STATE OF ALABAMA

PROCLAMATION

BY THE GOVERNOR

WHEREAS, the Alabama Emergency Management Act of 1955, as amended, confers upon the Governor of the State of Alabama the power to issue a State of Emergency when there exists conditions of disaster or of extreme peril to the safety of persons and property within the State caused by natural or man-made disasters;

WHEREAS, the current predictions of the National Weather Service demonstrate the potential for the State of Alabama to be severely affected by ice, snow, sleet, freezing rain, as well as subfreezing temperatures beginning on February 10, 2014 (the "February Winter Weather");

WHEREAS, damage is predicted to occur on public and private property;

WHEREAS, it is possible that homes and businesses will be damaged, disruption of utilities will occur, and response and recovery efforts and activities must begin and continue;

WHEREAS, the potential for loss of life, injuries, and property damage exists;

WHEREAS, disruption of essential utility systems may cause extreme peril to the citizens in the state;

WHEREAS, all of the above could adversely affect the health, safety, and economy of the people of the state;

WHEREAS, the declaration of this State of Emergency facilitates the granting of a waiver from the U.S. Dept. of Transportation – Federal Motor Carrier Safety Administration pursuant to 49 CFR Section 390.23, to allow relief from 49 CFR Sections 390 through 399, and subject to the limitations described below; and

WHEREAS, motor carriers that have an Out-of-Service Order in effect may not take advantage of the relief from regulation that this declaration provides under 49 CFR 390.23.

NOW, THEREFORE, I, Robert Bentley, Governor of the State of Alabama, do hereby declare that a State of Emergency exists in the State of Alabama effective as of 6:00 a.m. CST on Tuesday, February 11, 2014, and direct the activation of the Alabama Emergency Operations Plan (EOP) and all appropriate annexes. In addition, I direct the appropriate state agencies exercise their statutory authority to assist the communities and entities affected. I also direct the Alabama Emergency Management Agency to make the appropriate assessments of damages and seek the necessary state and federal assistance for the affected areas.

FURTHER, I do hereby declare that a State of Emergency exists for the purposes pursuant to 49 CFR 390.23 of facilitating a waiver to the U.S. Department of Transportation – Federal Motor Carrier Safety Administration,

including, but not limited to, 49 CFR Section 395 (Hours of Service for Drivers) as it relates to providing emergency or disaster related materials, supplies, goods and services, which shall end after the duration of the motor carrier's or driver's direct assistance in providing emergency relief, or 30 days from this State of Emergency Proclamation, unless sooner terminated, or as otherwise specified in the Federal Motor Carrier Safety Administration's regulations, whichever is less.

FURTHER, the local educational authorities should make the decision to close any school or office, and any affected school system that is closed as a result and loses student days or employee days, or both, may appeal to the State Superintendent of Education for relief in fulfilling the local school calendar with respect to student days or employee days, or both with no loss of income to employees.

FURTHER, in accordance with the Code of Alabama (1975), Sections 8-31-1 through 8-31-6, I hereby place all persons on notice that it is unlawful for any person within the State of Alabama to impose unconscionable prices for the sale or rental of any commodity or rental facility during the period of a declared State of Emergency.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal to be affixed by the Secretary of State at the State Capitol in the City of Montgomery on this 10th day of February 2014.

Robert Bentley

Robert Bentley
Governor

ATTEST:

Jim Bennett

Jim Bennett
Secretary of State