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

SECRETARY’S EMERGENCY ORDER

STATE OF EMERGENCY – POTENTIAL HEAVY RAIN, FLASH FLOODING AND WINTERY WEATHER

- 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 20 JBE 2021 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 had indicated the potential for heavy rains and wintry precipitation with impacts across Louisiana from Thursday, February 11, 2021 and for several days thereafter;
- WHEREAS,** there was realized heavy rainfall and flash flooding across portions of the State and much colder air then moved into the state bringing a hard freeze and a more significant round of winter precipitation;
- WHEREAS,** the State of Louisiana did experience severe damage which threatens the safety, health, and security of the citizens of the State of Louisiana, along with damage to private property and public facilities;
- WHEREAS,** many parishes declared states of emergency, and assistance is still needed to parishes in response to this weather event;
- 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

Secretary Waiver Order
March 10, 2021

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 20 JBE 2021 or subsequent proclamations regarding the same.

SECTION 4: This Order is effective March 10, 2021 at 8:00 A.M. and shall remain in effect until April 10, 2021 unless amended, modified or rescinded.



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