



## PROCLAMATION BY THE GOVERNOR

### 15-13

**WHEREAS**, on June 26, 2015, I issued Proclamation 15-11, proclaiming a state of emergency in all of Washington's 39 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 use of limited state and local firefighting resources; and

**WHEREAS**, the existence of multiple large new wildfires throughout Eastern Washington has proliferated, and the Northwest Weather Service has predicted an incoming weather pattern that will bring lightning, increased winds, and low humidity, further increasing the threat of dangerous fire conditions; and

**WHEREAS**, these wildfires have resulted in the loss of life, destruction of hundreds of residential and other structures, damage to businesses, farms, ranches and public infrastructure, and over 300,000 acres of public and private land burned; and

**WHEREAS**, the availability of firefighting resources from throughout the State and western United States to assist with new and existing wildfires is nearly exhausted, and is projected to remain extremely limited until the end of September due to existing and projected fire conditions and activities throughout the region; and

**WHEREAS**, recent and ongoing wildfires requiring significant responsive commitment of our limited firefighting resources currently exist in Asotin, Chelan, Douglas, Ferry, Jefferson, Klickitat, Okanogan, Skagit, Stevens, Skamania, Whatcom, and Yakima Counties, in addition to numerous smaller wildfires throughout the State demanding immediate response; and

**WHEREAS**, the threat to life and property from wildfires throughout the State has become extreme, threatening extensive additional damage to homes, businesses, and public facilities, resources, infrastructure and utilities, impacting the life and health of our citizens throughout Washington State, all of which affect life, health, property, or the public peace, and was declared in Proclamation 15-11 to be a public disaster demanding immediate action; and

**WHEREAS**, the Washington State Emergency Operations Center has continued to assess the wildfire danger from these conditions, and it has become evident that during July, August, and September, high risk fire fuel conditions will continue to create an active burning environment that is expected to intensify throughout the State and region based upon National Interagency Fire Center Predictive Services and National Weather Service forecasts projecting ongoing drought conditions, above normal temperatures and below normal precipitation, creating extremely high potential for new and multiple wildfires on public and private lands in all 39 Washington Counties during these months; and

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

**WHEREAS**, road closures and traffic detours resulting from wildfires throughout the State and region have also caused and seriously threatened delays in the provision of adequate fuel supplies to consistently maintain necessary firefighting activities in Eastern Washington; 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 necessary maintenance of essential fuel supplies critical to Eastern Washington firefighting efforts 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 above-noted situation and under Chapters 38.08, 38.52 and 43.06 RCW, do hereby proclaim that a state of emergency exists in all 39 Counties and that Proclamation 15-11 remains in effect, 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. My order into active state service of the Washington State organized militia also remains in effect. The Washington State Emergency Operations Center is instructed to continue monitoring the event and coordinating 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 counties in Eastern Washington in support of firefighting efforts are providing emergency relief during an emergency under 49 CFR § 390.23 and, therefore, are exempt from application of 49 CFR §§ 390 through 399, including 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 September 10, 2015.

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 exists:
  - 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.

I ask the motor carriers for the fuel industry to use their best judgment in operating under this exemption in a manner that ensures public health and safety. Drivers operating under this exemption should carry a copy this Proclamation.

Signed and sealed with the official seal of the state of Washington this 21st day of August, A.D. Two-thousand and Fifteen at Olympia, Washington.

By:

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/s/  
Jay Inslee, Governor

BY THE GOVERNOR:

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/s/  
Secretary of State