

STATE OF FLORIDA

OFFICE OF THE GOVERNOR EXECUTIVE ORDER NUMBER 10-01 (Emergency Management – Freezing Temperatures)

I am issuing an Executive Order to declare a state of emergency due to the threat of severe weather and to ensure timely precautions are taken to protect Florida's agricultural crops and the general welfare of this state.

On January 5, 2010, the National Weather Service advised that much of the State, including areas as far south as Collier County, Florida, will be subject to freezing temperatures on multiple evenings until January 10, 2010. The National Weather Service recommends precautions be taken to insure tender vegetation, outdoor pets, and water pipes have adequate protection from the cold temperatures.

As Governor, I am responsible to meet the dangers presented to this state and its people by this emergency. Therefore, by virtue of the authority vested in me by Article IV, Section 1 (a) of the Florida Constitution and by the State Emergency Management Act (Chapter 252, Florida Statutes), and all other applicable laws, I promulgate the following Executive Order:

Section 1. Based on the foregoing conditions, I find that a state of emergency exists in the State of Florida due to the effect of the impending freeze on growing crops that are vulnerable to destruction because of the extreme temperatures, and that the possible destruction of these crops threatens Florida with a major disaster. I further find that transporting the vulnerable crops to processing sites without delay is necessary to save them from destruction, and that the relaxation of the restrictions on the weight, height, length and width for commercial vehicles transporting these crops is necessary to protect the agricultural interests of the State.

Section 2. I designate the Interim Director of the Division of Emergency Management as the State Coordinating Officer for the duration of this emergency and direct him to activate the state's Comprehensive Emergency Management Plan and other response, recovery, and mitigation plans necessary to cope with the emergency. Pursuant to section 252.36 (1)(a), Florida Statutes, I delegate to the State Coordinating Officer the

authority to exercise those powers delineated in sections 252.36(5)-(10), Florida Statutes, which he shall exercise as needed to meet this emergency, subject to the limitations of section 252.33, Florida Statutes. In exercising the powers delegated by this Order, the State Coordinating Office shall confer with the Governor to the fullest extent practicable. The State Coordinating Officer shall also have the authority to:

A. Invoke and administer the Emergency Management Assistance Compact (EMAC) (sections 252.921-.933, Florida Statutes) and other compacts and agreements existing between the State of Florida and other states, and the further authority to coordinate the allocation of resources from such other states that are made available to Florida under such compacts and agreements so as best to meet this emergency.

B. Seek direct assistance and enter into agreements with any and all agencies of the United States Government as may be needed to meet the emergency.

C. Direct all state, regional and local governmental agencies, including law enforcement agencies, to identify personnel needed from those agencies to assist in meeting the needs created by this emergency, and to place all such personnel under the direct command and coordination of the State Coordinating Officer to meet this emergency;

D. Apply resources of the State including food, water and supplies as are needed to support shelters opened at the direction of local governmental agencies in response to this emergency.

E. Designate Deputy State Coordinating Officers.

The State Coordinating Officer shall have the authority to enter such orders as may be needed to implement any or all of the foregoing powers.

Section 3. I authorize the Department of Transportation to take any action as may be necessary to relieve commercial vehicles transporting shipments of harvested crops from the normal restrictions on the weight, height, length and width restrictions for such vehicles. In doing so, the Department shall issue temporary permits and such vehicles shall be subject to such special conditions as the Department may endorse on any such permits. In any event, the weight, height, length and width for any such commercial vehicle on roadways maintained by the State of Florida shall not exceed the following:

A. The maximum Gross Vehicle Weight for vehicles equipped with five (5) weight-bearing axles with outer bridge spans of not less than forty (40) feet, but less than fifty-one (51) feet, shall not exceed ninety thousand (90,000) pounds.

B. The maximum Gross Vehicle Weight for vehicles equipped with five (5) weight bearing axles with outer bridge spans of not less than fifty-one (51) feet shall not exceed ninety-five thousand (95,000) pounds.

C. The maximum Gross Vehicle Weight for vehicles equipped with four (4) weight-bearing axles with outer bridge spans of not less than forty-three (43) feet shall not exceed eighty thousand (80,000) pounds.

D. The total length for any vehicle identified above shall not exceed ninety-five (95) feet.

E. The total width for any vehicle identified above shall not exceed fourteen (14) feet.

F. The total height for any vehicle identified above shall not exceed fourteen (14) feet, six (6) inches.

G. The total maximum Gross Vehicle Weight for straight trucks shall not exceed eighty thousand (80,000) pounds. The total maximum gross weight of any axle shall not exceed twenty-seven thousand five hundred (27,500) pounds and the total maximum gross weight of any tandem axle shall not exceed fifty-five thousand (55,000) pounds and the maximum weight of any tri-axle shall not exceed seventy thousand (70,000) pounds.

Nothing in this Executive Order shall be construed to allow any vehicle to exceed weight limits posted for bridges and like structures, or relieve any vehicle or the carrier, owner, or driver of any vehicle from compliance with any restrictions other than those specified by permit.

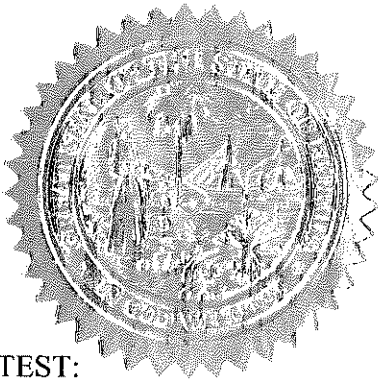
Section 4. All state agencies entering emergency final orders or other final actions in response to this emergency shall advise the State Coordinating Officer contemporaneously.

Section 5. Pursuant to section 501.160, Florida Statutes, it is unlawful and a violation of section 501.204 for a person to rent or sell or offer to rent or sell at an unconscionable price within the area for which the state of emergency is declared, any

essential commodity including, but not limited to, supplies, services, provisions, or equipment that is necessary for consumption or use as a direct result of the emergency.

Section 6. All actions taken by the Interim Director of the Division of Emergency Management with respect to this emergency before the issuance of this Executive Order are ratified. This Executive Order shall expire fourteen (14) days from this date unless extended within that time.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, the Capitol, this 5th day of January 2010.



CHARLIE CRIST

ATTEST:

DEPARTMENT OF STATE

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TALLAHASSEE, FLORIDA