



THE STATE OF GEORGIA

EXECUTIVE ORDER

BY THE GOVERNOR:

- WHEREAS:** On June 30, 2021, due to the ongoing negative impacts of COVID-19 on Georgia's economy, supply chain, and healthcare infrastructure, I issued Executive Order No. 06.30.21.01, declaring a State of Emergency for Continued COVID-19 Economic Recovery; and
- WHEREAS:** On July 22, 2021, I renewed the State of Emergency for Continued COVID-19 Economic Recovery until August 29, 2021, by issuing Executive Order 07.22.21.01; and
- WHEREAS:** On August 19, 2021, I renewed the State of Emergency for Continued COVID-19 Economic Recovery until September 28, 2021, by issuing Executive Order 08.19.21.01; and
- WHEREAS:** Executive Order 06.30.21.01 authorized a call of up to one hundred (100) Georgia National Guard troops for state active duty to be used in response to this State of Emergency; and
- WHEREAS:** Executive Order 08.25.21.01 authorized a call of up to an additional nine hundred (900) Georgia National Guard troops for state active duty to be used in response to this State of Emergency; and
- WHEREAS:** Continued assistance from the Georgia National Guard is necessary to ensure the complete restoration of the social and economic welfare of the state from the negative impacts of COVID-19; and
- WHEREAS:** The uninterrupted supply of medical goods and other emergency related materials, supplies, goods, and services during this State of Emergency is an essential need of the public and any perceived or actual shortage threatens public welfare; and
- WHEREAS:** The Federal Motor Carrier Safety Regulations, 49 C.F.R. §§ 390 *et seq.*, prescribes limits on the hours of service for operators of

commercial vehicles, and federal law, 23 U.S.C. § 127, sets forth certain weight limitations for vehicles on interstate highways; and

WHEREAS: 49 C.F.R. § 390.23 allows the Governor of a state to suspend these rules and regulations for commercial vehicles responding to an emergency for up to thirty (30) days, if the Governor determines an emergency condition exists.

WHEREAS: Georgia law vests the Governor in Code Section 38-3-51 with the authority to bring emergency situations under control by issuing orders, rules, and regulations to protect the safety and welfare of the public.

NOW, THEREFORE, PURSUANT TO CODE SECTION 38-3-51, AND THE AUTHORITY VESTED IN ME AS GOVERNOR OF THE STATE OF GEORGIA, IT IS HEREBY

ORDERED: That the Georgia Department of Defense provide an additional one thousand five hundred (1,500) Georgia National Guard troops to be used in response to the State of Emergency for Continued COVID-19 Economic Recovery, bringing the total authorization to two thousand five hundred (2,500) troops.

IT IS FURTHER

ORDERED: That these Georgia National Guard troops be called up to State Active Duty as necessary by the Adjutant General at the request of the Director of the Georgia Emergency Management and Homeland Security Agency.

IT IS FURTHER

ORDERED: That if the emergency necessitates the use of Title 10 military forces, the Adjutant General will identify a member of his staff with appropriate training, rank, and qualifications to act as a dual status commander over all military forces responding to this State of Emergency within the State of Georgia.

IT IS FURTHER

ORDERED: That the federal rules and regulations limiting hours that operators of commercial vehicles may drive are suspended to ensure the uninterrupted supply of healthcare supplies as well as all other supplies, goods, and services throughout Georgia. This declared emergency justifies a suspension of Part 395 (driver's hours of service) of Title 49 of the Code of Federal Regulations. The suspension will remain in effect for thirty (30) days or until the

emergency condition ceases to exist, whichever is less. Nothing herein will be construed as an exemption from the Commercial Driver's License requirements in 49 C.F.R. § 383 and the financial requirements in 49 C.F.R. § 387.

IT IS FURTHER

ORDERED: That no motor carrier operating under the terms of this State of Emergency will require or allow an ill or fatigued driver to operate a motor vehicle. A driver who notifies a motor vehicle carrier that he or she needs immediate rest will be given at least ten (10) consecutive hours off-duty before being required to return to service.

IT IS FURTHER

ORDERED: That weight, height, and length for any commercial vehicle traveling through the State of Georgia for the purposes of providing relief related to the State of Emergency for Continued COVID-19 Economic Recovery, which traverses roadways maintained by the State of Georgia shall not exceed the following:

- A. A maximum gross vehicle weight for vehicles equipped with five (5) weight-bearing axles, with an outer bridge span of not less than fifty-one (51) feet, shall not exceed a gross vehicle weight of ninety-five (95) thousand pounds, a maximum width of ten (10) feet, and an overall length of one hundred (100) feet. Continuous travel is authorized with the proper escorts.
- B. If the width of said vehicle exceeds eight (8) feet six (6) inches and is traveling after daylight, defined as thirty (30) minutes before sunset to thirty (30) minutes after sunrise, the transporter is required to have a vehicle front and a rear escort/amber light when traveling on a two-lane roadway and a vehicle rear escort when traveling on a four-lane highway. Transporters are responsible for ensuring that they have proper oversize signs, markings, flags, and escorts as defined in the Georgia Department of Transportation Rules and Regulations.

IT IS FURTHER

ORDERED: That commercial vehicles operating outside the normal weight, height, and length restrictions under the authority of this State of Emergency shall be issued permits by the Georgia Department of Public Safety. Said vehicles shall be subject to any special conditions the Georgia Department of Public Safety may list on applicable

permits. Nothing in this Executive Order shall be construed to allow any vehicle to exceed weight limits posted for bridges and like structures, nor shall anything in this Executive Order be construed to relieve compliance with restrictions other than those specified in this Order or from any statute, rule, order, or other legal requirement not specifically waived herein.

Oversize permits may be issued by the Georgia Department of Public Safety, Motor Carrier Compliance Division, during normal business hours, Monday through Friday by calling 844-837-55 or through the Georgia Permitting and Routing Optimization System by calling 404-624-7258 or by visiting the online portal at <https://gapros.dot.ga.gov/>.

IT IS FURTHER

ORDERED:

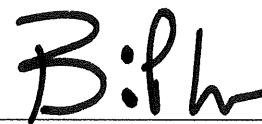
That if one or more of the provisions contained in this Order shall be held to be invalid, in violation of the Georgia Constitution, in violation of Georgia law, or unenforceable in any respect, such invalidity, violation, or unenforceability shall not affect any other provisions of this Order, but, in such case, this Order shall be construed as if such invalid, illegal, or unenforceable provision had not been included in the Order.

IT IS FURTHER

ORDERED:

That all provisions of this Order shall remain effective until the State of Emergency for Continued COVID-19 Economic Recovery declared by Executive Order 06.30.21.01, and renewed by Executive Orders 07.22.21.01 and 08.19.21.01, is terminated or ceases to be renewed by the Governor or until this Order is otherwise terminated via subsequent Executive Order.

This 30th day of August 2021.



GOVERNOR