



State of Rhode Island and Providence Plantations  
State House  
Providence, Rhode Island 02903-1196  
401-222-2080

Donald L. Carcieri  
Governor

EXECUTIVE ORDER

January 13, 2009

09-01

SECRETARY OF STATE  
ADMINISTRATIVE SERVICES DIVISION

2009 JAN 13 PM 1:45



PROCLAMATION OF PROPANE  
GAS TRANSPORTATION EMERGENCY

WHEREAS, pursuant to R.I. Gen. Laws § 43-3-28, the Governor is authorized to determine the existence of an emergency brought about by the disruption and/or interruption of transportation service and further to determine that rights and obligations are adversely affected thereby; and

WHEREAS, Rhode Island has recently experienced interruptions in the supply and delivery of propane gas occasioned by: 1) a collision of a propane tanker at sea; 2) a prolonged period of cold and extreme weather and a consequent increase in the demand for propane gas; 3) the high price of fuel over the summer which delayed the filling of customer and marketer storage facilities; and various transportation disruptions in the northeastern United States; and

WHEREAS, federal law ordinarily imposes certain limitations upon the number of consecutive hours commercial truck drivers can operate; and

WHEREAS, federal law also permits exemptions from these limitations in the event of an emergency proclamation by the Governor; and

NOW, THEREFORE, I, DONALD L. CARCIERI, by the virtue of the power vested in me as Governor of the State of Rhode Island and Providence Plantations and pursuant to 49 C.F.R. 390.23, do hereby order as follows:

1. A proclamation of emergency is hereby ordered.
2. As a result of this proclamation, commercial carriers of propane gas are afforded relief from the provisions of 49 CFR 395.3(b) of the Federal Motor Carrier Safety Regulations for interstate motor carriers while providing propane gas fuels to customers in Rhode Island and filling transportation vehicles at Rhode Island propane terminals for out-of-state transport to service regional customers and storage facilities during the pendency of this proclamation of emergency.
3. Nothing contained in this declaration shall be construed as an exemption from the Controlled Substances and Alcohol Use and Testing requirements (49 CFR 382), the Commercial Drivers License requirements (49 CFR 383), the Financial Responsibility requirements (49 CFR 387), applicable Size and Weight requirements, or any other portion of the regulation not specifically identified.
4. This proclamation shall not apply to motor carriers that have an Out of Service Order in effect.
5. Upon termination of this emergency proclamation, federal regulation shall again become effective.
6. All persons operating under this proclamation should maintain a copy of it in their possession.

This Executive Order shall take effect immediately and shall remain in effect for the duration of this emergency or until this Order is terminated, but in no event later than twenty-one (21) days from the date of this Order.

So Ordered:



Donald L. Carcieri

Dated: 1/13/09