



---

## **Emergency Order 25-01**

### **Pursuant to Executive Order 25-13**

### **(Emergency Management – Gulf Winter Weather System)**

**WHEREAS**, on January 20, 2025, Governor Ron DeSantis issued Executive Order 25-13, declaring a state of emergency due to the dangers presented by this winter weather system; and

**WHEREAS**, this system could produce three to four inches of snow in the Florida Panhandle and/or ice accretions up to one-quarter (.25) inch from the eastern Florida Panhandle through the Suwannee River Valley; and

**WHEREAS**, significant impacts to roadways, bridges, trees, and powerlines are possible with hazardous driving conditions being present Tuesday into Wednesday; and

**WHEREAS**, in Executive Order 25-13, Governor Ron DeSantis granted the Executive Director of the Department of Highway Safety and Motor Vehicles (DHSMV) authorization to take certain actions relative to various matters within the authority of DHSMV including, but not limited to, motor vehicles, vessels, driver licenses and identification cards; and

**WHEREAS**, the state of emergency is to be effective for sixty (60) days following the date of Executive Order 25-13.

**NOW, THEREFORE, I, Dave Kerner**, Executive Director of the Department, pursuant to Executive Order 25-13, promulgate the following DHSMV Emergency Order to take immediate effect:

1. I hereby suspend enforcement of the registration requirements under sections 316.545(4) and 320.0715, Florida Statutes, for commercial motor vehicles that enter Florida to provide

emergency services or supplies, to transport emergency equipment, supplies, or personnel, or to transport FEMA mobile homes or office style mobile homes into or from Florida.

2. Pursuant to 49 CFR § 390.23, motor carriers and drivers operating a commercial motor vehicle to provide emergency relief during an emergency are exempt from 49 CFR Parts 395.3 and 395.5 until **February 3, 2025** (14 days from the date of the Governor's Executive Order 25-13) under the following conditions and provisions:

- a. Regulatory relief for commercial motor vehicle operations is granted only in direct assistance while providing emergency relief. Direct assistance terminates when a driver or commercial motor vehicle is used in commerce to transport cargo or provide services not directly supporting the emergency relief effort.
- b. Regulatory relief does not extend to controlled substances and alcohol use and testing requirements (49 CFR Part 382), commercial driver's license requirements (49 CFR Part 383), financial responsibility (insurance) requirements (49 CFR Part 387), applicable size and weight requirements, or any other portion of the regulations not specifically authorized under 49 CFR § 390.23.
- c. Regulatory relief does not extend to provisions provided in chapters 316, 320, and 322, Florida Statutes, and operation shall be in accordance with state traffic laws and the driver's ability to remain alert, attentive and free of impairment, fatigue, illness, distraction or similar cause that would reduce the driver's ability to safely operate the commercial motor vehicle.
- d. Motor carriers or drivers who are directly or indirectly subject to a current Out-of-Service Order are not eligible for the relief granted by this declaration until they have met the applicable conditions for the order's rescission and the order has been rescinded by the Florida Highway Patrol, the Federal Motor Carrier Safety Administration, or the jurisdiction

that issued the Out-of-Service Order, whichever is applicable.

- e. Drivers operating commercial motor vehicles for the motor carrier operating under this declaration must maintain a copy of the declaration in their possession.
  - f. Upon termination of direct assistance to the emergency relief effort, the motor carrier and driver are subject to the requirements of 49 CFR Parts 395.3 and 395.5, except that a driver may return empty to the motor carrier's terminal or the driver's normal work reporting location under the terms of the declaration. Direct assistance terminates when a driver or commercial motor vehicle is used in commerce to transport cargo not in direct furtherance of the emergency relief efforts.
  - g. Upon termination of direct assistance to the emergency relief effort, no motor carrier shall require or permit any driver used by it to drive, nor shall any such driver drive, until the driver has met the requirements of 49 CFR § 395.3, and 49 CFR § 395.5.
3. I hereby suspend the enforcement of the licensing and registration requirements under the International Fuel Tax Agreement (IFTA) under chapter 207, Florida Statutes, and the International Registration Plan (IRP) under section 320.0715, Florida Statutes, for motor carriers or drivers operating commercial motor vehicles that are properly registered in other jurisdictions and that are participating in emergency relief efforts through the transportation of equipment and supplies or providing other assistance in the form of emergency services.
4. Recordkeeping and other applicable requirements for existing IFTA and IRP licensees and registrants are not affected by this order. The DHSMV shall promptly notify the State Coordinating Officer when the waiver is no longer necessary.

This Emergency Order shall expire on March 21, 2025, or on the expiration or rescission of Executive Order 25-13, whichever is earlier.

Executed on this 21st day of January, 2025.

Signed by:  
*David Kerner, Executive Director*  
8FEDE54943DE400...  
Dave Kerner, Director