

**STATE OF VERMONT**

**EXECUTIVE DEPARTMENT**

**ADDENDUM 2 TO EXECUTIVE ORDER 03-23**

**[ADDITIONAL REGULATORY RELIEF]**

**WHEREAS**, on Sunday, July 9, 2023, the Governor issued Executive Order 03-23, Declaration of State of Emergency, Guard Call-Out and Activation of Emergency Operations Plan for the State of Vermont in Response to Anticipated Storm-Related Damage (“Emergency Declaration”), declaring a state of emergency for the State of Vermont in response to the July 2023 severe storm (“Flood of 2023”); and

**WHEREAS**, on July 10, 2023, the President declared that an emergency exists in the State of Vermont; and

**WHEREAS**, once it became clear flood damage and mudslides from a storm in the Killington area July 7, 2023 and excessive rain, flooding, water runoff, erosion and resulting damages statewide during the period July 9-11, 2023, were not going to be isolated incidents, but rather part of series of events which would continue throughout the coming week, with widespread flooding, repeated flash flooding, water runoff, erosion and mudslides due to inundated soils and slope instability, statewide, the Governor, in consultation with FEMA, requested a Presidential Declaration of a Major Disaster for the period July 7, 2023 and continuing; and

**WHEREAS**, on July 14, 2023 the President issued a Major Disaster Declaration based on flooding beginning on July 7, 2023, and continuing (the “Major Disaster Declaration”); and

**WHEREAS**, the scope and severity of the Flood of 2023 may exceed that of Hurricane Irene in 2011; and

**WHEREAS**, the current emergency demands swift action to achieve the necessary hazard mitigation, provide critical support response and begin recovery efforts to preserve public safety and property in Vermont; and

**WHEREAS**, in addition to temporary regulatory relief critical for emergency response, debris removal and infrastructure rebuilding, I have determined there is a need for temporary financial relief for taxpayers to address immediate costs and maintain financial viability, and temporary relief for customers of the Department of Motor Vehicles (DMV) who have been victims of flooding.

**NOW THEREFORE**, pursuant to the authority vested in me as Governor of the State of Vermont and Commander-in-Chief, Vermont National Guard by the Constitution of the State of Vermont, Chapter II, Section 20, and pursuant to the emergency powers set forth in 20 V.S.A. §§ 8, 9 and 11 and other laws and the Emergency Management Assistance Compact, 20 V.S.A. Chapter 4:

**IT IS HEREBY ORDERED:**

1. In order to meet the needs of DMV customers who have suffered the impacts of the Flood of 2023, the Commissioner of DMV is hereby directed, effective July 7, 2023, to:
  - a. Extend license and registration renewals for 60 days beyond their effective expiration date.
  - b. Extend temporary registration certificates and number plates for 60 days beyond their effective dates.
  - c. Allow residents who have moved to Vermont within the last 90 days to have an additional 60 days to transfer their licenses and registrations to Vermont.
  - d. Extend license photo validity from nine (9) years to thirteen (13) years for Vermonters who require new license photos during the period of the Emergency Declaration.
  
2. The Vermont Department of Public Safety, Division of Fire Safety is hereby directed to waive such rules and requirements as necessary to issue a temporary license, certification or registration to profession types equivalent to the Vermont Oil Heat Technicians, Vermont Propane Technicians, Vermont S-License Plumbers and Vermont S-License Electricians and such other profession types regulated by the Division of Fire Safety as the Director may determine necessary to provide professional services in connection with this emergency until the termination of the Emergency Declaration. These professionals shall hold a valid license, certification or registration in good standing in another U.S. jurisdiction or jurisdictions and shall not be subject to any professional disciplinary proceedings in any other U.S. jurisdiction.

The Director of the Division of Fire Safety shall provide guidance on how licensed, certified, or registered professionals from other U.S. jurisdiction(s) can obtain the temporary emergency license, certification or registration.

3. The Tax Commissioner is hereby directed to extend the due dates for taxpayers affected by flooding for tax filings and payments for those due from July 7, 2023 to November 15, 2023:
  - a. sales and use tax returns;
  - b. meals and rooms tax returns;
  - c. income withholding tax returns; and
  - d. quarterly estimated payments for income taxpayers.

If the returns and payments listed above are filed by November 15, 2023, taxpayers affected by flooding shall not be responsible for any late filing or late payment penalties or interest.

4. In order to meet the needs of the State, municipalities and property owners as they implement measures to protect health and safety and preserve lives and property of the people of the State, the Secretary of the Agency of Natural Resources (ANR) is hereby directed, effective July 7, 2023 through September 1, 2023 to:
  - a. Waive the production and fuel use limits for hot mix asphalt plants currently operating under an Air Pollution Control Permit to Operate and being used for emergency road repair.

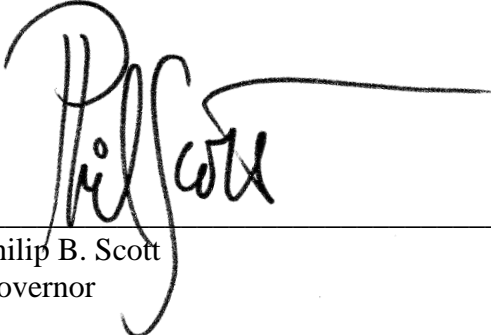
The Secretary of ANR provide guidance on the implementation of this waiver and, in consultation with the Secretary of the Agency of Transportation (VTrans), the waiver of such other current limits as may be needed to facilitate the production of hot mix asphalt to be used for emergency road repair.

- b. ANR shall waive the certification limits of the Coventry Landfill and transfer station operating hours to allow longer hours and weekend days. ANR shall also waive the daily tonnage limits to allow transfer stations to increase throughput without being limited by daily capacity limits.
  - c. ANR shall authorize transfer stations to 1) store flood debris and construction and demolition (C&D) waste outside of the tipping building (or the designated storage areas) without the need for a certification amendment or approval from the State; and 2) manage household hazardous wastes, whitegoods (with refrigerants) electronics, mercury containing bulbs, batteries, propane tanks and tires so long as these dangerous and hazardous wastes can be managed and stored safely.
5. Pursuant to the powers granted to the Governor in 20 V.S.A. §§ 8, 9 and 11 and other provisions of law, I shall from time-to-time issue recommendations, directives and orders as circumstances may require.

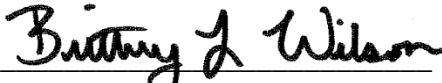
This Executive Order shall take effect upon signing and shall continue in full force and effect until the Governor, in consultation with DPS/VEM, shall assess the emergency and determine whether to amend or rescind this Order.

WITNESS my name hereunto subscribed and the Great Seal of the State of Vermont hereunto affixed at Montpelier this 19th day of July, 2023.



  
Philip B. Scott  
Governor

By the Governor:

  
Brittney L. Wilson  
Secretary of Civil and Military Affairs