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No. 76 An Order Declaring an Energy Emergency in Tennessee

Bill Lee

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FEB 22 2021

Secretary of State
Tre Hargett



STATE OF TENNESSEE
EXECUTIVE ORDER
BY THE GOVERNOR

No. 76

AN ORDER DECLARING AN ENERGY EMERGENCY IN TENNESSEE

WHEREAS, ensuring an uninterrupted supply of heating fuel is of critical importance, especially during the winter months; and

WHEREAS, the extremely cold conditions and extreme winter weather of recent days have resulted in increased demand for heating fuel, and disruptions in supply at the terminal level threaten to result in critical propane supplies not being available to consumers during this unusually cold time period; and

WHEREAS, the same extreme winter weather damaged electrical utilities, causing outages in numerous locations throughout the State of Tennessee and the region; and

WHEREAS, numerous other states throughout the region and the nation have declared propane emergencies; and

WHEREAS, the developing disruption in the supply of necessary heating fuels has resulted in the determination that a state of emergency currently exists in the State of Tennessee; and

WHEREAS, the damage to the electrical distribution system in the State of Tennessee and throughout the region necessitates the movement of equipment, supplies, utility crews and vehicles, and other personnel within Tennessee and the region; and

WHEREAS, Tennessee Code Annotated §§ 58-2-101(12) and 58-2-107(b)(1) provide that an energy emergency is one arising from a present or threatened shortage of usable energy resources and that the Governor may declare a state of emergency to address such a danger;

NOW THEREFORE, I, Bill Lee, Governor of the State of Tennessee, by virtue of the power and authority vested in me by the Tennessee Constitution and law, including but not limited to Tenn. Code Ann. § 58-2-107(b), do hereby declare a state of emergency in Tennessee.

1. This state of emergency is being declared for the limited purpose of, and in accordance with 49 CFR § 390.23 as adopted by Tenn. Comp. R. & Regs, Chapter 1340-06-01-.08, providing a temporary exemption from the federal rules and regulations in 49 CFR, Part 395, limiting the hours of service the operator of a commercial motor vehicle providing liquid petroleum fuels, propane gas, other heating fuels, utility supplies, or utility crews during this state of emergency.
2. Nothing in this Order shall be construed as an exemption from the Commercial Driver's License requirements in 49 CFR, Part 383, the financial requirements in 49 CFR, Part 387, or applicable federal size and weight limitations.
3. No motor carrier operating under the terms of this Order shall require or allow an ill or fatigued driver to operate a motor vehicle. A driver who notifies a motor carrier that he or she needs immediate rest shall be given at least ten (10) consecutive hours off-duty before the driver is required to return to service.
4. The exemption authorized in Paragraph 1 shall remain in effect for ten (10) days, terminating at 11:59pm CT on February 26, 2021.

IN WITNESS WHEREOF, I have subscribed my signature and caused the Great Seal of the State of Tennessee to be affixed as of this 16th day of February, 2021.


GOVERNOR

ATTEST:


SECRETARY OF STATE

