

# EXECUTIVE DEPARTMENT STATE OF CALIFORNIA

## PROCLAMATION OF A STATE OF EMERGENCY

**WHEREAS** on September 9, 2022, Tropical Storm Kay ("Kay"), downgraded from a hurricane, brought heavy rain and winds to Southern California necessitating the repositioning of significant resources, including swift water rescue teams and the California National Guard, to protect health and safety and preserve the lives and property of the people of the state of California; 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 flooding and debris flows; and

**WHEREAS** on September 12, 2022, Kay brought approximately two inches of rain within a short period of time over the El Dorado Fire burn scar and portions of the Apple Fire burn scar in San Bernardino County and additional rain through the next day; caused debris flows; prompted widespread evacuations and shelter-in-place orders; threatened, damaged or destroyed at least 30 homes and critical infrastructure, including power and water lines, businesses, and roads; caused one fatality; and necessitated the deployment of urban search and rescue teams in areas impacted by significant debris flow; and

**WHEREAS** the storm system, including debris flows, also damaged or destroyed roads in Imperial, Inyo, Los Angeles, and Riverside counties; 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 Kay in Imperial, Inyo, Los Angeles, Riverside, and San Bernardino counties; and

**WHEREAS** under the provisions of Government Code section 8558(b), I find that the conditions caused by Kay, by reason of its 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 damage caused by Kay; and

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

**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 Imperial, Inyo, Los Angeles, Riverside, and San Bernardino Counties due to Kay.

**IT IS HEREBY ORDERED THAT:**

1. All agencies of the state government 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. 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 Kay and applied for unemployment insurance benefits during the time period beginning September 12, 2022, and ending on the close of business on March 13, 2023, in San Bernardino County, and who are otherwise eligible for unemployment insurance benefits.
4. 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 Kay in San Bernardino County. Such records shall be replaced without charge.
5. 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 San Bernardino County, who is unable to comply with those requirements as a result of Kay. The time covered by this suspension shall not be included in calculating any late penalty pursuant to Vehicle Code section 9554.
6. 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 Kay in San Bernardino County. Such copies shall be provided without charge.
7. The California Department of Transportation shall formally request immediate assistance through the Federal Highway Administration's Emergency Relief Program, United States Code, Title 23, section 125, in order to obtain federal assistance for local road and highway repairs or reconstruction.

**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 16th day of September 2022.



A handwritten signature in blue ink, appearing to read "Gavin Newsom", is written over a horizontal line.

GAVIN NEWSOM  
Governor of California

**ATTEST:**

A handwritten signature in blue ink, appearing to read "Shirley Weber", is written over a horizontal line.

SHIRLEY WEBER, PH.D.  
Secretary of State