



*Florida Department of Transportation*

RON DESANTIS  
GOVERNOR

605 Suwannee Street  
Tallahassee, FL 32399-0450

KEVIN J. THIBAUT, P.E.  
SECRETARY

**TROPICAL STORM FRED  
EMERGENCY ORDER  
(Pursuant to Executive Order No. 21-190)**

WHEREAS, on August 13, 2021, Governor Ron DeSantis issued Executive Order 21-190 regarding Tropical Depression Fred; and

WHEREAS, the National Hurricane Center reported that Fred has since strengthened into a Tropical Storm with maximum winds of almost 60 miles per hour and could potentially further strengthen; and

WHEREAS, there is a risk of dangerous storm surge, heavy rainfall, flash flooding, strong winds, hazardous seas, and the potential for isolated tornadic activity for the coast of the Florida panhandle and much of the Big Bend; and

WHEREAS, the Florida Department of Transportation is prepared to deploy resources to support the disaster response efforts related to Fred.

NOW, THEREFORE, I, KEVIN J. THIBAUT, P.E., Secretary of the Florida Department of Transportation, hereby find that the Department of Transportation's timely performance of disaster response functions related to Fred is hindered by the application of procedures imposed by statute, rule, or order.

Therefore, pursuant to the authority granted by Section 4(E) of Executive Order 21-190, I hereby:

1. Waive and suspend the following rules and statutes: sections 316.515(1)-(3), 316.535(1) and (3), 316.545(2), 316.550(1), and 337.401(1)(a), Florida Statutes, and Rules 14-

28.002(4) and (5), and 14-46.001(2), Florida Administrative Code, to the extent needed to allow the establishment of alternate size and weight restrictions for divisible loads on any vehicles transporting emergency equipment, services, supplies, and agricultural commodities and citrus as recommended by the Commissioner of Agriculture, and as needed to waive by special permit the warning signal requirements in the Utility Accommodation Manual to accommodate public utility companies from other jurisdictions to render assistance in restoring vital services, subject to the limitations expressed in Executive Order 21-190.

2. Waive and suspend sections 112.061, 216.011, 216.292, 216.313, 287.055, 287.056, 287.057(1)-(9), (11), (16), (18) and (23), 287.15, 316.545(4), 320.0715, 337.02(2), 337.107, 337.11, 339.08, and 339.135(6), Florida Statutes, and Rules 60A-1.002, 60A-1.017, 60A-1.021, 60A-1.043, 60A-1.045, Florida Administrative Code, as they relate to leasing, printing, purchasing, travel, the conditions of employment and the compensation of employees, or the use of State Transportation Trust Funds off the State Highway System, to the extent necessary to ensure the timely performance of the Department of Transportation's disaster response functions as prescribed in the State Comprehensive Management Plan or as directed by the State Coordinating Officer.
3. In accordance with section 1 of Executive Order 21-190, the foregoing waivers and suspensions of statute are limited to Bay, Calhoun, Dixie, Escambia, Franklin, Gadsden, Gilchrist, Gulf, Holmes, Jackson, Jefferson, Lafayette, Leon, Levy, Liberty, Manatee, Okaloosa, Santa Rosa, Taylor, Wakulla, Walton, and Washington Counties.
4. All actions taken by the Florida Department of Transportation with respect to this emergency before the issuance of this Emergency Order are hereby ratified.

This order shall expire on the earlier of the expiration or rescission of Executive Order 21-190 or Sunday September 12, 2021. Effective this 16<sup>th</sup> day of August 2021.



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Kevin J. Thibault, P.E., Secretary  
Florida Department of Transportation