

# STATE OF INDIANA

## EXECUTIVE DEPARTMENT INDIANAPOLIS

14-02

### EXECUTIVE ORDER

**FOR: DECLARATION OF AN ENERGY EMERGENCY AND SUSPENSION OF OVERWEIGHT DIVISIBLE LOAD REGULATIONS**

TO ALL WHOM THESE PRESENTS MAY COME, GREETINGS.

**WHEREAS,** Indiana has experienced severe winter weather and near-record cold temperatures; and,

**WHEREAS,** the near record cold temperatures have greatly increased the demand for propane for home, business and public building heating and for agricultural operations; and,

**WHEREAS,** approximately 500,000 Hoosiers depend on propane to heat their homes, businesses, schools and other public buildings; and,

**WHEREAS,** current demand for propane exceeds locally available supply; and,

**WHEREAS,** propane carriers may be limited in their ability to transport full loads of propane due to weight restrictions; and,

**WHEREAS,** 105 IAC 10-3 and 105 IAC 10-4 govern the availability of overweight divisible load permits for motor carriers; and,

**WHEREAS,** 105 IAC 10-4 limits the availability of overweight divisible load permits to certain commodities, excluding propane; and,

**WHEREAS,** IC 10-14-3-13 (b) provides that the "governor may, upon finding an energy emergency exists, proclaim an energy emergency . . ."; and,

**WHEREAS,** IC 10-14-3-13(f)(5) allows the governor to "suspend the provisions of any state statute regulating transportation or the orders or rules of any state agency if strict compliance with any of the provisions would prevent, hinder, or delay necessary action in coping with the energy emergency."

**NOW, THEREFORE, I, MICHAEL R. PENCE, BY VIRTUE OF THE AUTHORITY VESTED IN ME AS Governor of the State of Indiana, and pursuant to IC 10-14-3-13(f) (5), do hereby find and declare that an energy emergency exists and order that:**

1. The provisions of 105 IAC 10-3 and 105 IAC 10-4 and any other state statute order or rule regulating overweight divisible load permits be partially suspended to allow propane carriers to operate in Indiana without obtaining overweight divisible load permits.
2. This order shall continue in effect until sixty (60) days after the date of this executive order, unless rescinded or extended pursuant to applicable law.
3. Nothing contained in this declaration shall be construed as an exemption from any portion of the statutes or rules regulating overweight divisible loads other than those regulating propane carriers.



IN TESTIMONY WHEREOF, I, Michael R. Pence, have hereunto set my hand and caused to be affixed the Great Seal of the State of Indiana on this 29th day of January, 2014.

A handwritten signature in black ink, reading "Michael R. Pence", written over a horizontal line.

Michael R. Pence  
Governor of Indiana

A handwritten signature in black ink, reading "Connie Lawson".

ATTEST: Connie Lawson  
Secretary of State