JAY INSLEE
Governor

STATE OF WASHINGTON
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PROCLAMATION BY THE GOVERNOR
AMENDING AND EXTENDING 20-05, 20-48, 20-48.1, and 20-48.2

20-48.3
Department of Licensing – CDL Health Certificates and Other Requirements

WHEREAS, on February 29, 2020, I issued Proclamation 20-05, proclaiming a State of Emergency for all counties throughout Washington State as a result of the coronavirus disease 2019 (COVID-19) outbreak in the United States and confirmed person-to-person spread of COVID-19 in Washington State; and

WHEREAS, as a result of the continued worldwide spread of COVID-19, its significant progression in Washington State, and the high risk it poses to our most vulnerable populations, I have subsequently issued amendatory Proclamations 20-06 through 20-53 and 20-55 through 20-57, exercising my emergency powers under RCW 43.06.220 by prohibiting certain activities and waiving and suspending specified laws and regulations; and

WHEREAS, the COVID-19 disease, caused by a virus that spreads easily from person to person which may result in serious illness or death and has been classified by the World Health Organization as a worldwide pandemic, has broadly spread throughout Washington State, significantly increasing the threat of serious associated health risks statewide; and

WHEREAS, the response to and impacts of the COVID-19 State of Emergency on many state and local government agencies and offices has significantly impacted their ability to adequately staff and supply various administrative and operational activities, resulting in many agencies, including the Washington State Department of Licensing, conducting limited operations; and

WHEREAS, commercial drivers are critical to the transportation of essential goods in the supply chain throughout Washington State and are subject to federal and state regulations in obtaining, renewing, and retaining commercial driver licenses and permits;

WHEREAS, the Federal Motor Carrier Safety Administration (FMCSA) requires Commercial Driver License (CDL) and Commercial Learner Permit (CLP) holders to carry proof of a current medical examination and certification, and provide such proof to the Washington State Department of Licensing, and the FMCSA waived that requirement through September 30, 2020, for holders who have proof of a valid medical certification that was issued for a period of 90 days or longer that expired on or after March 1, 2020; and

WHEREAS, most CDL/CLP holders must obtain a new medical certification every two years, and there are approximately 16,500 CDL/CLP holders in Washington State with medical certificates expiring through June 30, 2020; and

WHEREAS, the FMCSA requires a CDL holder to at all times be physically present in the vehicle with a CLP holder, and the FMCSA waived that requirement, through September 30, 2020; and

WHEREAS, the FMCSA states that a CLP holder must wait at least fourteen days after initial issuance of the person's CLP before taking a CDL skills examination, and the FMSCA has waived that requirement through September 30, 2020; and

WHEREAS, the FMCSA requires that a state not make the CLP valid for more than one year from the date of issuance without requiring the CLP holder to retake the general and endorsement knowledge tests and the FMCSA waives the requirement through September 30, 2020; and

WHEREAS the FMCSA mandates that a state require that, prior to renewal, a hazardous materials endorsements be subject to a Transportation Security Administration (TSA) security screening requirement, and the TSA granted an extension for those requirements from April 2, 2020, until July 1, 2020, which was recently extended to September 30, 2020; and

WHEREAS, the Department of Licensing administers RCW 46.25, the Uniform Commercial Driver's License Act, including the requirements that commercial drivers maintain a current medical certification, skill testing, and other renewal requirements within specified time frames, the enforcement of which is anticipated to reduce the number of available commercial truck drivers operating in Washington State during the COVID-19 pandemic, and

WHEREAS, to assist the Department of Licensing in addressing these issues, it is necessary to waive and suspend the requirement to carry a valid medical certification and other skill testing and renewal requirements for CDL and CLP holders to conform to the FMCSA waiver and to ensure that essential commercial drivers are available to continue to transport commercial goods in the essential supply chain during the COVID-19 pandemic; and

WHEREAS, the number of cases of COVID-19 and associated deaths continues to increase, demonstrating the ongoing, present, and persistent threat of this lethal disease; and

WHEREAS, on April 14, 2020, I issued Proclamation 20-48, waiving and suspending statutes and prohibiting certain activities relating to CDL and CLP holders; and

WHEREAS, on May 14, 2020, under the provisions of RCW 43.06.220(4), the statutory waivers and suspensions of Proclamation 20-48 were extended by the leadership of the Washington State Senate and House of Representatives until the termination of the COVID-19 State of Emergency or May 31, 2020, whichever occurs first; and

WHEREAS, on May 15, 2020, I issued Proclamation 20-48.1, acknowledging the extension of statutory waivers and suspensions therein by the leadership of the Washington State Senate and House of Representatives until the termination of the COVID-19 State of Emergency or May 31, 2020, whichever occurs first, and similarly extending the prohibitions therein; and

WHEREAS, on May 29, 2020, under the provisions of RCW 43.06.220(4), the statutory waivers and suspensions of Proclamations 20-48 et seq., were extended by the leadership of the Washington State Senate and House of Representatives until the termination of the COVID-19 State of Emergency or June 17, 2020, whichever occurs first and similarly extending the prohibitions therein; and

WHEREAS, on May 29, 2020, I issued Proclamation 20-48.2, acknowledging the extension of statutory waivers and suspensions therein by the leadership of the Washington State Senate and House of Representatives until the termination of the COVID-19 State of Emergency or June 17, 2020, whichever occurs first, and similarly extending the prohibitions therein; and

WHEREAS, on June 17, 2020, under the provisions of RCW 43.06.220(4), the statutory waivers and suspensions of Proclamations 20-48 et seq., were extended by the leadership of the Washington State Senate and House of Representatives until the termination of the COVID-19 State of Emergency or July 1, 2020, whichever occurs first; and

WHEREAS, to fully extend Proclamations 20-48 et seq., it is also necessary for me to extend the prohibitions therein; and

WHEREAS, the worldwide COVID-19 pandemic and its progression in Washington State continue to threaten the life and health of our people as well as the economy of Washington State, and remain a public disaster affecting life, health, property or the public peace; and

WHEREAS, the Department of Health continues to maintain a Public Health Incident Management Team in coordination with the State Emergency Operations Center and other supporting state agencies to manage the public health aspects of the incident; and

WHEREAS, the Washington State Military Department Emergency Management Division, through the State Emergency Operations Center, continues coordinating resources across state government to support the Department of Health and local health officials in alleviating the impacts to people, property, and infrastructure, and continues coordinating with the Department of Health in assessing the impacts and long-term effects of the incident on Washington State and its people.

NOW, THEREFORE, I, Jay Inslee, Governor of the state of Washington, as a result of the above-noted situation, and under Chapters 38.08, 38.52 and 43.06 RCW, do hereby proclaim that a state of emergency continues to exist in all counties of Washington State, that Proclamation 20-05 and all amendments thereto remain in effect as otherwise amended, and that Proclamations 20-05, 20-48 et seq., are amended to (1) recognize the extension of statutory waiver and suspension therein by the leadership of the Washington State Senate and House of Representatives until the termination of the COVID-19 State of Emergency or 11:59 PM on July 1, 2020, whichever occurs first, and (2) similarly extend the prohibitions therein until termination of the COVID-19 State of Emergency or 11:59 p.m. on July 1, 2020.

I again direct that the plans and procedures of the *Washington State Comprehensive Emergency Management Plan* be implemented throughout state government. State agencies and departments are directed to continue utilizing state resources and doing everything reasonably possible to support implementation of the *Washington State Comprehensive Emergency Management Plan* and to assist affected political subdivisions in an effort to respond to and recover from the COVID-19 pandemic.

As a result of this event, I continue to order into active state service the organized militia of Washington State to include the National Guard and the State Guard, or such part thereof as may be necessary in the opinion of The Adjutant General to address the circumstances described above, to perform such duties as directed by competent authority of the Washington State Military Department in addressing the outbreak. Additionally, I continue to direct the Department of Health, the Washington State Military Department Emergency Management Division, and other agencies to identify and provide appropriate personnel for conducting necessary and ongoing incident related assessments.

Violators of this order may be subject to criminal penalties pursuant to RCW 43.06.220(5).

Signed and sealed with the official seal of the state of Washington on this 18th day of June, A.D., Two Thousand and Twenty at Olympia, Washington.

By:

/s/
Jay Inslee, Governor

BY THE GOVERNOR:

/s/
Secretary of State