

# EXECUTIVE DEPARTMENT STATE OF CALIFORNIA

## PROCLAMATION OF A STATE OF EMERGENCY

**WHEREAS** in early February 2024 a powerful, slow moving, atmospheric river ("early February 2024 storms") struck California beginning February 3, 2024, and is expected to continue for several days threatening life and safety, public and private property and structures, and other critical infrastructure; and

**WHEREAS** the National Weather Service has issued multiple Winter Storm Warnings, High Wind Warnings, Wind Advisories, and Flood and Flash Flood Watches throughout the State in anticipation of the potential impacts from the early February 2024 storms, which include dangerous and life-threatening flooding and debris flows, heavy snow, and damaging wind causing property damage and power outages; and

**WHEREAS** the National Weather Service has also issued high surf advisories impacting coastal communities throughout California, forecasting large breaking waves and dangerous rip currents; and

**WHEREAS** the numerous wildfires over the last several years throughout southern California counties have caused massive burn scars, exacerbating the potential for precipitation to cause mud and debris flows; and

**WHEREAS** repositioning of assets has taken place throughout the State, including the placement of swift water rescue teams, high water vehicles, and equipment for the clearing of debris; and

**WHEREAS** under the provisions of Government Code section 8558(b), I find that conditions of extreme peril to the safety of persons and property exist due to the early February 2024 storms in Los Angeles, Orange, Riverside, San Bernardino, San Diego, San Luis Obispo, Santa Barbara, and Ventura Counties; and

**WHEREAS** under the provisions of Government Code section 8558(b), I find that the conditions caused by the early February 2024 storms, by reason of their magnitude, are or are likely to be beyond the control of the services, personnel, equipment, and facilities of any single local government and require the combined forces of a mutual aid region or regions to appropriately respond; and

**WHEREAS** under the provisions of Government Code section 8625(c), I find that local authority is inadequate to cope with the magnitude of the anticipated impacts caused by the early February 2024 storms; and

**WHEREAS** under the provisions of Government Code section 8571, I find that strict compliance with various statutes and regulations specified in this Proclamation would prevent, hinder, or delay the mitigation of the effects of the early February 2024 storms.

**NOW, THEREFORE, I, GAVIN NEWSOM**, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes, including the California Emergency Services Act, and in particular,

Government Code section 8625, **HEREBY PROCLAIM A STATE OF EMERGENCY** to exist in Los Angeles, Orange, Riverside, San Bernardino, San Diego, San Luis Obispo, Santa Barbara, and Ventura Counties.

**IT IS HEREBY ORDERED THAT:**

1. All agencies of the state government shall utilize and employ state personnel, equipment, and facilities for the performance of any and all activities consistent with the direction of the Office of Emergency Services and the State Emergency Plan. Also, all residents are to obey the direction of emergency officials with regard to this emergency in order to protect their safety.
2. The Office of Emergency Services shall provide assistance to local governments, if appropriate, under the authority of the California Disaster Assistance Act, Government Code section 8680 et seq., and California Code of Regulations, Title 19, section 2900 et seq.
3. As necessary to assist local governments and for the protection of public health and the environment, state agencies shall enter into contracts to arrange for the procurement of materials, goods, and services necessary to quickly assist with the response to and recovery from the impacts of the early February 2024 storms. Applicable provisions of the Government Code and the Public Contract Code, including but not limited to travel, advertising, and competitive bidding requirements, are suspended to the extent necessary to address the effects of the early February 2024 storms.
4. Any fairgrounds the Office of Emergency Services determines suitable to assist individuals impacted by the early February 2024 storms shall be made available to the Office of Emergency Services pursuant to the Emergency Services Act, Government Code section 8589. The Office of Emergency Services shall notify the fairgrounds of the intended use and may immediately utilize the fairgrounds without the fairground board of directors' approval.
5. The California National Guard may be mobilized under Military and Veterans Code section 146 to support disaster response and relief efforts, as directed by the Office of Emergency Services, and to coordinate with all relevant state agencies and state and local emergency responders and law enforcement within the impacted areas. Sections 147 and 188 of the Military and Veterans Code are applicable during the period of participation in this mission, exempting the California Military Department from applicable procurement rules for specified emergency purchases, and those rules are hereby suspended.
6. Any state-owned properties the Office of Emergency Services determines are suitable to address the impacts of the early February 2024 storms shall be made available to the Office of Emergency Services for this purpose in accordance with Government Code section 8570.

7. The provisions of Unemployment Insurance Code section 1253 imposing a one-week waiting period for unemployment insurance applicants are suspended as to all applicants who are unemployed as a direct result of the early February 2024 storms and apply for unemployment insurance benefits during the time period beginning February 4, 2024, and ending on the close of business on August 5, 2024, in Los Angeles, Orange, Riverside, San Bernardino, San Diego, San Luis Obispo, Santa Barbara, and Ventura Counties and who are otherwise eligible for unemployment insurance benefits.
8. Vehicle Code sections 9265(a), 9867, 14901, 14902, and 15255.2, requiring the imposition of fees, are suspended with regard to any request for replacement of an identification card, driver's license card, vehicle registration certificate, or certificate of title, or registration stickers, by any individual who lost such records as a result of the early February 2024 storms in Los Angeles, Orange, Riverside, San Bernardino, San Diego, San Luis Obispo, Santa Barbara, and Ventura Counties. Such records shall be replaced without charge.
9. The provisions of Vehicle Code sections 4602 and 5902, requiring the timely registration or transfer of title are suspended with regard to any registration or transfer of title by any resident of Los Angeles, Orange, Riverside, San Bernardino, San Diego, San Luis Obispo, Santa Barbara, and Ventura Counties, who is unable to comply with those requirements as a result of the early February 2024 storms. The time covered by this suspension shall not be included in calculating any late penalty pursuant to Vehicle Code section 9554.
10. In order to ensure hospitals, clinics, and other health facilities remain open, the Director of the California Department of Public Health (CDPH) may waive any of the licensing requirements of chapters 1, 2, 8, and 8.5 of division 2 of the Health and Safety Code and accompanying regulations with respect to any hospital, clinic, other health facility, home health agency, or hospice agency identified in Health and Safety Code sections 1200, 1250, 1727, or 1746 that is impacted by the early February 2024 storms. Any waiver shall include alternative measures that, under the circumstances, will allow the facilities to remain open while protecting public health and safety. Any health facilities or agencies being granted a waiver shall be established and operated in accordance with their disaster and mass casualty plan or emergency preparedness plan. Any waivers granted pursuant to this paragraph shall be posted on the CDPH website and shall be in effect only so long as necessary to address the direct impacts of the early February 2024 storms in Los Angeles, Orange, Riverside, San Bernardino, San Diego, San Luis Obispo, Santa Barbara, and Ventura Counties.
11. In order to directly respond to the needs of impacted adult and senior care facilities, child care facilities, children's residential facilities, resource family homes, home care organizations, and

other similar care facilities and care providers within the State Department of Social Services' (CDSS) jurisdiction, the Director of CDSS may waive any provisions of the Family Code, Health and Safety Code, or Welfare and Institutions Code, and accompanying regulations or written directives, with respect to the use, licensing, certification, registration or approval of care providers, facilities or homes within CDSS jurisdiction set forth in the California Community Care Facilities Act (Health and Safety Code section 1500 et seq.), Child Care Provider Registration (Health and Safety Code section 1596.60 et seq.), the California Child Day Care Facilities Act (Health and Safety Code section 1596.70 et seq.), Residential Care Facilities for Persons With Chronic Life-Threatening Illness (Health and Safety Code section 1568.01 et seq.), the California Residential Care Facilities for the Elderly Act (Health and Safety Code section 1569 et seq.), Medical Foster Homes for Veterans (Health and Safety Code section 1568.21 et seq.), Continuing Care Contracts (Health and Safety Code section 1770 et seq.), the Home Care Services Consumer Protection Act (Health and Safety Code section 1796.10 et seq.), and the Resource Family Approval Program (Welfare and Institutions Code section 16519.5 et seq.). Any waivers granted pursuant to this paragraph shall be posted on the CDSS website and shall be in effect only so long as necessary to address the direct impacts the early February 2024 storms in Los Angeles, Orange, Riverside, San Bernardino, San Diego, San Luis Obispo, Santa Barbara, and Ventura Counties.

12. In order to directly respond to the needs of behavioral health programs and facilities impacted by the storm, including alcohol and other drug programs, adult alcoholism or drug abuse recovery or treatment facilities, driving-under-the-influence programs, narcotic treatment programs, psychiatric health facilities, mental health rehabilitation centers, social rehabilitation programs, skilled nursing facilities with special treatment programs, Lanterman-Petris-Short designated facilities, community treatment facilities, short term residential therapeutic programs, and children's crisis residential programs, the Director of the Department of Health Care Services (DHCS) may waive any licensing, certification, or approval requirements for such programs under its jurisdiction set forth in Welfare and Institutions Code, Divisions 4, 5 and 9 and in Health and Safety Code, Divisions 2 and 10.5 and accompanying regulations, written standards, or information notices. Any waivers granted pursuant to this paragraph shall be posted on the DHCS website and shall be in effect only so long as necessary to address the direct impacts of the early February 2024 storms in Los Angeles, Orange, Riverside, San Bernardino, San Diego, San Luis Obispo, Santa Barbara, and Ventura Counties.

13. Health and Safety Code sections 103525.5 and 103625, and Penal Code section 14251, requiring the imposition of fees are hereby suspended with regard to any request for copies of certificates of birth, death, marriage, and dissolution of marriage records, by any individual who lost such records as a result of the early February

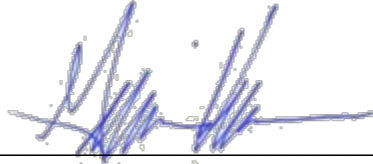
2024 storms in Los Angeles, Orange, Riverside, San Bernardino, San Diego, San Luis Obispo, Santa Barbara, and Ventura Counties. Such copies shall be provided without charge.

14. Drivers may exceed the hours-of-service limits specified in California Vehicle Code section 34501.2 and California Code of Regulations, Title 13, section 1212.5 while operating a vehicle engaged in fuel transportation in support of emergency relief efforts, subject to the following conditions:
  - a. Motor carriers or drivers currently subject to an out-of-service order are eligible for the exemption once the out-of-service order expires or when they have met the conditions for its rescission.
  - b. In accordance with Section 1214, Title 13, California Code of Regulations, no motor carrier operating under the terms of this Proclamation will require or allow an ill or fatigued driver to operate a motor vehicle. A driver who notifies a motor vehicle carrier that they need immediate rest shall be given at least ten consecutive hours off-duty before being required to return to service.
  - c. Drivers shall maintain a driver's record of duty status, regardless of number of hours worked each day. These records shall be prepared, submitted, and maintained as required by Section 1213, Title 13, California Code of Regulations.
15. Consistent with Parts 390 and 395, Title 49, Code of Federal Regulations, drivers may exceed the hours-of-service limits specified while operating a vehicle engaged in fuel transportation in support of emergency relief efforts. These waivers shall be in effect only for the duration of the driver's direct assistance in providing emergency relief, or thirty (30) days from the date of this Proclamation, whichever is less.
16. In order to allow out-of-state contractors and other utilities driving their own vehicles to provide mutual aid assistance for the restoration of electrical power within the counties impacted by storm, applicable provisions of the Vehicle Code including, but not limited to, Vehicle Code section 34620 requiring a motor carrier permit [licensing] and imposition of certain fees, are suspended for motor carriers providing such assistance. Also, the requirements for motor carriers and drivers in Vehicle Code sections 1808.1 [pull-notice program that checks for driver's license violations], 27900 [display name on vehicle], 27901 [size and color of display name on vehicle], 34505.5 [requirement to have been inspected within 90 days], and 34501.12 [requirement to set up home base in California] are suspended while providing mutual aid assistance for the emergency restoration of services.

**I FURTHER DIRECT** that as soon as hereafter possible, this Proclamation be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Proclamation.

This Proclamation is not intended to, and does not, create any rights or benefits, substantive, or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

**IN WITNESS WHEREOF** I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 4th day of February 2024.



---

GAVIN NEWSOM  
Governor of California

**ATTEST:**

---

SHIRLEY N. WEBER, PH. D  
Secretary of State