State of Louisiana

EXECUTIVE DEPARTMENT
PROCLAMATION NUMBER 185 JBE 2019

RENEWAL OF STATE OF EMERGENCY – DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT – THE SUNSHINE BRIDGE

WHEREAS, the Louisiana Homeland Security and Emergency Assistance and Disaster Act, La. R.S. 29:721, *et seq.*, confers upon the Governor of the State of Louisiana emergency powers to deal with emergencies and disasters, including those caused by fire, flood, earthquake or other natural or manmade causes, in order 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 people of the State of Louisiana;

WHEREAS, when the Governor determines that a disaster or emergency has occurred, or the threat thereof is imminent, La. R.S. 29:724(B)(1) empowers the Governor to declare a state of emergency by executive order or proclamation, or both;

WHEREAS, the Sunshine Bridge, located on Louisiana Highway 70, serves as one of the critical bridges for residents in southeast and south central Louisiana and the petrochemical and agriculture industries in the River Parishes;

WHEREAS, on October 12, 2018, *M/V Kristin Alexis* was pushing the barge *Mr. Ervin* transporting a crane northbound, when the crane struck the bridge on the downstream side, causing substantial damage to the lower chord on that side;

WHEREAS, the damage the Sunshine Bridge sustained on October 12, 2018 has rendered the bridge unsafe for travel and in immediate need of repair;

WHEREAS, the closure of the bridge has caused significant detours for over 25,000 drivers per day and these detours have caused tremendous traffic delays and disruption of services, as well as significant hardships for business and industry in the area;

WHEREAS, the Federal Motor Carrier Safety regulations, 49 CFR 390, *et seq.*, limit the hours operators of commercial motor vehicles may drive; and

WHEREAS, 49 CFR 390.23 provides an exemption from these regulations for up to 30 days if an emergency has been declared by the Governor.

NOW THEREFORE, I, JOHN BEL EDWARDS, Governor of the 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: Pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, La. R.S. 29:721 *et seq.*, a state of emergency is hereby declared to exist in the parishes of East Baton Rouge, West Baton Rouge, Ascension, Assumption, Iberville, St. James, St. John and St. Charles parishes.

SECTION 2: This declaration of emergency is for the limited purpose of invoking the exemption from the federal rules and regulations that limit the hours operator of commercial vehicles may drive, specifically, Part 395(drivers' hours of service) of Title 49 of the Code of Federal Regulations, and any additional appropriate response regarding additional expenditures due to this declaration as determined by the Secretary of

the Department of Transportation and Development, or by the Louisiana State Police or local law enforcement agencies for public safety issues in order to ensure the uninterrupted supply of essential goods and commodities.

SECTION 3: Nothing herein shall be construed as an exemption from the Commercial Driver's License requirements in 49 CFR 383, the financial requirements in 49 CFR 387, or applicable federal size and weight limitations.

SECTION 4: This state of emergency extends from Friday, December 6, 2019 to Saturday, January 4, 2020, unless terminated sooner.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana in the City of Baton Rouge, on this 5th day of December, 2019.

GOVERNOR OF LOUISIANA

ATTEST BY THE SECRETARY OF STATE

SECRETARY OF STATE