



EXECUTIVE ORDER 2025-07

WHEREAS, agricultural producers rely on fall fertilizer application to grow crops that feed and fuel our nation, and any disruptions of the fertilizer supply chain within the state threaten the ability of farmers to apply fertilizer in a timely manner; and

WHEREAS, facility maintenance delays and transportation issues on the eastern side of the state are causing a strain on the state's anhydrous supply and have resulted in the need for trucks to transport the fertilizer from one side of the state to the other; and,

WHEREAS, the long haul has put a strain on industry, being unable to run the trucks for enough hours to meet demand, resulting in a delay for farmers who have an already shortened application window; and,

WHEREAS, North Dakota farmers need certainty that agricultural input deliveries are available and on time to meet their needs; and,

WHEREAS, the State Agriculture Commissioner has requested a waiver of hours of service to ensure that agricultural inputs, including dry fertilizer, liquid fertilizer, and anhydrous ammonia, are available during this important time frame; and,

WHEREAS, a waiver of 49 CFR Parts 390 through 399 of the U.S. Department of Transportation's Federal Motor Carrier Safety Regulations, as authorized by 49 CFR Part 390.23, would ensure motor carriers and drivers can secure, obtain, transport, and deliver agricultural inputs to meet the needs of farmers across the state.

NOW THEREFORE, Kelly Armstrong, as Governor of the State of North Dakota, by virtue of the authority vested in Article V, Section 1, North Dakota Constitution and North Dakota Century Code Chapter 37-17.1, hereby declares that a state of emergency exists in a region of North Dakota that requires relief from 49 CFR Parts 390 through 399, otherwise known as the Federal Motor Carrier Safety Regulations, and North Dakota Century Code Chapter 39-32-02, pertaining to hours of service for drivers of commercial motor vehicles transporting agricultural inputs, including dry fertilizer, liquid fertilizer, and anhydrous ammonia.

The foregoing is issued on the foregoing bases and under the following conditions:

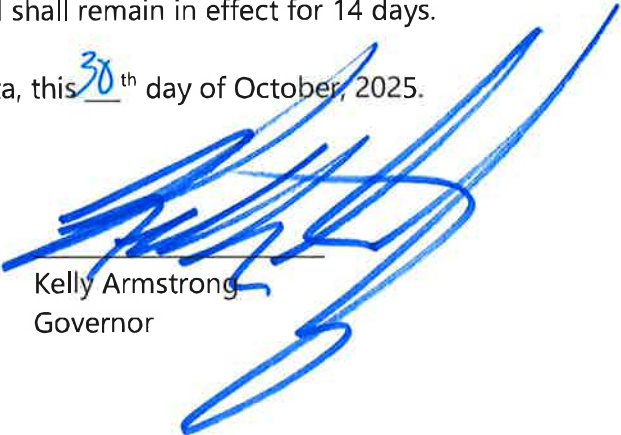
1. All road safety and vehicle compliance regulations still apply and will be fully enforced.



2. This order may not be construed to relieve carriers operating under this order from regulations pertaining to the safe operation of commercial motor vehicles.
3. Carriers, while under this order, may not require or allow a fatigued driver to operate a motor vehicle. A driver who informs a carrier that the driver needs immediate rest must be given at least ten consecutive hours before the driver is required to return to service.

This order is effective immediately and shall remain in effect for 14 days.

Executed at Bismarck, North Dakota, this 30th day of October, 2025.



Kelly Armstrong
Governor

Attest:



Michael Howe
Secretary of State