

**53-2a-1008 Curtailment, adjustment, and allocation of energy use by executive orders --
Limitations and considerations in issuance and application.**

- (1) Upon issuance of a proclamation pursuant to Section 53-2a-1007, the governor in addition may by executive order:
 - (a) require reduction in energy resource usage and the application of conservation, prevention of waste, and the salvaging of energy resources and the materials, services, and facilities derived therefrom or dependent thereon, by state agencies and political subdivisions in this state;
 - (b) direct the establishment by state agencies and political subdivisions in this state of programs necessary to implement and comply with federal energy conservation programs where these programs have not theretofore been so established, including, but not limited to, allocation or rationing of energy resources and the distribution of the state's discretionary allotments;
 - (c) require involuntary curtailments, adjustments, or allocations in the supply and consumption of energy resources applicable to all suppliers and consumers including, but not limited to, specification of the times and manner in which these resources are supplied or consumed; or
 - (d) prescribe and direct activities promoting the conservation, prevention of waste, and salvage of energy resources and the materials, services, and facilities derived therefrom or dependent thereon, including, but not limited to, the modification of transportation routes and schedules, or the suspension of weight limits or other restrictions from the transportation of energy resources, to the extent permissible under federal law and regulations.
- (2) Any restrictions, curtailments, adjustments, or allocations pursuant to Subsection (1) shall:
 - (a) be ordered and continue only so long as demonstrably necessary for the maintenance of essential services or transportation, or the continued operation of the economy but no longer than the duration of the proclamation;
 - (b) be applied as uniformly as practicable within each class of suppliers and consumers and without discrimination within a class; and
 - (c) give due consideration to the needs of commercial, retail, professional, and service establishments whose normal function is to supply goods or services or both of an essential nature, including, but not limited to, food, lodging, fuel, or medical care facilities during times of the day other than conventional daytime working hours.

Renumbered and Amended by Chapter 295, 2013 General Session