

ADMINISTRATIVE ORDER

- WHEREAS:** Pursuant to O.C.G.A. § 40-1-8(b), the Commissioner shall have the authority to promulgate rules and regulations for the safe operation of motor carriers, the safe operation of commercial motor vehicles and drivers, and the safe transportation of hazardous materials consistent with the Constitution of the United States and of this State, the Official Code of Georgia Annotated and other laws of this State;
- WHEREAS:** Pursuant to O.C.G.A. § 40-1-8(c)(1), the adoption of rules and regulations governing the safe operations of motor carriers, commercial motor vehicles and drivers, and the safe transportation of hazardous materials are exempt from the procedural requirements of Chapter 13 of Title 50 of the Official Code of Georgia, the "Georgia Administrative Procedure Act,"
- WHEREAS:** The Commissioner of the Department of Public Safety may, through administrative order, by referencing compatible federal regulations or standards, adopt the rules and regulations described herein which shall be maintained on file by the Department of Public Safety and made available for inspection and copying by the public, by means including but not limited to posting on the department's Internet site;
- WHEREAS:** Pursuant to the above authority and subsection (e) of section 350.341 of Title 49 of the Code of Federal Regulations, the Commissioner of Public Safety promulgated the adoption of section 395.341 of Chapter 1 the Georgia Department of Public Safety's Transportation Rulebook, which provides for hours of service temporary variance for intrastate motor carriers for a 60 days period from December 15, 2014 to February 15, 2015;
- WHEREAS:** There were no significant incidents for the affected class of vehicles during the initial variance period;

WHEREAS; Since the initial variance period the Commissioner of Public Safety has repeatedly promulgated extensions for hours of service temporary variance for intrastate motors such that the variance has been in continuous effect since December 15, 2014;

WHEREAS; There have been no significant incidents for the affected class of vehicles during the periods for which the variance has been extended;

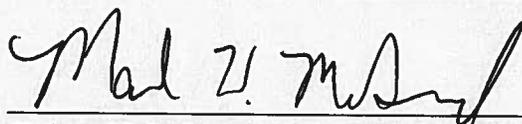
WHEREAS; The variance is currently set to expire on December 31, 2016;

WHEREAS; There have been no significant incidents for the affected class of vehicles during the most recent variance period;

Now, therefore, pursuant to the authority vested in me as Commissioner of the Georgia Department of Public Safety, it is hereby

ORDERED: That the temporary hours of service variance adopted by the Georgia Department of Public Safety through section 395.341 of Chapter 1 the Georgia Department of Public Safety's Transportation Rulebook be extended for a period of one year, expiring on December 31, 2017.

SO ORDERED this 19th day of DECEMBER, 2016.



Colonel Mark W. McDonough, Commissioner