State of Maine

Proclamation

Emergency Proclamation for
US DOT Federal Motor Carrier Safety Administration Hours of Service Waiver

WHEREAS, the State of Maine is threatened by a tropical weather system, including high winds and heavy rains, that has the potential to leave thousands of Maine homes and businesses out of power; and

WHEREAS, work crews will have to work many hours to restore power; and

WHEREAS, power restoration crews will be requested from other states and potentially Canadian provinces to assist in power restoration; and

WHEREAS, such power restoration crews may be asked to arrive before the storm in order to ensure they are in place to begin the power restoration process immediately ; and

WHEREAS, federal rules determine the number of hours the driver of an electrical line repair vehicle may operate; and

WHEREAS, drivers of such vehicles must cease operations when they reach the federal limit on hours of operation, and therefore would have to cease power restoration; and

WHEREAS, extended power outages threaten public health and safety and endanger public property if power cannot be restored to Maine homes and businesses; and

WHEREAS, these conditions are expected to extend until November 4, 2012; and

WHEREAS, the declaration of a State of Emergency will facilitate the granting of a waiver from the US the U.S. Department of Transportation - Federal Motor Carrier Safety Administration pursuant to 49 CFR part 390.23 to allow relief from 49 CFR parts 390 through 399, specifically 49 CFR part 395 Hours of Service of Drivers, and subject to the limitations described below, and therefore allow drivers of electrical line repair vehicle to operate additional hours, and

WHEREAS, motor carriers that have an Out-Of-Service Order in effect may not take advantage of the relief from regulation that this declaration provides under 49 CFR 390.23

NOW THEREFORE, I, Paul R. LePage, Governor of the State of Maine, by virtue of the authority vested in me by the Constitution and laws of Maine, find that these conditions constitute a civil emergency under 37-B M.R.S.A. section 742, and for the purpose pursuant to 49 CFR part 390.23 of facilitating a waiver to the U.S. Department of Transportation - Federal Motor Carrier Safety Administration, specifically 49 CFR part 395 Hours of Service of Drivers, do hereby declare that a State of Emergency exists as of October 27, 2012 through November 4, 2012.

Paul R. LePage