TO ALL WHOM THESE PRESENTS COME – GREETINGS:

WHEREAS: On or about February 9, 2021, a winter storm began and continues to cause freezing rain, sleet, snow, and ice with such severity to warrant executive action to alleviate hardship and suffering in the State of Arkansas; and

WHEREAS: Freezing rain, sleet, snow, and ice accumulation on roads and power lines due to the winter storm presents dangers that warrant executive action; and

WHEREAS: Great hardship has been wrought upon the citizens, businesses, and public and private property within the State of Arkansas; and

WHEREAS: In recognition of these circumstances, I issued Executive Order 21-02 to address the ongoing effects of the winter storm; and

WHEREAS: In addition to the expected losses addressed by Executive Order 21-02, the winter storm is expected to limit commercial vehicles from accomplishing their designated responsibilities of hauling heavy equipment, oversized loads, transformers, necessary hardware, and other transmission and distribution equipment to line crews for the purpose of restoring power to the citizens of the State of Arkansas; and

WHEREAS: 49 CFR §390.23 authorizes the Governor of a State or Commonwealth to declare a regional emergency during the duration of emergency conditions, not to exceed thirty (30) days from the date of the initial declaration of emergency, and to exempt any motor carrier or driver operating a commercial vehicle to provide assistance in providing emergency relief during an emergency from 49 C.F.R. §390 to 49 C.F.R. §399;

NOW THEREFORE, I, ASA HUTCHINSON, Governor of the State of Arkansas, acting under the authority vested in me under Act 511 of 1973, as amended, do hereby declare that a state of emergency exists in the State of Arkansas as applied to commercial vehicles hauling heavy equipment, oversized loads, transformers, necessary hardware, and other transmission and distribution equipment to line crews for the purpose of restoring power to the citizens of the state, and said state of emergency as well as the provisions of this proclamation, shall exist and be in effect until such time as emergency conditions cease to exist.

FURTHERMORE I, hereby invoke the emergency executive powers vested in me under Ark. Code Ann. §§12-75-101 et seq., as amended, and suspend all provisions of regulating statutes prescribing procedures for the conduct of the Office of Procurement, the Division of Building Authority, the Office of Personnel Management, and all other state departments, agencies, and offices to render maximum assistance to the Arkansas Department of Environmental Quality and the Arkansas Department of Emergency Management relative to the removal of any potential impediment to the rapid and orderly
remediation of the disposal site and to rendering of assistance to political subdivisions.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Arkansas to be affixed this 10th day of February, in the year of our Lord 2021.

Asa Hutchinson, Governor

Attest:

John Thurston, Secretary of State