

STATE OF MINNESOTA

EXECUTIVE DEPARTMENT



MARK DAYTON
GOVERNOR

Emergency Executive Order 14-05

Amending Emergency Executive Order 14-04, 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 continues to experience colder than average temperatures, and such weather is expected to continue; and

Whereas, continued and extreme arctic cold weather conditions are prolonging shortages and interruptions in the availability of propane and other home heating fuels throughout the state; and

Whereas, an increasing number of household, farms, businesses, and other enterprises are at serious risk of running out of heating fuel; and

Whereas, propane, liquid heating fuels, #1 fuel oil, and kerosene are needed for home heating, emergency service vehicles, buses, generators, and diesel vehicles; and

Whereas, extremely low volumes of propane, liquid heating fuels, #1 fuel oil, and kerosene are forcing fuel suppliers to travel to terminals around the state and in other states; and

Whereas, motor carriers and drivers who transport propane, liquid heating fuels, #1 fuel oil, and kerosene, 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 propane, liquid heating fuels, #1 fuel oil, kerosene, 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 propane, liquid heating fuels, #1 fuel oil, kerosene, gasoline, diesel fuel, ethanol, and biodiesel to affected areas of the state, shall remain in effect until March 8th, 2014, 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 7th day of February, 2014.



Mark Dayton
Governor

Filed According to Law



Mark Ritchie
Secretary of State