

STATE OF FLORIDA

OFFICE OF THE GOVERNOR

EXECUTIVE ORDER NUMBER 16-43

(Emergency Management – Extension of Executive Order 16-30)

WHEREAS, as a direct result of an unusually strong El Niño weather pattern in the Eastern Pacific Ocean, the State of Florida has experienced, and faces an increased risk of, severe weather and heavy rainfall during the winter and spring months of 2015-16; and

WHEREAS, during the month of December 2015, back-to-back weather systems brought heavy rainfall to South Florida; and

WHEREAS, on January 9, 2016, the weather system that spawned a tornado in Lee County brought additional, heavy rainfall to South Florida; and

WHEREAS, on January 15, 2016, the weather system that spawned a tornado in Sarasota County brought even more rainfall to South Florida; and

WHEREAS, January 2016 has been the wettest January since record-keeping began in 1932, with up to 16 inches of rain across South Florida and up to six times the normal average in some areas; and

WHEREAS, during the middle of South Florida's winter growing season, hundreds of acres of farmland remain underwater; and

WHEREAS, it is necessary to expeditiously harvest and transport the remaining crops before they are destroyed; and

WHEREAS, the relaxation of the restrictions on the weight, height, length, and width for commercial vehicles transporting agricultural crops harvested in Florida is necessary to protect the economy of the entire State.

NOW, THEREFORE, I, RICK SCOTT, as Governor of Florida, by virtue of the authority vested in me by Article IV, Section 1(a) of the Florida Constitution and by the Florida Emergency Management Act, as amended, and all other applicable laws, promulgate the following Executive Order, to take immediate effect:

Section 1. Because of the foregoing conditions, I declare a state of emergency exists in Broward, Collier, Glades, Hendry, Lee, Martin, and Palm Beach Counties due to the effect of heavy rainfall on growing crops that are vulnerable to destruction. 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 weight, height, length, and width for commercial vehicles transporting these crops is

necessary to protect the agricultural interests of the State.

Section 2. Because of the foregoing conditions, I extend Executive Order 16-30 for 15 more days.

Section 3. I designate the Director of the Division of Emergency Management as the State Coordinating Officer for the duration of this emergency and direct him to execute 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 Officer 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; and

D. Designate Deputy State Coordinating Officers.

Section 4. 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 weight-bearing axles with outer bridge spans of not less than 40 feet, but less than 51 feet, shall not exceed 90,000 pounds.

B. The maximum Gross Vehicle Weight for vehicles equipped with five weight bearing axles with outer bridge spans of not less than 51 feet shall not exceed 95,000 pounds.

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

D. The total length for any vehicle identified above shall not exceed 95 feet.

E. The total width for any vehicle identified above shall not exceed 14 feet, and the total height for any vehicle identified above shall not exceed 14 feet, six inches high.

F. The total maximum Gross Vehicle Weight for straight trucks shall not exceed 80,000 pounds. The total maximum gross weight of any axle shall not exceed 27,500 pounds and the total maximum gross weight of any tandem axle shall not exceed 55,000 pounds and the maximum weight of any tri-axle shall not exceed 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 5. All state agencies entering emergency final orders or other final actions in response to this emergency shall advise the State Coordinating Officer contemporaneously.

Section 6. All actions taken by the 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 15 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, this 18th day of February 2016.





RICK SCOTT, GOVERNOR

ATTEST:



SECRETARY OF STATE

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DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA