



STATE *of* NEBRASKA
OFFICE OF THE GOVERNOR
LINCOLN

EXECUTIVE ORDER
No. 05-06

SUPPLEMENTAL EMERGENCY RELIEF: HURRICANE KATRINA

WHEREAS, the States of Florida, Mississippi, Alabama, and Louisiana have been proclaimed as federal disaster areas due to Hurricane Katrina; and

WHEREAS, the Federal Emergency Management Agency (FEMA), as part of its federal disaster relief effort, has commissioned the procurement of approximately 150,000 single-wide and double-wide trailer homes in order to provide immediate temporary shelter in the affected states and, in order to facilitate the transportation of these homes from across the nation, the FEMA has requested that all fifty states waive enforcement of their respective state laws governing the transportation of oversized loads; and

WHEREAS, in order to increase the national supply of gasoline and to minimize the potential for diesel supply disruptions caused by the hurricane, the United States Environmental Protection Agency has waived certain specified requirements of the federal Clean Air Act that require motor vehicle diesel fuel to have a sulfur content that does not exceed 500 parts per million. The federal waiver is effective from August 31, 2005, through September 15, 2005 and applicable in all 50 states.

NOW THEREFORE, pursuant to the authority vested in me as Governor by the Constitution and the laws of the State of Nebraska, I hereby direct and order as follows:

1. Effective immediately, the enforcement of all applicable vehicle size and weight laws and regulations that govern the transportation of oversized and overweight loads shall be waived **SOLELY** for any commercial vehicle carrying single-wide or double-wide mobile homes through the State of Nebraska for a period of 90 days from the effective date of this Executive Order. All regulations pertaining to commercial driver license requirements are not waived by this Executive Order.; and

2. Effective August 31, 2005, through September 15, 2005, the provisions of Neb. Rev. Stat. § 66-495.01 and any other applicable state statutes which incorporate federal diesel fuel sulphur content standards shall be waived in the State of Nebraska. This waiver shall not alter or impact existing state laws regarding taxation of diesel fuel for on-road use during this waiver time period.; and

3. This order shall be extended only by issuance of a subsequent executive order, otherwise this Executive Order shall expire at 12:01 a.m. on December 5, 2005.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Nebraska to be affixed this 7th day of September, in the year of our Lord Two Thousand and Five.

Dave Heineman

Dave Heineman, Governor
State of Nebraska



Attest:

John A. Gale

John A. Gale, Secretary of State
State of Nebraska