



STATE OF WASHINGTON  
OFFICE OF THE GOVERNOR

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**PROCLAMATION BY THE GOVERNOR**

**14-08**

**WHEREAS**, on July 15, 2014, Lieutenant Governor Brad Owen issued Proclamation 14-04, proclaiming a state of emergency in all Eastern Washington counties due to current and projected weather conditions, existing fire fuel conditions that present a continuing high risk of severe wildfires, and ongoing multiple wildfires requiring significant levels of limited state and local fire fighting resources; and

**WHEREAS**, on July 20, 2014, I issued Proclamation 14-05, amending Proclamation 14-04, imposing a temporary outdoor burn ban in all Eastern Washington counties by prohibiting all outdoor and agricultural burning as specified until noon on Friday, July 25, 2014; and

**WHEREAS**, subsequently, I issued amending Proclamations 14-06 and 14-07 proclaiming that Proclamation 14-04 remains in effect and extending the outdoor burn ban imposed by Proclamation 14-05 in all Eastern Washington counties until noon on Friday, August 8, 2014; and

**WHEREAS**, the multiple new and ongoing wildfires throughout Eastern Washington resulting from a prolonged hot and dry climate combined with wind and extreme fire fuel conditions, has created an active burning environment challenging the availability of limited state and local firefighting resources throughout the region; and

**WHEREAS**, the large number of fires in the western United States has created a large scale fuel supply shortage for firefighting activities in Okanogan County, requiring fuel to be resupplied over greater distances and from throughout the region; and

**WHEREAS**, adequate fuel supplies are essential to effective firefighting efforts and can become quickly depleted without consistent and reliable deliveries, which are critical in supporting state and local efforts to save lives and protect public health and safety; and

**WHEREAS**, the time limits prescribed by the commercial motor vehicle driver hours of service rules impede the delivery of essential fuel supplies essential to Okanogan County firefighting efforts in a timely manner by preventing drivers of these trucks from making timely deliveries; and

**WHEREAS**, the effect of these fires continues to impact the life and health of our citizens, as well as the property and transportation infrastructure of Washington State, and is a public disaster that affects life, health, property or the public peace.

**NOW, THEREFORE,** I, Jay R. Inslee, Governor of the state of Washington, as a result of the aforementioned situation and under Chapters 38.52 and 43.06 RCW, do hereby proclaim that Proclamation 14-04 remains in effect in Adams, Asotin, Benton, Chelan, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Kittitas, Klickitat, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman, and Yakima counties, and I again direct the plans and procedures of the Washington State Comprehensive Emergency Management Plan be implemented. State agencies and departments are again directed to utilize state resources and to do everything reasonably possible to assist affected political subdivisions in an effort to respond to and recover from the event and the Washington State Emergency Operations Center is again instructed to coordinate all event-related assistance to the affected areas.

I also hereby find, based on the above situation, that motor carriers and drivers of commercial motor vehicles delivering fuel products from distribution centers in the Pacific Northwest to Okanogan County in support of fire fighting efforts are providing emergency relief during an emergency under 49 CFR § 390.23 and, therefore, are exempt from application of the driver hours of service rules in 49 CFR § 395, adopted pursuant to RCW 46.32.020 and WAC 446-65-010, until midnight on August 9, 2014

Furthermore, under the provisions of RCW 43.06.220(1)(i), to preserve and maintain life, health, property or the public peace, I also hereby impose temporary restrictions on motor carriers and drivers of commercial motor vehicles identified above as being exempt from application of the driver hours of service rules by prohibiting application of this exemption as follows:

1. Motor carriers are prohibited from operating under the terms of this exemption if either of the following conditions exist:
  - a. They have an out-of-service order in effect; or
  - b. They do not possess a current safety rating of “Satisfactory” or better assigned by the Federal Motor Carrier Safety Administration or the State in which the motor carrier has its principal place of business.
2. Motor carriers I have not prohibited from operating under the terms of this exemption are prohibited from:
  - a. Requiring or permitting a fatigued or ill driver to operate a commercial motor vehicle; and
  - b. Requiring or permitting a driver to operate a commercial motor vehicle after the driver has informed the carrier (verbally or in writing) that he or she needs immediate rest, unless the driver has first received at least ten consecutive hours off-duty documented in writing by the motor carrier; and
  - c. Requiring or permitting a driver to operate a commercial motor vehicle after the driver has been on duty for more than 96 hours in any 8 consecutive days, unless the driver has first received at least 34 consecutive hours off-duty documented in writing by the motor carrier.

