alertness is so impaired, or so like to become impaired, through fatigue, illness, or any other cause, as to make it unsafe for him/her to begin or continue to operate the commercial motor vehicle.
3. 49 CFR Part 395 related to the preparation, retention and accuracy of a driver's record of duty status (RODS). Drivers are directed to note "Emergency Declaration" in the remarks section of the RODS to identify that their operation is in direct assistance to the emergency relief.
4. A motor carrier whose driver is involved in a crash while operating under this emergency declaration must report any recordable crash within 24-hours, by phone or in writing, to the FMCSA Division Office where the motor carrier is domiciled. The carrier must report - date, time, location, driver and vehicle identification and brief description of the crash.
5. Motor carriers or drivers currently subject to an out-of-service order are not eligible for the relief granted by this declaration until they have met the applicable conditions for its rescission and the order has been rescinded by FMCSA.
6. Drivers for motor carriers operating under this declaration must have a copy of the declaration in their possession.
7. Upon termination of direct assistance to the emergency relief effort, the motor carrier and driver is subject to the requirements of 49 CFR Parts 390 through 399, except that a driver may return empty to the motor carrier's terminal or the driver's normal work reporting location under the terms of the declaration. Direct assistance terminates when a driver or commercial motor vehicle is used in interstate commerce to transport cargo not in direct furtherance of the emergency relief efforts. Upon return to the terminal or other location, the driver must be relieved of all duty and responsibilities.
8. Upon termination of direct assistance to the emergency relief effort, no motor carrier shall require or permit any driver used by it to drive, nor shall any such driver drive in interstate commerce until the driver has met the requirements of §395.3(a) and (c), and § 395.5(a).

In accordance with Title 49 CFR § 390.25, this declaration is effective today and shall remain in effect for the duration of the emergency (as defined in Title 49 CFR § 390.5) or until 11:59 P.M., CST, February 11, 2014 whichever is less.

Sincerely,



Darin G. Jones  
Field Administrator



**U.S. Department of Transportation  
Federal Motor Carrier Safety Administration**

Southern Service Center  
1800 Century Blvd. – Suite 1700  
Atlanta, GA 30345

**JANUARY 21, 2014**

**EMERGENCY DECLARATION 49 CFR § 390.23  
&  
EXTENSION OF STATE DECLARATIONS NOTICE 49 CFR § 390.25**

Pursuant to Title 49 CFR §§ 390.23 and 390.25, I, Darrell L. Ruban, Field Administrator of the Federal Motor Carrier Safety Administration, declare an emergency exists that warrants issuance and extension of the State Regional Emergency Declarations continuing the exemptions granted in accordance with §§ 390.23 and 390.25 from Part 390 through 399 of the Federal Regulations (Federal Motor Carrier Safety Regulations), except as otherwise restricted by this declaration. The emergency declarations were in response to the extreme cold experienced throughout the Southern states from the polar vortex and the possible continuing effects of the arctic cold on people and property, including an immediate threat to human life or public welfare in the Southern United States.

The emergency exemption is issued as a result of extreme arctic cold weather conditions causing shortages and interruptions in the availability and/or delivery of propane and other home heating fuels throughout the States affected in the Southern Region to include the following: Kentucky, North Carolina, South Carolina, Georgia, Tennessee, Arkansas, Mississippi and Oklahoma.

This declaration provides for the regulatory relief for commercial motor vehicle operations while providing direct assistance supporting the delivery of propane and home heating fuels into the affected areas and consumers in the above mentioned states during the emergency. Direct assistance terminates when a driver or commercial motor vehicle is used in interstate commerce to transport cargo or provide services not directly supporting the emergency relief effort.

Nothing contained in this declaration shall be construed as an exemption from the controlled substances and alcohol use and testing requirements (49 CFR Part 382), the commercial driver's license requirements (49 CFR Part 383), the financial responsibility (insurance) requirements (49 CFR Part 387), applicable size and weight requirements, or any other portion of the regulations not specifically authorized pursuant 49 CFR §390.23.

**Emergency Declaration Restrictions & Limitations**

By execution of this Emergency Declaration Extension, motor carriers and drivers providing direct assistance to the propane and home heating fuel emergency within the identified states are **not granted** emergency relief from and must comply with the following Federal Motor Carrier Safety Regulations (FMCSR) and conditions:

1. 49 CFR Part 392 related to the operation of a commercial motor vehicle in accordance with state laws and regulations, including compliance with applicable speed limits.
2. 49 CFR Part 392 related to operation of a commercial motor vehicle while a driver's ability or alertness is so impaired, or so like to become impaired, through fatigue, illness, or any other cause, as to make it unsafe for him/her to begin or continue to operate the commercial motor vehicle.
3. 49 CFR Part 395 related to the preparation, retention and accuracy of a driver's record of duty status (RODS). Drivers are directed to note "Emergency Declaration" in the remarks section of the RODS to identify that their operation is in direct assistance to the emergency relief.



4. A motor carrier whose driver is involved in a crash while operating under this emergency declaration must report any recordable crash within 24-hours, by phone or in writing, to the FMCSA Division Office where the motor carrier is domiciled. The carrier must report – date, time, location, driver and vehicle identification and brief description of the crash.
5. Motor carriers or drivers currently subject to an out-of-service order are **not eligible** for the relief granted by this declaration until they have met the applicable conditions for its rescission and the order has been rescinded by FMCSA.
6. Drivers for motor carriers operating under this declaration must have a copy of the declaration in their possession.
7. Upon termination of direct assistance to the emergency relief effort, the motor carrier and driver is subject to the requirements of 49 CFR Parts 390 through 399, except that a driver may return empty to the motor carrier's terminal or the driver's normal work reporting location under the terms of the declaration. Direct assistance terminates when a driver or commercial motor vehicle is used in interstate commerce to transport cargo not in direct furtherance of the emergency relief efforts. Upon return to the terminal or other location, the driver must be relieved of all duty and responsibilities.
8. Upon termination of direct assistance to the emergency relief effort, no motor carrier shall require or permit any driver used by it to drive, nor shall any such driver drive in interstate commerce until the driver has met the requirements of §395.3(a) and (c), and § 395.5(a).

In accordance with Title 49 CFR § 390.25, this declaration is effective today and shall remain in effect for the duration of the emergency (as defined in Title 49 CFR § 390.5) or until 11:59 P.M., CST, February 11, 2014 whichever is less.

Sincerely,



Darrell L. Ruban  
Field Administrator



STEVEN C. McCRAW  
DIRECTOR  
DAVID G. BAKER  
CHERYL MacBRIDE  
DEPUTY DIRECTORS

# TEXAS DEPARTMENT OF PUBLIC SAFETY

5805 N LAMAR BLVD/ PO BOX 4087, AUSTIN, TX 78773-0110

(512) 424-2000

[www.txdps.state.tx.us](http://www.txdps.state.tx.us)



COMMISSION  
A. CYNTHIA LEON, CHAIR  
CARIN MARCY BARTH  
MANNY FLORES  
RANDY WATSON  
STEVEN MACH

January 22, 2014

## **DECLARATION OF EMERGENCY NOTICE (TITLE 49, CODE OF FEDERAL REGULATIONS, PART 390.23)**

Pursuant to Title 49, Code of Federal Regulations (CFR), Part 390.23 and Chapter 644 of the Texas Transportation Code, Colonel Steven C. McCraw, Director of the Texas Department of Public Safety, has declared a local emergency exists which justifies an exemption from Parts 390 through 399 of Title 49 (Federal Motor Carrier Safety Regulations). Such emergency declaration is in response to the severe weather conditions in the States of Arkansas, Alabama, Connecticut, District of Columbia, Delaware, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Massachusetts, Maryland, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Vermont, Virginia, West Virginia, and Wisconsin.

Declaration of this emergency provides relief from Title 49, CFR, Part 395.3 of the Federal Motor Carrier Safety Regulations for motor carriers in Texas providing direct assistance to the delivery of propane and home heating oils to storage facilities and homes in States of Arkansas, Alabama, Connecticut, District of Columbia, Delaware, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Massachusetts, Maryland, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Vermont, Virginia, West Virginia, and Wisconsin.

Nothing contained herein shall be construed as an exemption from the Controlled Substances and Alcohol Use and Testing Requirements of Title 49, CFR, Parts 40 and 382; Commercial Drivers License requirements of Title 49, CFR, Part 383 and Chapter 522 of the Texas Transportation Code; the Financial Responsibility requirements in Title 49, CFR, Part 387 and Chapters 601 and 643 of the Texas Transportation Code; the Hazardous Material Transportation Regulations of Title 49, CFR, Parts 107 (Subpart G), 171, 172, 173, 177, 178, and 180; or the applicable State of Texas size, weight, or traffic safety regulations.

Motor carriers that have an Out-of-Service Order in effect cannot take advantage of the relief from the regulations that this declaration provides under Title 49, CFR, Part 390.23.

Consistent with Title 49, CFR, Part 390.23, the emergency declaration will take effect at 12:01 a.m., January 23, 2014, and will remain in effect for the duration of the emergency (as defined in Title 49, CFR, Part 390.5) or for five days, ending at 11:59 p.m., January 28, 2014, whichever is less.

Steven C. McCraw  
Director





STEVEN C. McCRAW  
DIRECTOR  
DAVID G. BAKER  
CHERYL MacBRIDE  
DEPUTY DIRECTORS

**TEXAS DEPARTMENT OF PUBLIC SAFETY**  
5805 N LAMAR BLVD / PO BOX 4087, AUSTIN, TX 78773-0110  
(512) 424-2000

[www.txdps.state.tx.us](http://www.txdps.state.tx.us)



COMMISSION  
A. CYNTHIA LEON, CHAIR  
CARIN MARCY BARTH  
MANNY FLORES  
RANDY WATSON  
STEVEN MACH

January 28, 2014

**DECLARATION OF EMERGENCY NOTICE**  
**(TITLE 49, CODE OF FEDERAL REGULATIONS, PART 390.23)**

Pursuant to Title 49, Code of Federal Regulations (CFR), Part 390.23 and Chapter 644 of the Texas Transportation Code, Colonel Steven C. McCraw, Director of the Texas Department of Public Safety, has declared a local emergency exists which justifies an exemption from Parts 390 through 399 of Title 49 (Federal Motor Carrier Safety Regulations). Such emergency declaration is in response to the severe weather conditions in the State of Texas.

Declaration of this emergency provides relief from Title 49, CFR, Part 395.3 of the Federal Motor Carrier Safety Regulations for motor carriers in Texas providing direct assistance to the delivery of propane and home heating oils to storage facilities and homes in the State of Texas.

Nothing contained herein shall be construed as an exemption from the Controlled Substances and Alcohol Use and Testing Requirements of Title 49, CFR, Parts 40 and 382; Commercial Drivers License requirements of Title 49, CFR, Part 383 and Chapter 522 of the Texas Transportation Code; the Financial Responsibility requirements in Title 49, CFR, Part 387 and Chapters 601 and 643 of the Texas Transportation Code; the Hazardous Material Transportation Regulations of Title 49, CFR, Parts 107 (Subpart G), 171, 172, 173, 177, 178, and 180; or the applicable State of Texas size, weight, or traffic safety regulations.

Motor carriers that have an Out-of-Service Order in effect cannot take advantage of the relief from the regulations that this declaration provides under Title 49, CFR, Part 390.23.

Consistent with Title 49, CFR, Part 390.23, the emergency declaration will take effect at 12:01 a.m., January 29, 2014, and will remain in effect for the duration of the emergency (as defined in Title 49, CFR, Part 390.5) or for five days, ending at 11:59 p.m., February 3, 2014, whichever is less.

Steven C. McCraw  
Director



STATE OF TEXAS  
OFFICE OF THE GOVERNOR

RICK PERRY  
GOVERNOR

January 22, 2014

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
5:15 P.M. CLOCK

JAN 22 2014  
**NANDITA BERRY**  
Secretary of State

The Honorable Nandita Berry  
Secretary of State  
State Capitol Room 1E.8  
Austin, Texas 78701

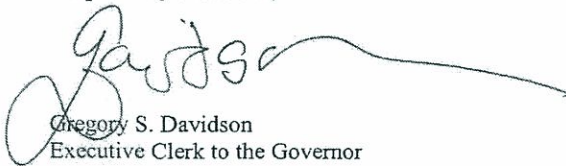
Dear Madam Secretary:

Pursuant to his powers as Lieutenant Governor of the State of Texas, David Dewhurst has issued the following proclamation as the Acting Governor:

A proclamation concerning the existence of a temporary shortage of  
liquefied petroleum gas and declaring a liquefied petroleum gas  
emergency in the State of Texas.

The original proclamation is attached to this letter of transmittal.

Respectfully submitted,

  
Gregory S. Davidson  
Executive Clerk to the Governor

GSD/gsd

Attachment

P. O. Box 12428 • Capitol Station • Austin, Texas 78711



# PROCLAMATION

BY THE

## Governor of the State of Texas

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TO ALL TO WHOM THESE PRESENTS SHALL COME:

WHEREAS, extreme winter weather and cold temperatures throughout much of the United States have created a large demand for liquefied petroleum gas, and such conditions have resulted in a corresponding strain on liquefied petroleum gas resources outside the State of Texas;

WHEREAS, the United States Department of Transportation has declared emergencies in Eastern, Midwestern, and Southern states due to shortages and interruptions in the availability or delivery of propane and other home heating fuels;

WHEREAS, the following states have declared liquefied petroleum gas emergencies: Kansas, Kentucky, Maine, Michigan, Minnesota, Missouri, New Jersey, New York, Oklahoma, Pennsylvania, South Dakota, Vermont, and Wisconsin;

WHEREAS, the States of Iowa and Maine have requested that the State of Texas join them in declaring a liquefied petroleum gas emergency; and

WHEREAS, the State of Texas is the leading producer of liquefied petroleum gas in the nation, and Texas' liquefied petroleum gas resources and infrastructure allow the state to temporarily assist in alleviating the liquefied petroleum gas shortages in other states.

THEREFORE, in accordance with the authority vested in me by Section 113.083 of the Texas Natural Resources Code, I have determined the existence of a temporary shortage of liquefied petroleum gas in the above states, and I join the governors of those states in declaring a liquefied petroleum gas emergency.

Pursuant to this proclamation and Section 113.083(a) of the Texas Natural Resources Code, the State of Texas waives Texas licensing, permitting, and certification requirements regarding liquefied petroleum gas trucks and operators. This waiver applies only to liquefied petroleum gas trucks and operators meeting all certification, permitting, and licensing requirements of the federal government and another state whose governor has declared or declares a liquefied petroleum gas emergency.

All other legal requirements, including licensing, registration, insurance, and safety, remain in place.

This emergency declaration shall continue for 14 days from the date this proclamation is signed, unless renewed.

In accordance with the statutory requirements, copies of this proclamation shall be filed with the applicable authorities.

IN TESTIMONY WHEREOF, I  
have hereunto signed my name and  
have officially caused the Seal of  
State to be affixed at my office in

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
5:15 PM O'CLOCK  
JAN 22 2014



the City of Austin, Texas, this the  
22nd day of January, 2014.

*David Dewhurst*

DAVID DEWHURST  
Lieutenant Governor  
Acting as Governor of Texas

ATTESTED BY:

*NANDITA BERRY*

NANDITA BERRY  
Secretary of State

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
5:15 pm O'CLOCK  
JAN 22 2014





## EXECUTIVE DEPARTMENT

### PROCLAMATION NO. 8 BJ 2014

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*STATE OF EMERGENCY – Transportation and Delivery of Propane and Heating Fuels  
Products Due to Extreme Cold Weather*

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- WHEREAS,** the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, et seq., confers upon the Governor of the State of Louisiana emergency powers to deal with emergencies and disasters, including those caused by fire, flood, earthquake, or other natural or manmade causes, in order to ensure that preparations of this state will be adequate to deal with such emergencies or disasters and to preserve the lives and property of the people of the State of Louisiana;
- WHEREAS,** when the Governor determines that a disaster or emergency has occurred, or the threat thereof is imminent, R.S. 29:724(B)(1) empowers the Governor to declare a state of emergency by executive order or proclamation, or both;
- WHEREAS,** extreme cold temperatures are impacting the citizens and property of this State, and also causing delays in the commercial transportation and delivery of propane and heating fuels products to the citizens of this State;
- WHEREAS,** numerous states, including Arkansas, Connecticut, Delaware, Kansas, Maine, Maryland, Michigan, Minnesota, Missouri, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, South Dakota, Tennessee, Vermont and Wisconsin have declared emergencies addressing transportation of propane and heating fuels products to relieve the effects and threats the extreme cold weather conditions are having on their citizens and property;
- WHEREAS,** this State is a producer and exporter of propane and heating fuels products which, in these extreme weather conditions, will contribute to the safety and welfare of the inhabitants of the surrounding states, by relieving regulatory requirements for operators of commercial motor carriers transporting propane and heating fuel products traveling on the public highways of the state of Louisiana for the purpose of response to this emergency and emergencies in other states;
- WHEREAS,** the U.S. Department of Transportation, Federal Motor Carrier Safety Administration has issued Emergency Declarations under 49 CFR § 390.23 on January 21, 2014 to provide regulatory relief to commercial vehicles supporting the delivery of propane and heating fuels products in response to extreme cold weather conditions experienced and continued to be experienced throughout the Southern, Eastern and Midwestern regions of the United States;

**NOW THEREFORE I, BOBBY JINDAL,** Governor of the State of Louisiana, by virtue of the

authority vested by the Constitution and laws of the State of Louisiana, do hereby order and direct as follows:

- SECTION 1:** Pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, *et seq.*, a state of emergency is declared to exist in the State of Louisiana as a result of emergency conditions created extreme cold weather conditions and shortages and interruptions in the availability or delivery of propane and heating fuels products that threaten the lives and property of the citizens of the State and other states.
- SECTION 2:** The Director of the Governor's Office of Homeland Security and Emergency Preparedness is hereby authorized to undertake any activity authorized by law which he deems necessary and appropriate in response to this declaration.
- SECTION 2:** The enforcement of the regulatory provisions of 49 CFR Parts 390 through 399, as specified in the January 21, 2014 U.S. Department of Transportation, Federal Motor Carrier Safety Administration Emergency Declarations under 49 CFR § 390.23, to provide regulatory relief to commercial motor carriers transportation providing direct assistance supporting the delivery of propane and heating fuel products in this State or other States is hereby suspended.
- SECTION 2:** Nothing contained in this declaration shall be interpreted to suspend any other state or federal laws or regulations other than those federal regulations which are specifically addressed in this declaration.
- SECTION 4:** This state of emergency extends from Wednesday, January 22, 2014 to Thursday, February 20, 2014, unless terminated sooner.



IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in the City of Baton Rouge, on this 22<sup>nd</sup> day of January, 2014.

/s/ Bobby Jindal  
GOVERNOR OF LOUISIANA

ATTEST BY  
THE GOVERNOR

/s/ Tom Schedler  
SECRETARY OF STATE