



Commonwealth of Virginia
Office of the Governor

Executive Order

EXECUTIVE ORDER 21 (2026)

DECLARATION OF EMERGENCY DUE TO SEVERE DROUGHT IMPACTS ON FARMS AND THE NECESSITY OF HAY TRANSPORTATION WAIVERS

By virtue of the authority vested in me by Article V of the Constitution of Virginia and under the laws of the Commonwealth, including but not limited to §§ 44-146.17 and 44-75.1 of the *Code of Virginia*, as Governor, Director of Emergency Management, and Commander-in-Chief of the Commonwealth's Armed Forces, I proclaim a state of emergency due to the prolonged and severe drought conditions across the Commonwealth that constitute a disaster based on the significant impact to agribusiness operations and the imminent risk to livestock health and production.

Importance of the Issue

Across the Commonwealth of Virginia, prolonged drought conditions have increasingly strained agribusiness operations, resulting in significant challenges for farms, livestock producers, and agricultural suppliers. These conditions have led to reduced pasture and forage quality, hay quality and volume, and urgent needs for supplemental resources essential to sustaining livestock health and production.

The Virginia Emergency Support Team and Drought Monitoring Task Force have been actively monitoring drought conditions and tracking needs and resource requests from affected localities. As farms seek additional supplies of hay to maintain operations and protect agricultural assets, timely transportation of this critical resource has become essential.

Due to the need to bring in additional amounts of hay for farms, there is a pressing requirement to grant temporary over-width exemptions to all carriers transporting these resources to, through, and from any area of the Commonwealth. This temporary measure will support the rapid movement of agricultural relief and help mitigate the evolving impacts of the drought on Virginia's agribusiness sector.

Directive

Accordingly, as Chief Executive Officer of the Commonwealth and in accordance with § 44-146.13 et seq. of the *Code of Virginia*, I hereby direct the following actions to mitigate the hay-related emergency:

1. Authorization for executive branch agency heads—on behalf of their regulatory boards, as appropriate, and with Cabinet Secretary concurrence—to waive non-safety regulatory requirements related to hay movement and enter into emergency assistance agreements and contracts without formal procurement procedures. All issued waivers shall be posted publicly on agency websites.
2. Authorization for the Commissioner of Highways, the Commissioner of the Department of Motor Vehicles, and the Superintendent of State Police to grant temporary emergency waivers for vehicles transporting hay including suspension of standard permit application procedures and fees for over-width loads transporting hay and temporary relief from 49 CFR Part 395 and Virginia motor carrier hours-of-service regulations for commercial drivers engaged directly in the transportation of hay for drought relief. This waiver shall be in effect for 30 days beginning on October 1, 2026.

In order to marshal all public resources and appropriate preparedness, response, and recovery measures to support the actions listed above, I order the following additional, related actions:

1. Implementation by state agencies of the Commonwealth of Virginia Emergency Operations Plan, as amended, along with other appropriate state plans.
2. Activation of the Virginia Emergency Support Team, as directed by the State Coordinator of Emergency Management, to coordinate the provision of assistance to state, local, and tribal governments and to facilitate emergency services assignments to other agencies; activation of the Emergency Management Assistance Compact § 44-146.28:1 of the *Code of Virginia*, as needed.
3. Activation of § 59.1-525 et seq. of the *Code of Virginia* related to price gouging in connection with hay and its procurement and transportation.
4. Authorization of a maximum of \$500,000 in state sum sufficient funds for state and local government mission assignments and state response and recovery operations authorized and coordinated through the Virginia Department of Emergency Management allowable by The Stafford Act, 42 U.S.C. § 5121 et seq.

Effective Date of the Executive Order

This Executive Order shall be effective September 16, 2026, and shall remain in full force and effect for 45 days pursuant to § 44-146.17(A)(1) of the *Code of Virginia*, unless sooner amended or rescinded by further executive order.

Termination of this Executive Order is not intended to terminate any federal type benefits granted or to be granted due to injury or death as a result of service under this Executive Order.

Given under my hand and under the Seal of the Commonwealth of Virginia, this 16th day of September 2026.



A handwritten signature in black ink, reading "Abigail D. Spanberger".

Abigail D. Spanberger, Governor

A handwritten signature in black ink, reading "Candi Mundon King".

Candi Mundon King, Secretary of the Commonwealth