



THE STATE OF GEORGIA

EXECUTIVE ORDER

BY THE GOVERNOR:

SUSPENDING FUEL TAXES DURING THE STATE OF EMERGENCY FOR TROPICAL STORM HELENE

- WHEREAS:** On September 24, 2024, due to the potential negative impacts of Tropical Storm Helene on the State of Georgia, I issued Executive Order No. 09.24.24.01, declaring a State of Emergency for Tropical Storm Helene; and
- WHEREAS:** On October 1, 2024, I renewed the State of Emergency for Tropical Storm Helene until October 9, 2024, by issuing Executive Order 10.01.24.01; and
- WHEREAS:** Tropical Storm Helene, later Hurricane Helene, has negatively impacted the supply chain of goods and services to impacted areas and the social and economic wellbeing of Georgia's residents; 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 emergency preparedness, economic, and transportation officials, I have determined that the following actions are necessary and appropriate to ensure continuation of the necessary storm response and recovery efforts, 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 unless otherwise noted herein, the provisions of this Order shall remain effective until the State of Emergency for Tropical Storm Helene declared by Executive Order 09.24.24.01, and renewed by Executive Order 10.01.24.01, is terminated or ceases to be renewed by the Governor or the provisions are otherwise terminated via subsequent Executive Order.

IT IS FURTHER

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 this Order shall be effective on Thursday, October 3, 2024, at 12:00 A.M.

This 1st day of October 2024.



GOVERNOR