



THE STATE OF GEORGIA

EXECUTIVE ORDER

BY THE GOVERNOR:

SUSPENDING FUEL TAXES DURING THE STATE OF EMERGENCY FOR SUPPLY CHAIN DISRUPTIONS

- WHEREAS:** On April 14, 2022, due to the ongoing severe disruptions to Georgia's supply chain, I issued Executive Order 04.14.22.01, declaring a State of Emergency for Supply Chain Disruptions; and
- WHEREAS:** On May 10, 2022, I renewed the State of Emergency for Supply Chain Disruptions until June 14, 2022, by issuing Executive Order 05.10.22.01; and
- WHEREAS:** On May 26, 2022, I renewed the State of Emergency for Supply Chain Disruptions until July 14, 2022, by issuing Executive Order 05.26.22.01; and
- WHEREAS:** The State is experiencing such state of emergency due to the impacts of severe supply chain disruptions on the economy and social and economic wellbeing of its residents; and
- WHEREAS:** On March 18, 2022, I signed House Bill 304 into law suspending the collection of state motor fuel taxes from 5:00 P.M. March 18, 2022 through May 31, 2022 at 11:59 P.M.;
- WHEREAS:** The supply chain disruptions affecting the cost of motor fuel have not been fully alleviated since the signing of House Bill 304 and the high cost of fuel continues to negatively impact Georgia's residents and economy; and
- WHEREAS:** The Governor is vested with the emergency powers cited herein as the Chief Executive of this State; and
- WHEREAS:** Code Section 38-3-28 provides that "[a]ll orders, rules, and regulations promulgated by the Governor" have the force and effect of law; and

WHEREAS: As Chief Executive, the Governor is tasked with protecting the citizens of this State, including during a state of emergency; and

WHEREAS: Code Section 38-3-51(c)(1) vests the Governor with the power to enforce all laws, rules, and regulations relating to emergency management and to assume direct operational control of all civil forces and helpers in the state; and

WHEREAS: Code Section 38-3-51(c)(4) vests the Governor with the power to perform and exercise such other functions, powers, and duties as may be deemed necessary to promote and secure the safety and protection of the civilian population; and

WHEREAS: Code Section 38-3-51(d)(1) vests the Governor with the power to suspend any regulatory statute prescribing the procedures for conduct of state business, or the orders, rules, or regulations of any state agency if strict compliance with any statute, order, rule, or regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency or disaster; and

WHEREAS: In the event the Governor has declared a state of emergency, Code Section 45-12-22 vests him with the power to suspend the collection of state motor fuel taxes, subject to ratification by the General Assembly at its next meeting; and

WHEREAS: In consultation with state economic, transportation, and emergency preparedness officials, I have determined that the following actions are necessary and appropriate to protect the continued strength of Georgia's economy and provide for the health, safety, and welfare of Georgia's residents and visitors.

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 pursuant to Code Section 45-12-22, the collection of motor fuel and diesel fuel taxes required by Code Section 48-9-3 is hereby suspended for the effective dates of this Order.

IT IS FURTHER

ORDERED: That no distributor of motor fuel or diesel fuel shall be found in violation of Code Section 48-9-17 for complying with the terms of this Order.

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 never been contained within the Order.

IT IS FURTHER

ORDERED: That no provision of this Order shall limit, infringe, suspend, or supplant any judicial order, judgment, or decree issued pursuant to the laws or constitution of this State or the laws or constitution of the United States, nor shall any person use any provision this Order as a defense to an action in violation of a judicial order, judgment, or decree by any court created pursuant to the laws or constitution of this State or the laws or constitution of the United States.

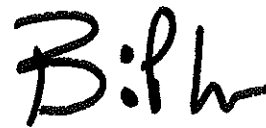
IT IS FURTHER

ORDERED: The Office of the Governor may continue to issue guidance on the scope of this Order as needed through communication media, including social media, without need for further Executive Orders.

IT IS FURTHER

ORDERED: That the provisions of this Order shall be effective upon signature and shall expire Thursday, July 14, 2022, at 11:59 P.M., unless otherwise renewed or terminated via subsequent Executive Order.

This 26th day of May 2022.



GOVERNOR