



Spencer J. Cox
Governor

EXECUTIVE ORDER
2022-07

Declaring A Liquid Petroleum Gas Emergency

WHEREAS, the people of the state of Utah depend on adequate propane supplies during winter months;

WHEREAS, Utah plays an important role in propane distribution for its residents and residents in neighboring states;

WHEREAS, freezing temperatures and extreme weather conditions have impacted the state of Utah and surrounding states during the month of December;

WHEREAS, these extreme weather conditions have impacted the delivery of propane;

WHEREAS, propane production has decreased during peak season, which will require drivers delivering propane to travel hundreds of miles out of route;

WHEREAS, the drop in propane supply is causing long lines at loading facilities;

WHEREAS, these delays and wait times are considered working hours, which reduces drivers' ability to complete their delivery within hourly limits set by federal regulation;

WHEREAS, the Federal Motor Carrier Safety Regulations at 49 C.F.R. § 390 et seq., limit the hours that drivers may drive each day, which restricts efforts to respond to the propane shortage;

WHEREAS, these limits may lead drivers to deliver propane in extreme weather, putting their safety at risk;

WHEREAS, 49 C.F.R. § 390.23 provides a temporary exemption to these limits upon the declaration of an emergency where a motor carrier or driver is providing emergency relief;

WHEREAS, this exemption is necessary to ensure the consistent and safe delivery of propane to the state of Utah and surrounding regions;

NOW, THEREFORE, I, Spencer J. Cox, governor of the state of Utah, by the authority vested in me by the Constitution and laws of this state, hereby declare a state of emergency for the limited purpose of facilitating an exemption to the rules and regulations that limit the hours of service for drivers of commercial motor vehicles delivering propane pursuant to 49 C.F.R. § 390.23.

IT IS FURTHER ORDERED that this Order does not suspend the operation of any state or federal laws or regulations within the state of Utah, except as specifically described in the Order. Nothing herein shall be construed as an exemption from the Commercial Driver's License Requirements in 49 CFR § 383, the financial requirements in 49 C.F.R. § 387, or applicable federal size and weight limitations. All other laws and regulations remain in full force and effect.

THIS ORDER is effective immediately and shall remain in effect for 30 days unless the Legislature extends the state of emergency.

IN WITNESS, WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah. Done in Salt Lake City, Utah, on this, the 16th day of December, 2022.



A handwritten signature in black ink, appearing to read "Spencer J. Cox".

Spencer J. Cox
Governor, State of Utah

ATTEST:

A handwritten signature in black ink, appearing to read "Deidre M. Henderson".

Deidre M. Henderson
Lieutenant Governor, State of Utah