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John Bel Edwards, Governor  
Shawn D. Wilson, Ph.D., Secretary

## SECRETARY'S EMERGENCY ORDER

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### *STATE OF EMERGENCY – HURRICANE DELTA*

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- WHEREAS, pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, La. R.S. 29:721, *et seq.*, the Governor declared a State of Emergency in Proclamation Number 133 JBE 2020 whereby said provision of law 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(8)(1) empowers him to declare a state of emergency by executive order or proclamation, or both;
- WHEREAS, the National Weather Service indicates that Hurricane Delta is projected to make landfall as a category 1 or 2 hurricane on Friday along the Louisiana Coast and will put southeast Louisiana at risk for flash flooding and river flooding through Friday. Significant storm surge is expected across the Texas, Louisiana, and Mississippi coasts;
- WHEREAS, the safety and welfare of the inhabitants of the state of Louisiana and surrounding states requires the movement of motorist traveling on the public highways of the state of Louisiana;
- WHEREAS, Louisiana Revised Statute 29:724 confers upon the Governor the authority to suspend the provisions of any regulatory statute prescribing the procedures for the conduct of state business, or the orders, rules, or regulations of any state agency, if strict compliance with the provisions of any statute, order, rule, or regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency;
- WHEREAS, Louisiana Revised Statute 32:387 confers that the Governor may delegate the authority to the Secretary of the Department of Transportation and Development to waive the requirements relative to the rules of permits for the purpose of disaster, emergency or emergency preparedness; and,

**WHEREAS,** to deal with emergencies or disasters and 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 citizens of the state of Louisiana, including the authority to suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business, or the orders, rules, or regulations of any state agency, if strict compliance with the provisions of any statute, order, rule, or regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency.

**NOW THEREFORE, I, SHAWN DAVID WILSON,** Secretary of Department of Transportation and Development, 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:** With respect to commercial motor carriers traveling on public highways of the State of Louisiana for the purpose of emergency preparedness and disaster relief efforts, the provisions of Louisiana Revised Statute 32:386 (A) is hereby suspended and the following size and weight restrictions for such vehicles shall be as follows:

A. The total gross weight of any vehicle or combination of vehicles shall not exceed eighty-eight thousand pounds.

**SECTION 2:** Nothing in this Order shall be construed to allow any vehicle transporting commodities or fuel for disaster preparedness and relief to exceed weight limits posted for bridges and like structures, or relieve any vehicle or carrier, owner or driver of any vehicle from compliance with any restrictions other than those specified, or from any statute, rule, order, or other legal requirement not specifically waived herein.

**SECTION 3:** Nothing in this Order shall be construed or interpreted as being applicable to travel on interstate highways, non-state maintained highways, or as being applicable to the transport of commodities that are not in support of rescue, recovery and repair efforts associated with the emergency which prompted the emergency declaration in Proclamation Number 133 JBE 2020 or subsequent proclamations regarding the same.

**SECTION 4:** This Order is effective October 9, 2020 at 8:00 A.M. and shall remain in effect until amended, modified or rescinded.



Secretary Shawn D. Wilson, Ph.D.  
Department of Transportation and Development