

EXECUTIVE ORDER

24-02

WHEREAS, extreme cold temperatures are forecasted across the Midwest, including Missouri; and

WHEREAS, the forecasted winter storm systems are anticipated to create a condition of distress and hazard to the safety, welfare, and property of the people of the State of Missouri beyond the capabilities of some local jurisdictions and other established agencies; and

WHEREAS, the resources of the State of Missouri may be needed to assist affected jurisdictions and to help relieve the condition of distress and hazard to the safety and welfare of our fellow Missourians; and

WHEREAS, Missourians depend on residential heating fuel such as propane, natural gas, and heating oil to heat their homes, businesses, and other buildings during the winter months; and

WHEREAS, extreme cold temperatures compound demand for residential heating fuel, which must be transported on Missouri highways to ensure sufficient supply in the central United States; and

WHEREAS, this increased demand for residential heating fuel is anticipated to create significant delays for carriers in acquiring and transporting residential heating fuel in and across Missouri; and

WHEREAS, the State of Missouri must continue to be proactive where the health and safety of its citizens are concerned; and

WHEREAS, a temporary suspension of current regulations on maximum driving times is necessary to the safety and welfare of the citizens of the State of Missouri in order to ensure that operators of commercial motor carriers who are assisting in the aforementioned efforts within the State of Missouri can transport residential heating fuel in and across Missouri; and

WHEREAS, the State of Missouri is currently in a State of Emergency within the meaning of Title 49, Code of Federal Regulations Section 390.23.

NOW, THEREFORE, I, MICHAEL PARSON, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the Constitution and laws of the State of Missouri, hereby declare a State of Emergency is currently in effect within the meaning of Title 49, Code of Federal Regulations Section 390.23 and Sections 44.100 and 44.110, RSMo.

I further order vehicles used in support of the transportation of residential heating fuels be exempt from the hours-of-service requirements in Title 49, Code of Federal Regulations, Parts 390 through 399, as incorporated in state law, including but not limited to Sections 307.400, 390.201, and 622.550, RSMo, and 11 CSR 30-6.010, for the duration of this Order.

This Order applies only to residential heating fuel such as propane, natural gas, and heating oil. No other petroleum products or other fuels are covered by the exemption and suspension under this Order.

Nothing in this Order shall be construed as an exemption from applicable controlled substances and alcohol use and testing requirements in 49 C.F.R. Part 382, the commercial driver's license requirements in 49 C.F.R. Part 383, the financial responsibility requirements in 49 C.F.R. Part 387, applicable size and weight requirements, or any portion of Federal and State regulations not specifically identified.

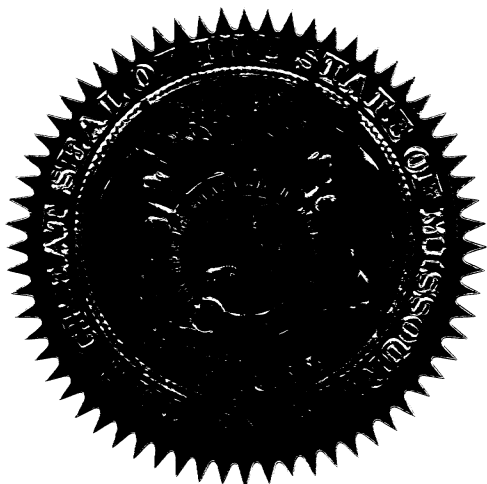
Additionally, nothing in this Order shall require or allow an ill or fatigued driver to operate a commercial motor vehicle as described in 49 C.F.R. § 390.23(b). Motor carriers or drivers currently subject to an out-of-service order are not eligible for the exemption and suspension until the out-of-service order expires or the conditions for rescission have been satisfied.

I further order, pursuant to Sections 41.480 and 41.690, RSMo, the Adjutant General of the State of Missouri, or his designee, to forthwith call and order into active service such portions of the organized militia as he deems necessary to aid the executive officials of Missouri, to protect life and property, and it is further directed that the Adjutant General or his designee, and through him, the commanding officer of any unit or other organization of such organized militia so called into active service take such action and employ such equipment as may be necessary in support of civilian authorities, and provide such assistance as may be authorized and directed by the Governor of this State.

I further authorize state agencies to provide assistance as needed.

This Order shall remain in effect until January 26, 2024, unless extended in whole or in part.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 11th day of January, 2024.



Handwritten signature of Michael L. Parson in black ink.

MICHAEL L. PARSON
GOVERNOR

ATTEST:

Handwritten signature of John R. Ashcroft in black ink.

JOHN R. ASHCROFT
SECRETARY OF STATE