State of North Carolina

PAT McCRORY

GOVERNOR

January 29, 2016

EXECUTIVE ORDER 87

NOTICE OF TERMINATION OF EXECUTIVE ORDER 85 AND AMENDMENT OF EXECUTIVE ORDER 86

WHEREAS, Executive Order No. 85, issued on January 20, 2016, declared a state of emergency in North Carolina due to the potential impacts of a winter storm; and

WHEREAS, Executive Order No. 86, issued on January 20, 2016, waived the maximum hours of service for drivers transporting supplies and equipment for utility restoration and essentials in commerce, and with the concurrence of the Council of State temporarily suspended size and weight restrictions on vehicles used for utility restoration and carrying essentials on the interstate and intrastate highways due to the potential impacts of a winter storm. In addition, the order also directed the Department of Public Safety to suspend weighing equipment used for movement of crops, transporting livestock and poultry and feed for livestock and poultry.

NOW, THEREFORE, by the power vested in me as Governor by the Constitution and laws of North Carolina, **IT IS ORDERED**:

Section 1.

Pursuant to N.C.G.S § 166A-19.20(c) the state of emergency that was declared by Executive Order No. 85 is hereby terminated immediately.

Section 2.

Executive Order No. 86 will remain in effect until February 5, 2016. The order is amended to repeal the following clause:

> **WHEREAS,** WHEREAS, I have declared that a state of emergency as defined in N.C.G.S. §§ 166A-19.3(6) and 166A-19.3(19) exists in North Carolina due to the likely impact of these winter storms; and

Replacing it with the following clause:

> **WHEREAS;** although I have terminated Executive Order No. 85, issued on January 20, 2016, there continues to be a state of emergency as defined in N.C.G.S. §§ 166A-19.3(6) and 166A-19.3(19) for the purposes of responding ongoing impacts from the storm in this state and the northeast region of the United States. The emergency area as defined in

N.C.G.S. §§ 166A-19.3(7) and N.C.G.S. 166A-19.20(b) is the state of North Carolina and the impacted states in the northeast United States; and

Section 3.

Section 10 of Executive Order No. 86 is rewritten to read as follows:

This order will not trigger the prohibitions against excessive pricing in the emergency area in North Carolina, notwithstanding the provisions of N.C.G.S. § 166A-19.23.

Section 4.

The remaining provisions in Executive Order No. 86 remain in effect until the order terminates on February 5, 2016.

IN WITNESS WHEREOF, I have hereunto signed my name and affixed the Great Seal of the State of North Carolina at the Capitol in the City of Raleigh, this twenty-ninth day in the year of our Lord two thousand and sixteen, and of the Independence of the United States of America the two hundred and forty.

Pat McCrory
Governor

ATTEST:

Elaine F. Marshall
Secretary of State