

April 7, 2009

H 1210. FACILITATE ACCESS TO EMERGENCY SUPPLIES. Filed 4/7/09. *TO FACILITATE OBTAINING FEDERAL WAIVERS THAT ARE NECESSARY TO ENSURE ADEQUATE GASOLINE SUPPLIES THROUGHOUT THE STATE; TO ALLOW THE GOVERNOR TO ENABLE BUSINESSES THAT SELL ITEMS CONSUMED OR USED TO SUSTAIN LIFE, HEALTH, SAFETY, OR ECONOMIC WELL-BEING TO BE EXEMPT FROM LOCAL CURFEWS; AND TO MAKE VARIOUS OTHER CHANGES THAT WILL FACILITATE POPULACE ACCESS TO EMERGENCY SUPPLIES AND SERVICES.*

Enacts new GS 166A-6.03 to authorize that the Governor may declare by executive order, whenever a curfew has been imposed during a state of disaster, that the health, safety, or economic well-being of persons and property in the state require that (1) persons transporting essentials in commerce to the curfew area, or assisting in ensuring availability, and persons assisting in restoring utilities be allowed to enter or remain in areas which they would otherwise be excluded and (2) the maximum of hours of service prescribed by the Department of Crime Control and Public Safety (DCCPS) pursuant to GS 20-381 and similar rules be waived for persons transporting essentials or assisting in the restoration of utility services. Requires that the Secretary of DCCPS develop a certification system for persons transporting essentials in commerce or assisting in ensuring their availability, and persons assisting in the restoring of utility services, which includes allowing those individuals to enter or remain in a curfew area for those limited purposes. Provides for specific system criteria. Specifies that law enforcement or other local officials are not prohibited from specifying the permissible route of ingress or egress for certified persons.

Authorizes the Governor to simultaneously seek applicable waivers of federal law, if the Governor declares the existence of an abnormal market disruption with respect to petroleum supplies, to facilitate the transportation of fuel within the state in order to prevent or address a fuel shortage emergency. Enumerates specific federal waivers required. Establishes a definition for *curfew*, *curfew area*, and *essentials*.

Intro. by Cole.

GS 166A

June 29, 2009

SL 2009-195 (H 1210). FACILITATE ACCESS TO EMERGENCY SUPPLIES. AN ACT TO FACILITATE OBTAINING FEDERAL WAIVERS THAT ARE NECESSARY TO ENSURE ADEQUATE GASOLINE SUPPLIES THROUGHOUT THE STATE; TO ALLOW THE GOVERNOR TO ENABLE BUSINESSES THAT SELL ITEMS CONSUMED OR USED TO SUSTAIN LIFE, HEALTH, SAFETY, OR ECONOMIC WELL-BEING TO BE EXEMPT FROM LOCAL CURFEWS; AND TO MAKE VARIOUS OTHER CHANGES THAT WILL FACILITATE POPULACE ACCESS TO EMERGENCY SUPPLIES AND SERVICES. Summarized in *Daily Bulletin* 4/7/09. Enacted June 26, 2009. Effective June 26, 2009.