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SECRETARY OF STATE
PUBLICATIONS

STATE OF TENNESSEE
EXECUTIVE ORDER
BY THE GOVERNOR

No. 59

**AN EMERGENCY ORDER SUSPENDING PROVISIONS OF CERTAIN LAWS
AND RULES IN ORDER TO PROVIDE RELIEF TO VICTIMS OF DROUGHT
CONDITIONS IN TENNESSEE**

WHEREAS, portions of Tennessee and other states have experienced significant drought and other extreme weather conditions that have adversely affected hay production and pasture conditions for livestock producers across the region; and

WHEREAS, Tennessee is a leading state in the production of hay and is a consistent supplier of hay to other states; and

WHEREAS, the efficient use of agricultural resources to support livestock production and enhancement of access to markets are important to the financial viability of farmers; and

WHEREAS, Tennessee's geographical location, infrastructure, and transportation corridor all enhance interstate commerce and facilitate the movement of agricultural commodities; 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.

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 other applicable law, do hereby direct and order that the following state laws and rules be suspended until 12:00 a.m., Central Standard Time, on January 31, 2017, at which time the suspension shall cease and be of no further force or effect:

1. The provisions of Tennessee Code Annotated, Sections 55-7-201 through 55-7-209, and Tenn. Comp. R. & Regs. 1680-07-1-.01 through 1680-07-1-.24 are hereby suspended to authorize and permit vehicles, which are otherwise properly licensed and which are transporting hay during this drought emergency, to carry loads in excess of the otherwise lawful limits on maximum height, length, and width, subject to the following conditions:
 - a. The outer bridge span of a five-axle truck tractor/semi-trailer shall be no less than fifty-one feet (51'). No vehicle's overall length shall exceed one-hundred feet (100'), and no vehicle's height shall exceed thirteen feet, six inches (13'6").
 - b. Vehicles exceeding eight feet, six inches (8'6") in width, but not exceeding fourteen feet (14') in width, may travel only during daylight hours, beginning thirty (30) minutes after sunrise and ending thirty (30) minutes before sunset.
 - c. Transporters are responsible for ensuring that they have proper oversize signs, markings, flags and escorts as defined by the Tennessee Department of Transportation's rules and regulations for overweight and overdimensional movements on Tennessee highways.
 - d. This Executive Order shall serve as a special permit for transporting any load authorized by this Executive Order. Transporters shall keep a copy of this Executive Order in the cab of the truck while transporting any load permitted by this Executive Order.
 - e. This Order does not waive or suspend the maximum weights established in Tennessee Code Annotated, Section 55-7-203.
 - f. This Order does not waive or suspend the requirements for a commercial driver license and proper and current logs.

The Tennessee Department of Transportation's Office of Overweight and Overdimensional Permits has the discretion to approve or deny any request for a special permit to transport loads of hay in excess of the foregoing height, length and width limits (but not weight limits) in accordance with the same rules that would apply to a non-divisible load. The Department shall expedite its consideration of such requests. The Commissioner of Transportation shall have the authority to waive any applicable permit fees related to such a request.

IN WITNESS WHEREOF, I have subscribed my signature and caused the Great Seal of the State of Tennessee to be affixed this 22nd day of November, 2016.


GOVERNOR

ATTEST:


SECRETARY OF STATE

