FDOT

Florida Department of Transportation

RON DESANTIS
GOVERNOR

605 Suwannee Street
Tallahassee, FL 32399-0450

KEVIN J. THIBAULT, P.E.
SECRETARY

TROPICAL STORM ELSA
EMERGENCY ORDER
(Pursuant to Executive Order Nos. 21-150 and 21-151)

WHEREAS, on July 3, 2021, Governor Ron DeSantis issued Executive Order 21-150 regarding Tropical Storm Elsa; and

WHEREAS, the National Hurricane Center reported that Elsa had sustained maximum winds of almost 75 miles per hour and could restrengthen once in the Gulf of Mexico and return to hurricane strength; and

WHEREAS, On July 5, 2021, Governor Ron DeSantis, issued Executive Order 21-151 modifying the geographical scope of the emergency based upon changing circumstances; and

WHEREAS, there is a risk of dangerous storm surge, heavy rainfall, flash flooding, strong winds, hazardous seas, and the potential for isolated tornadic activity for the Florida Keys and much of the Florida Peninsula; and

WHEREAS, the Florida Department of Transportation is prepared to deploy resources to support the disaster response efforts related to Elsa.

NOW, THEREFORE, I, KEVIN J. THIBAULT, P.E., Secretary of the Florida Department of Transportation, hereby find that the Department of Transportation's timely performance of disaster response functions related to Elsa is hindered by the application of procedures imposed by statute, rule, or order.
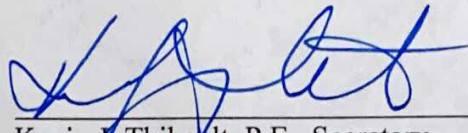
Therefore, pursuant to the authority granted by Section 4(E) of Executive Order 21-150, and the geographical modification in Executive Order 21-151, I hereby:

1. Waive and suspend the following rules and statutes: sections 316.515(1)-(3), 316.535(1) and (3), 316.545(2), 316.550(1), and 337.401(1)(a), Florida Statutes, and Rules 14-28.002(4) and (5), and 14-46.001(2), Florida Administrative Code, to the extent needed to allow the establishment of alternate size and weight restrictions for divisible loads on any vehicles transporting emergency equipment, services, supplies, and agricultural commodities and citrus as recommended by the Commissioner of Agriculture, and as needed to waive by special permit the warning signal requirements in the Utility Accommodation Manual to accommodate public utility companies from other jurisdictions to render assistance in restoring vital services, subject to the limitations expressed in Executive Order 21-150.

2. Waive and suspend sections 112.061, 216.011, 216.292, 216.313, 287.055, 287.056, 287.057(1)-(9), (11), (16), (18) and (23), 287.15, 316.545(4), 320.0715, 337.02(2), 337.107, 337.11, 339.08, and 339.135(6), Florida Statutes, and Rules 60A-1.002, 60A-1.017, 60A-1.021, 60A-1.043, 60A-1.045, Florida Administrative Code, as they relate to leasing, printing, purchasing, travel, the conditions of employment and the compensation of employees, or the use of State Transportation Trust Funds off the State Highway System, to the extent necessary to ensure the timely performance of the Department of Transportation's disaster response functions as prescribed in the State Comprehensive Management Plan or as directed by the State Coordinating Officer.

3. In accordance with section 1 of Executive Order 21-150 and Executive Order 21-151, the foregoing waivers and suspensions of statute are limited to Alachua, Charlotte, Columbia, Citrus, Collier, Dixie, Franklin, Hamilton, Hernando, Hillsborough, Gilchrist, Jefferson,

Lafayette, Lake, Lee, Levy, Madison, Manatee, Marion, Monroe, Pasco, Pinellas, Sarasota, Sumter, Suwannee, Taylor and Wakulla Counties.

4. All actions taken by the Florida Department of Transportation with respect to this emergency before the issuance of this Emergency Order are hereby ratified.

This order shall expire on the earlier of the expiration or rescission of Executive Order 21-150 or Monday August 2, 2021. Effective this 5th day of July 2021.

Kevin J. Thibault, P.E., Secretary
Florida Department of Transportation