

STATE OF MINNESOTA

EXECUTIVE DEPARTMENT



MARK DAYTON
GOVERNOR

Emergency Executive Order 14-01

Extending Relief from Regulations to Motor Carriers and Drivers Operating in the State of Minnesota

I, Mark Dayton, Governor of the State of Minnesota, by virtue of the authority vested in me by the Constitution and applicable statutes, do hereby issue this Executive Order:

Whereas, the entire upper Midwest is experiencing colder than average temperatures, and such weather is expected to continue; and

Whereas, #1 fuel oil is a refined distillate that is needed for emergency service vehicles, buses, generators, diesel vehicles, and home heating; and

Whereas, power companies may require nursing homes and hospitals to use generators because of the extremely high demand for electricity related to the low temperature; and

Whereas, Minnesota pipelines and terminal locations have extremely low volumes of #1 fuel oil and licensed petroleum distributors are finding it very difficult to secure #1 fuel oil; and

Whereas, extremely low volumes of #1 fuel oil are forcing fuel suppliers to travel to terminals around the state; and

Whereas, drivers and carriers who are transporting #1 fuel oil, will also need to simultaneously transport gasoline, diesel fuel, ethanol and biodiesel.

Now, Therefore, I hereby order that:

1. A state of emergency exists in Minnesota that requires relief from regulations incorporated in Minnesota Statutes, section 221.0314, subdivision 9, pertaining to hours of service for motor carriers and drivers providing direct assistance in emergency relief efforts.
2. Motor carriers and drivers transporting #1 fuel oil, gasoline, diesel fuel, ethanol and biodiesel to affected areas of the state and providing direct assistance for emergency relief efforts, are exempted from the regulations incorporated in Minnesota Statutes, section 221.0314, subdivision 9, pertaining to hours of service.
3. Nothing in this order shall be construed to relieve motor carriers and drivers transporting supplies and materials and providing direct assistance for emergency relief efforts from regulations pertaining to driver qualifications; driving of commercial motor vehicles; commercial drivers' licenses; drug and alcohol testing for drivers; or equipment, parts, and accessories necessary for the safe operation of vehicles.
4. No motor carrier or driver operating under the terms of this order shall require or allow an ill or fatigued driver to operate a motor vehicle. Any driver who informs a carrier that he or she needs immediate rest shall be given at least ten consecutive off-duty hours before the driver is required to return to service.
5. Upon the expiration of this order, or when a motor carrier or driver ceases to provide direct assistance to the emergency relief effort, a driver that has had at least thirty-four consecutive hours off-duty must be permitted to start his or her on-duty status hours and 60/70-hour clock at zero.

Pursuant to Minnesota Statutes, section 4.035, subdivision 2, this Emergency Executive Order is effective immediately and must be filed with the Secretary of State and published in the State Register as soon as possible after its issuance. Emergency relief from regulations for motor carriers and drivers transporting #1 fuel oil, gasoline, diesel fuel, ethanol and biodiesel to affected areas of the state, shall remain in effect for 30 days or until the commercial motor carrier or driver ceases direct assistance in providing emergency relief, whichever occurs first. For purposes of this Emergency Executive Order, direct assistance is defined in Minnesota Statutes, section 221.0269, subdivision 3, paragraph (c). This Emergency Executive Order may be extended in accordance with Minnesota Statutes, section 221.0269, subdivision 2.

In Testimony Whereof, I have set my hand on this 6th day of January, 2014.



Mark Dayton
Governor

Filed According to Law



Mark Ritchie
Secretary of State

Scanned copy

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EXECUTIVE DEPARTMENT**

[Seal of the State of MINNESOTA]

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GOVERNOR**

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