

State of North Carolina

ROY COOPER

GOVERNOR

January 12, 2018

EXECUTIVE ORDER NO. 33

NOTICE OF TERMINATION OF EXECUTIVE ORDER NO. 31 AND AMENDING EXECUTIVE ORDER NO. 32

WHEREAS, Executive Order No. 31, *Declaration of a State of Emergency by the Governor of North Carolina*, which was issued on January 3, 2018, declared a state of emergency in Anson, Beaufort, Bertie, Bladen, Brunswick, Camden, Carteret, Chatham, Chowan, Columbus, Craven, Cumberland, Currituck, Dare, Duplin, Durham, Edgecombe, Gates, Granville, Greene, Halifax, Harnett, Hertford, Hoke, Hyde, Johnston, Jones, Lee, Lenoir, Martin, Montgomery, Moore, Nash, New Hanover, Northampton, Onslow, Pamlico, Pasquotank, Pender, Perquimans, Pitt, Richmond, Robeson, Sampson, Scotland, Stanly, Tyrrell, Union, Vance, Wake, Warren, Washington, Wayne, and Wilson counties due to the impacts of a winter storm; and

WHEREAS, Executive Order No. 32, *Temporary Suspension of Motor Vehicle Regulations to Ensure Restoration of Utility Services and the Transportation of Essentials*, which was issued on January 3, 2018, 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; and

WHEREAS, Executive Order No. 32 directed the North Carolina Department of Public Safety to suspend weighing equipment used for transporting crops, livestock and poultry, and feed for livestock and poultry; and

WHEREAS, the winter storm's impacts on certain areas and the transportation of essential supplies require the continuation of the waivers and suspensions set forth in Executive Order No. 32.

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

Section 1.

Excluding Section 1 of Executive Order No. 31, Executive Order No. 31 is hereby rescinded. Notwithstanding Section 9, the gubernatorial declaration of state of emergency set forth in Executive Order No. 31 shall remain in effect until it has been explicitly rescinded by subsequent executive order.

Section 2.

Executive Order No. 32 will remain in effect until 11:59 p.m. on January 22, 2018. The order is amended to repeal the following clause:

WHEREAS, I have declared that a state of emergency as defined in N.C. Gen. Stat. §§ 166A-19.3(6) and 166A-19.3(19) exists due to the approaching winter storm and its likely impact on this State; and

Replacing it with the following clause:

WHEREAS, although I have partially rescinded Executive Order No. 31, which was issued on January 3, 2018, there continues to be a state of emergency as defined in N.C. Gen. Stat. §§ 166A-19.3(6) and 166A-19.3(19) in Anson, Beaufort, Bertie, Bladen, Brunswick, Camden, Carteret, Chatham, Chowan, Columbus, Craven, Cumberland, Currituck, Dare, Duplin, Durham, Edgecombe, Gates, Granville, Greene, Halifax, Harnett, Hertford, Hoke, Hyde, Johnston, Jones, Lee, Lenoir, Martin, Montgomery, Moore, Nash, New Hanover, Northampton, Onslow, Pamlico, Pasquotank, Pender, Perquimans, Pitt, Richmond, Robeson, Sampson, Scotland, Stanly, Tyrrell, Union, Vance, Wake, Warren, Washington, Wayne, and Wilson counties (“the Emergency Area”) for the purposes of responding to ongoing impacts from the winter storm in this state.

Section 3.

Section 11 of Executive Order No. 32 is rewritten to read as follows:

This order will not trigger the prohibitions against excessive pricing in the Emergency Area, notwithstanding the provisions of N.C. Gen. Stat. § 166A-19.23.

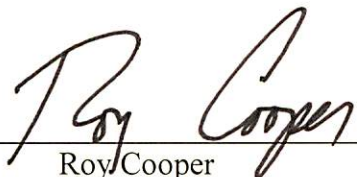
Section 4.

Section 12 of Executive Order 32 is amended and the order is hereby terminated as of 11:59 p.m. on January 22, 2018.

Section 5.


The remaining provisions in Executive Order No. 32 shall remain in effect until the order terminates at 11:59 p.m. on January 22, 2018.

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 12th day of January in the year of our Lord two thousand and eighteen.



Roy Cooper
Governor

ATTEST:



Elaine F. Marshall
Secretary of State

