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John Bel Edwards, Governor
Shawn D. Wilson, Ph.D., Secretary

SECRETARY WAIVER ORDER

Hurricane Harvey

FEMA Housing Unit Transport

- WHEREAS,** pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121, *et seq.*, President Donald J. Trump declared states of emergency in Texas via DR-4332 on August 25, 2017 and in Louisiana via EM-3382 on August 28, 2017; and
- WHEREAS,** the safety and welfare of the inhabitants of the affected areas of Louisiana, Texas, and surrounding states require that the movements of operators of commercial motor carriers traveling on the public highways of the state of Louisiana for the purpose of emergency preparedness and disaster relief efforts be expedited; and
- WHEREAS,** in accordance with Louisiana Revised Statute 32:387, the Governor has delegated the authority to the Secretary of the Department of Transportation and Development to waive the requirements relative to the rules of permits for the purpose of disaster, emergency or emergency preparedness; and
- WHEREAS,** to deal with emergencies or disasters and 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 citizens of the state of Louisiana, including the authority to suspend the provisions of 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 the provisions of any statute, order, rule, or regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency; and
- WHEREAS,** Hurricane Harvey has caused severe flooding and wind damage in parts of Texas and Louisiana that damaged homes, businesses and disrupted the nation's fuel supply; and

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WHEREAS, the Federal Emergency Management Agency (FEMA) intends to deliver housing units to affected areas of Texas and Louisiana; and

WHEREAS, to meet immediate housing needs for displaced Texas and Louisiana citizens and limit day time traffic congestion, FEMA has sought permit relief and authorization for night movement from the Louisiana Department of Transportation and Development.

NOW THEREFORE, I, SHAWN DAVID WILSON, Secretary of Department of Transportation and Development, State of Louisiana, by virtue of the authority vested by the Constitution and the laws of the State of Louisiana, do hereby order and direct as follows:

SECTION 1: Housing units being transported in Louisiana on behalf of FEMA shall not be subject to applicable permit requirements for size and are authorized to move at night. All loads over width or length traveling at night shall have an escort equipped with a dome, bar, or strobe light that is amber in color with 360 degree visibility. All other requirements for the movement of oversize loads with regards to time of travel during peak travel hours through urban/metropolitan areas are still in effect.

SECTION 2: Except for as provided in Section 1, nothing in this Order shall be construed or interpreted as waiving overweight and/or oversized requirements/restrictions as provided in applicable statutes, rules, and orders including but not limited to the United States Code, Code of Federal Regulations, the Louisiana Revised Statutes at LA R.S. 32:387 et seq., Title 73 of the Louisiana Administrative Code, and the DOTD Louisiana Regulations for Trucks, Vehicles, and Loads.

SECTION 3: Nothing in this Order shall be construed or interpreted as allowing any vehicle or carrier to exceed weight limits posted for bridges and like structures, or being applicable to travel on non-state maintained highways, or as being applicable to the transport of commodities or equipment that are not in support of rescue, recovery and repair efforts associated with the emergency as described above.

SECTION 4: This Order is effective as of September 27, 2017, and shall remain in effect until October 22, 2017, unless amended, modified or rescinded.



Shawn D. Wilson, Ph.D., Secretary
Department of Transportation
and Development