

EXECUTIVE ORDER NO. 108

WHEREAS, beginning on October 28, 2012, and continuing through October 30, 2012, Hurricane Sandy struck the State of New Jersey with high winds and torrential rains; and

WHEREAS, Sandy produced unprecedented severe weather conditions, including enormous storm surges, devastating winds, and widespread flooding; and

WHEREAS, Sandy destroyed entire communities across New Jersey, and left much of the State inaccessible; and

WHEREAS, the damage caused from Sandy, including fallen trees, downed power lines, damage to roadways, and unprecedented disruptions in electrical service, has produced dangerous conditions throughout the State that continue to jeopardize public safety; and

WHEREAS, the effects of Sandy, especially the widespread power outages, have disrupted the orderly sale of motor fuel, making it difficult for the citizens of the State to access adequate quantities of motor fuel; and

WHEREAS, the orderly and measured sale of motor fuel is necessary to ensure that all citizens of New Jersey have a steady and reliable source of power for both transportation and maintenance of essential services at home; and

WHEREAS, N.J.S.A. 52:27F-17 authorizes the Governor to proclaim by Executive Order a state of energy emergency upon a finding by the Board of Public Utilities that there exists an energy supply shortage of a dimension which endangers the public health, safety, or welfare; and

WHEREAS, the Board of Public Utilities has found that there exists a motor fuel supply shortage of a dimension which endangers the public health, safety, and welfare throughout the entire State; and

WHEREAS, on October 27, 2012, in light of the dangers posed by Sandy, and pursuant to the authority provided under the Constitution and statutes of the State of New Jersey, particularly the provisions of N.J.S.A. App. A:9-33, et seq., N.J.S.A. 38A:3-6.1, and N.J.S.A. 38A:2-4, and all amendments and supplements thereto, I declared a State of Emergency; and

WHEREAS, in accordance with N.J.S.A. App. A:9-34 and -51, I reserved the right to utilize and employ all available resources of the State government to protect against the emergency created by Sandy; and

NOW, THEREFORE, I, CHRIS CHRISTIE, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the statutes of this State, do hereby ORDER and DIRECT:

1. A limited state of energy emergency with regard to the supply of motor fuel exists in the following counties: Bergen, Essex, Hudson, Hunterdon, Middlesex, Morris, Monmouth, Passaic, Somerset, Sussex, Union, and Warren.

2. The Board of Public Utilities is empowered to implement all provisions of N.J.A.C. 14:29, and, more specifically, is empowered to implement the provisions of N.J.A.C. 14:29-6.2 including, but not limited to:

a. Requiring retail dealers of motor fuel to only sell motor fuel for use in a passenger automobile bearing license plates, the last number of which is an even number, on even numbered days of each month; and

b. Requiring retail dealers of motor fuel to only sell motor fuel for use in a passenger automobile bearing license plates, the last number of which is an odd number, on odd numbered days of each month; and

c. Deeming all license plates not displaying a number as an odd numbered plate.

3. The President of the Board of Public Utilities is directed to take all appropriate steps to effectuate and enforce this Order.

4. This Order shall take effect at noon on November 3, 2012.

GIVEN, under my hand and seal this
2nd day of November,
Two Thousand and Twelve,
and of the Independence of
the United States, the Two
Hundred and Thirty-Seventh.

[seal]

/s/Chris Christie
Governor

Attest:

/s/Charles B. McKenna
Chief Counsel to the Governor