



— State of —
North Dakota
Office of the Governor

Jack Dalrymple
Governor

Executive Order 2013-26

WHEREAS, the people of North Dakota have been faced with colder-than-normal temperatures leading to extremely low inventories of No. 1 diesel fuel supplies and inadequate supplies to pipeline terminals; and

WHEREAS, drivers of delivery trucks are driving further to obtain supplies and are frequently required to wait for several hours at pipeline terminals across the state of North Dakota and in adjacent states, which limits their ability to transport product back to retail sites; and

WHEREAS, it is the responsibility of the state to assist the people of North Dakota in addressing the emergencies, disasters, and other hardships that may face the state and its citizens.


NOW, THEREFORE, I, Jack Dalrymple, Governor of North Dakota, by virtue of the authority vested in me by Article V, Section 1 of the North Dakota Constitution and North Dakota Century Code § 37-17.1, do hereby declare that a state of emergency exists in North Dakota that requires relief from North Dakota Century Code § 39-32-02 pertaining to hours of service for drivers of commercial motor vehicles transporting No. 1 diesel fuel from pipeline terminals to retail sites or to bulk storage sites for further distribution to retail sites. This order does not apply to drivers transporting fuels to sites for on-premises use.

This order is issued on the foregoing bases and on the following conditions:

1. All road safety and vehicle compliance regulations still apply and will be fully enforced.
2. Nothing in this order shall be construed to relieve carriers operating under this order from regulations pertaining to qualifications of drivers, driving of commercial motor vehicles, or parts and accessories necessary for the safe operation of vehicles.
3. Carriers, while under this order, shall not require or allow fatigued drivers to operate a motor vehicle. A driver who informs a carrier that she/he needs immediate rest shall be given at least ten consecutive hours before the driver is required to return to service.

This order is effective immediately, and it shall remain in effect through December 23, 2013.

Executed at Bismarck, North Dakota, this 10th day of December, 2013.



Jack Dalrymple
Governor

ATTEST:



Secretary of State

Deputy

[Great Seal State of North Dakota]

-State of North Dakota

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