



State of
North Dakota
Office of the Governor

Jack Dalrymple
Governor

Executive Order 2014-15

WHEREAS, the people of North Dakota are faced with extremely low inventories of petroleum products, particularly Diesel Fuel, due to inadequate supplies at terminals and increased statewide fuel demand during harvest season; and

WHEREAS, many motor fuel terminals in North Dakota are experiencing difficulties in obtaining adequate supplies of diesel fuel, and are running low on, or are out of diesel fuel; and

WHEREAS, motor fuel terminals are part of the distribution chain that supplies farmers and ranchers with needed diesel fuel and other petroleum products; and

WHEREAS, drivers of delivery trucks are required to wait for several hours at pipeline terminals across the state of North Dakota and in adjacent states; and

WHEREAS, drivers are resorting to obtaining motor fuels at alternative terminals a significant distance from their delivery areas, thus limiting their ability to effectively transport product, and

WHEREAS, drivers and carriers who are transporting diesel fuel will also need to simultaneously transport its components, and gasoline components, which includes but is not limited to ethanol and biodiesel; 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; and

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 propane, gasoline, and diesel fuel, and any simultaneous required transportation of gasoline and the components of diesel fuel and gasoline, including but not limited to ethanol and biodiesel, to retail suppliers.

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 November 06, 2014.

Executed at Bismarck, North Dakota, this 6th day of October, 2014.


Jack Dalrymple
Governor

ATTEST:


Secretary of State


Deputy