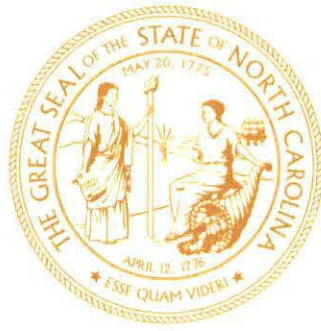




State of North Carolina

JOSH STEIN
GOVERNOR

October 22, 2026

EXECUTIVE ORDER NO. 41

DECLARATION OF A STATE OF EMERGENCY

WHEREAS, on September 24, 2026, a strong coastal storm brought high winds, heavy rain, ocean overwash, and destructive flooding to the Outer Banks in Dare and Hyde Counties; and

WHEREAS, the storm caused significant structural damage to North Carolina Highway 12 ("N.C. 12") in Dare County between the Marc Basnight Bridge and the unincorporated village of Rodanthe; and

WHEREAS, on Ocracoke Island in Hyde County, ocean overwash destroyed the dunes protecting N.C. 12 and caused structural damage to the highway between the ferry terminal and the National Park Service pony pens; and

WHEREAS, the damaged sections of N.C. 12 in Dare and Hyde Counties were impassable to vehicular traffic and closed from September 24, 2026, until 3:00 p.m. on September 29, 2026, when they reopened to northbound traffic only; and

WHEREAS, ferry service in Dare and Hyde Counties was suspended from September 24, 2026, through September 29, 2026; and

WHEREAS, on October 16, 2026, a second strong coastal storm brought high winds, destructive flooding, and ocean overwash that caused additional damage to N.C. 12 on Hatteras Island in Dare County, and ferry service was again suspended October 16, 2026; and

WHEREAS, Dare County declared local states of emergency pursuant to N.C. Gen. Stat. § 166A-19.22 on September 26, 2026, and October 16, 2026, and ordered the evacuation of Hatteras Island; and

WHEREAS, the coastal storms and the resulting damage constitute an emergency as defined in N.C. Gen. Stat. § 166A-19.3(6); and

WHEREAS, N.C. 12 is a federal-aid highway, and the immediate repair and reconstruction of N.C. 12 and surrounding infrastructure are necessary to protect the health and safety of the residents of North Carolina; and

WHEREAS, the State has requested assistance from the Federal Highway Administration ("FHWA") Emergency Relief program pursuant to 23 U.S.C. § 125 and 23 C.F.R. Part 668 to address the damage; and

WHEREAS, certain measures are necessary to ensure the protection and safety of North Carolina residents and to coordinate the emergency response among state and local entities and officials; and

WHEREAS, N.C. Gen. Stat. §§ 166A-19.10 and 166A-19.20 authorize the Governor to declare a state of emergency and to exercise the powers and duties set forth therein to direct and aid in the response to, recovery from, and mitigation against emergencies.

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.

Pursuant to N.C. Gen. Stat. § 166A-19.20, I hereby declare that a state of emergency, as defined in N.C. Gen. Stat. §§ 166A-19.3(6) and 166A-19.3(19) exists and I have determined that the emergency response requirement exceeds the capabilities of the State to effectively respond to the event. The emergency area as defined in N.C. Gen. Stat. §§ 166A-19.3(7) and 166A-19.20(b) is Dare and Hyde Counties.

Section 2.

I order all state and local government entities and agencies to cooperate in the implementation of the provisions of this declaration and the provisions of the North Carolina Emergency Operations Plan ("the Plan").

Section 3.

I delegate to Casandra Hoekstra, the Interim Secretary of the North Carolina Department of Public Safety, or her designee, all power and authority granted to and required of me by Article 1A of Chapter 166A of the North Carolina General Statutes for the purpose of implementing the Plan and deploying the State Emergency Response Team to take the appropriate actions necessary to promote and secure the safety and protection of the populace in North Carolina.

Section 4.

Further, Interim Secretary Hoekstra, as Chief Coordinating Officer for the State of North Carolina, shall exercise the powers prescribed in N.C. Gen. Stat. § 143B-602.

Section 5.

I further direct Interim Secretary Hoekstra, or her designee, to seek assistance from any and all agencies of the United States Government as may be needed to meet the emergency and seek reimbursement for costs incurred by the State in responding to this emergency.

Section 6.

This declaration does not prohibit or restrict lawfully possessed firearms or ammunition or impose any limitation on the consumption, transportation, sale, or purchase of alcoholic beverages as provided in N.C. Gen. Stat. § 166A-19.30(c).

Section 7.

This declaration is effective immediately and shall remain in effect until rescinded.

IN WITNESS HEREOF, 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 22nd day of October in the year of our Lord two thousand and twenty-six.


Josh Stein
Governor

ATTEST:


Elaine F. Marshall
Secretary of State

