



STATE OF TENNESSEE
EXECUTIVE ORDER
BY THE GOVERNOR

No. 67

**AN ORDER SUSPENDING CERTAIN VEHICLE RESTRICTIONS TO PROVIDE
RELIEF TO VICTIMS OF HURRICANE IRMA**

WHEREAS, Hurricane Irma made landfall in Florida on September 10, 2017, and is expected to subsequently move through much of the southeastern United States, including Tennessee; and

WHEREAS, as a result of Hurricane Irma, many residents of these areas may be unable to return to their homes or may be without power and essential supplies; and

WHEREAS, multiple local, state, and federal agencies and other organizations are engaged in relief efforts throughout the affected region; and

WHEREAS, equipment, supplies, utility crews, and other personnel are presently being transported through Tennessee from various states to assist in the recovery from Hurricane Irma, and such activity is expected to continue for an extended period of time; and

WHEREAS, to facilitate the evacuation and relief effort in response to Hurricane Irma, the President of the United States declared that an emergency exists in the states of Georgia, Florida, and South Carolina (EM-3387, EM-3385, and EM-3386, respectively), and the Governors of Alabama, Georgia, Florida, North Carolina, South Carolina, and Virginia have declared states of emergency; and

WHEREAS, the state has a statutory duty to cooperate with federal emergency management agencies and other states in matters pertaining to emergency management in the state and the nation; and

WHEREAS, Tennessee Code Annotated, Section 58-2-107(e)(1), provides that during a state of emergency, the Governor is authorized to "[s]uspend any law, order, rule or regulation prescribing the procedures for the conduct of state business or the orders or rules or regulations

of any state agency, if strict compliance with any such law, order, rule, or regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency;” and

WHEREAS, pursuant to this authority and the general emergency management powers of the Governor under law, the temporary suspension of selected state laws and rules is necessary to cope with the current emergency situation resulting from Hurricane Irma.

NOW THEREFORE, I, Bill Haslam, Governor of the State of Tennessee, by virtue of the power and authority vested in me by the Tennessee Constitution and law, including but not limited to Tennessee Code Annotated, Section 58-2-107, do hereby declare a state of emergency exists and order the following, in recognition of the states of emergency declared in Alabama, Georgia, Florida, North Carolina, South Carolina, and Virginia:

1. This Executive Order is being issued for the limited purpose of, and in accordance with Tennessee Code Annotated, Section 58-2-107(e)(1), providing a temporary suspension *nunc pro tunc* to September 10, 2017, of the provisions of Tennessee Code Annotated, Section 55-4-401, through Tennessee Code Annotated, Section 55-4-413, Tennessee Code Annotated, Section 55-7-201, through Tennessee Code Annotated, Section 55-7-209, and Tenn. Comp. R. & Regs. 1680-07-01-.01 through Tenn. Comp. R. & Regs. 1680-07-01-.24 that set forth maximum height, length, and width limitations in the case of vehicles providing disaster relief efforts in response to Hurricane Irma, subject to the following conditions:
 - a. A vehicle must be transporting emergency supplies, equipment, or mobile housing units to the impacted areas of Alabama, Georgia, Florida, North Carolina, South Carolina, or Virginia.
 - b. A vehicle shall be permitted only to travel on (1) Interstate Highways; (2) highways on the National Highway System; and (3) other state-maintained roads as may be required to obtain access to needed services off of the aforementioned highways, without any restrictions on their time of movement except as may otherwise be provided in this Order.
 - c. A vehicle may transport a divisible or non-divisible load up to a maximum gross vehicle weight of 95,000 pounds and a maximum axle weight of 20,000 pounds, except on any bridge or overpass with a lower posted weight limit.
 - d. The outer bridge span of any five-axle truck tractor/semi-trailer combination shall be no less than fifty-one feet (51’).
 - e. The overall dimensions of a vehicle and load shall not exceed:
 - i. One hundred feet (100’) in length;
 - ii. Fourteen feet, four inches (14’ 4”) in height on the Interstate Highway System, except on Interstate 55, and thirteen feet, six inches (13’ 6”) in

height on Interstate 55 and any other highway on the National Highway System; or

- iii. Fourteen feet, six inches (14' 6") in width.
- f. Vehicles that do not exceed ten feet (10') in width, may travel seven (7) days per week during daylight or nighttime hours without any time restrictions.
- g. Vehicles transporting FEMA or other mobile housing units exceeding ten feet (10') in width, but not exceeding fourteen feet, six inches (14' 6") in width, may travel seven (7) days per week during daylight or nighttime hours without any time restrictions except as follows:
 - i. To promote public safety by avoiding "rush hour" traffic, vehicles shall not transport any load authorized herein between the hours of 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m. (local time) Monday through Friday in Knox, Hamilton, Davidson, Williamson, and Shelby Counties.
 - ii. To promote public safety in anticipation of the heavy traffic conditions accompanying The University of Tennessee – Knoxville's home football games on September 23, September 30, October 14, and November 4, 2017, vehicles shall make all reasonable efforts to avoid transporting any load authorized herein in Knox County three (3) hours before the to-be-determined start time of such games and three (3) hours after the conclusion of such games.
- h. Vehicles are responsible for ensuring that they have proper oversize load signs, markings, flags, and escorts as required by the Tennessee Department of Transportation's rules and regulations for overdimensional movements on Tennessee's roads, except that a contracted FEMA carrier may use a single escort to escort up to three (3) overdimensional loads.
- i. This Executive Order shall serve as a special permit for transporting any load authorized herein. Transporters shall keep appropriate identification as designated by FEMA or their state of origin in their vehicle while transporting any load permitted by this Order and shall reference this Order as permitting such transports.
- j. Any person, firm, company, corporation, or other entity that undertakes the movement of any overweight and/or overdimensional article and/or commodity on the highways of Tennessee shall hold Tennessee and its officers and employees harmless from any claims for damages resulting from the exercise of any of the privileges granted under this Order and, to this end, shall carry liability insurance with an insurer, acceptable to the Tennessee Department of Transportation's Office of Overweight and Overdimensional Permits, in the amount of not less than three hundred thousand dollars (\$300,000) for each

claimant and one million dollars (\$1,000,000) per occurrence. The transporter shall carry the certificate of insurance in the vehicle at all times.

2. Any request by vehicles carrying appropriate identification designated by FEMA or their state of origin that are transporting emergency supplies, equipment, or mobile housing units to Alabama, Georgia, Florida, North Carolina, South Carolina, or Virginia for special permit to transport loads in excess of the foregoing weight, height, length, and width limits or other restrictions shall be given expedited consideration and may be approved within the discretion of the Tennessee Department of Transportation's Office of Overweight and Overdimensional Permits. The Commissioner of Transportation shall have the authority to waive any otherwise applicable permit fees related to such a request.
3. As this Order is being issued for the limited purpose of transporting equipment, supplies, and mobile housing units through the state to assist with ongoing Hurricane Irma recovery efforts throughout the region, the provisions of Tennessee Code Annotated, Title 47, Chapter 18, Part 51, shall be suspended during the term of this Order suspending the maximum height, length, and width limitations for the activities described herein, unless the provisions of Tennessee Code Annotated, Title 47, Chapter 18, Part 51, are otherwise in effect due to the issuance of a separate emergency declaration activating those provisions.
4. This Order shall remain in effect through 11:59 p.m., Central Standard Time, on November 8, 2017, at which time the suspension of any state laws and rules shall cease and be of no further force or effect.

IN WITNESS WHEREOF, I have subscribed my signature and caused the Great Seal of the State of Tennessee to be affixed this 11th day of September, 2017.


GOVERNOR

ATTEST:


SECRETARY OF STATE

