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

SECRETARY WAIVER ORDER

Hurricane Harvey

WHEREAS, pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, La. R.S. 29:721, *et seq.*, the Governor declared a state of emergency in Proclamation No. 104 JBE 2017, that emergency was subsequently extended through Proclamation No. 113 JBE 2017; and

WHEREAS, the safety and welfare of the inhabitants of the affected areas of Louisiana 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.

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:

Secretary Waiver Order
September 27, 2017

- SECTION 1:** All trucks transporting commodities or equipment in response to Hurricane Harvey that are overweight and/or oversized shall adhere to applicable permit requirements for weight and size but shall not be required to obtain the applicable permit or pay the applicable permit fees as contemplated by Louisiana Revised Statute 32:387 et seq. until such time as the order expires. All trucks that are oversized traveling at night shall have an escort equipped with a dome, bar, or strobe light that is amber in color with 360-degree visibility.
- 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 which prompted the emergency declaration in Proclamation No. 104 JBE 2017.
- SECTION 4:** This Order was effective as of August 25, 2017, is hereby modified on 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