

TITLE 23

Health and Safety

CHAPTER 23-23.1

Air Pollution Episode Control

SECTION 23-23.1-5

§ 23-23.1-5 Proclamation of episode and issuance of orders. – If the director determines at any time that air pollution, in any place or area in the state, constitutes an unreasonable and emergency risk to the health of those present within that area of the state, that determination shall be communicated in writing, with the factual findings on which the determination is based, to the governor. Upon being so advised, the governor may by proclamation declare, as to all or any part of the area mentioned in the determination, that an air pollution episode exists, and upon making the declaration the governor shall have the following powers which he or she may exercise in whole or in part by the issuance of an order or orders:

- (1) To prohibit, restrict, or condition motor vehicle travel of every kind, including trucks and buses, in the area;
- (2) To prohibit, restrict, or condition the operation of retail, commercial, manufacturing, industrial, or similar activity in the area;
- (3) To prohibit, restrict, or condition operation of incinerators in the area;
- (4) To prohibit, restrict, or condition the burning or other consumption of any type of fuel in the area;
- (5) To prohibit, restrict, or condition the burning of any materials in open fires in the area;
- (6) To prohibit, restrict, or condition any and all other activity in the area which contributes or may contribute to the air pollution emergency.

History of Section.

(P.L. 1971, ch. 137, § 1; G.L. 1956, § 23-25.1-5; P.L. 1979, ch. 39, § 1.)