

# STATE OF MINNESOTA

## Executive Department



## Governor Tim Walz

### Emergency Executive Order 19-09

#### **Providing for Emergency Relief from Regulations to Motor Carriers and Drivers Transporting Forage from Minnesota**

**I, Tim Walz, Governor of the State of Minnesota**, by the authority vested in me by the Constitution and applicable statutes, issue the following Executive Order:

As a result of severe winter weather in the region, Midwestern states—including Iowa, Kansas, Nebraska, South Dakota, Minnesota, and Wisconsin—are experiencing widespread, catastrophic spring flooding. Significant snowpack and deep frost, followed by late thaw, heavy rain, and rapid snowmelt, all contributed to the current flood conditions. The risk of extensive damage to businesses, homeowners and farmers is ongoing.

In response to the flooding and anticipated effects on people and property, the Federal Motor Carrier Safety Administration issued a regional emergency declaration that provides relief from certain safety regulations to carriers providing direct assistance to support emergency relief efforts. The governors of South Dakota, Iowa, and Nebraska have each declared emergencies due to flooding in their respective states. Farmers in affected states have lost livestock, stored crops, hay, forage, and other farm resources. Minnesota is committed to assisting the citizens of these states by supporting the transport of resources to aid in the emergency relief efforts.

Minnesota Statutes 2018, sections 169.86, 169.862, and 169.865 provide permit and fee requirements for the movement of oversize and overweight divisible loads under certain circumstances. Strict enforcement of these provisions would prevent or hinder efforts to provide time-sensitive assistance to impacted regions.

For these reasons, I order that:

1. The regulatory provisions of Minnesota Statutes 2018, sections 169.86, 169.862, and 169.865 are temporarily suspended, to the extent that those provisions require a permit to transport oversize or overweight loads of forage, including hay and grass.
2. Suspension of these provisions applies to loads transported on all highways within Minnesota, excluding the interstate system, and those loads which do not exceed a maximum of 90,000 pounds gross weight; do not exceed the maximum axle weight

limit determined under the gross weight table in Minnesota Statutes, section 169.824, by more than twelve and one-half percent (12.5%); and do not exceed the legal maximum axle weight limit of 20,000 pounds. Vehicles operating under this order must comply with posted limits on roads and bridges.

3. For the duration of this Executive Order, vehicles transporting forage as part of emergency relief efforts may be oversize or overweight without a special permit. Vehicles operating under this order are subject to the following limits: the total outside width of the vehicle or load may not exceed 12 feet, the total height of the loaded vehicle may not exceed 15 feet, and the gross vehicle weight may not exceed 90,000 pounds.
4. In accordance with Title 49 C.F.R. § 390.23, the regional emergency declaration issued by the Federal Motor Carrier Safety Administration provides relief from the requirements contained in the Federal Motor Carrier Safety Regulations, Title 49 C.F.R. parts 390-399 to those carriers providing direct assistance for the immediate restoration of essential farm supplies. The relief from Title 49 C.F.R. parts 390-399 provided in this order is valid for the duration of the motor carrier's assistance in the disaster relief effort or the duration of this order, whichever is less.
5. Nothing in this Executive Order relieves motor carriers and drivers transporting forage 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.

This Executive Order is effective immediately under Minnesota Statutes, section 4.035, subdivision 2, and remains in effect until April 30, 2019, or until the motor carrier or driver stops providing direct assistance, whichever occurs first. For purposes of this Executive Order, direct assistance to an emergency relief effort terminates when a driver or commercial motor vehicle is used to transport cargo not destined for the emergency relief effort, or when the carrier dispatches that driver or vehicle to another location for operations in regular commerce.

Signed on March 29, 2019.



**Tim Walz**  
Governor

Filed According to Law:



**Steve Simon**  
Secretary of State

