

STATE OF MINNESOTA

EXECUTIVE DEPARTMENT



MARK DAYTON
GOVERNOR

Emergency Executive Order 14-19

Declaring an Emergency and Providing for 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, due to the harvest season ending abruptly with the early onset of unseasonably cold temperatures there was insufficient time for diesel supply to be replenished for the heating season; and

Whereas, an increasing number of households, farms, businesses, and other enterprises are at risk of running out of diesel fuel and heating fuels; and

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

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

Whereas, motor carriers and drivers who transport diesel fuel, heater oil, #1 fuel oil, kerosene, and other liquid heating fuels also need to simultaneously transport gasoline, diesel fuel, ethanol, and biodiesel.

Now, Therefore, I hereby declare that:

1. An 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 of commercial motor vehicles providing direct assistance in emergency relief efforts.

2. Motor carriers and drivers transporting diesel fuel, heater oil, #1 fuel oil, kerosene, other liquid heating fuels, ethanol, and biodiesel to the 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 relieves motor carriers and drivers 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 operating under terms of this emergency order shall require or allow an ill or fatigued driver to operate a commercial 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 emergency order, or when a driver or carrier 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 the above referenced motor fuels to affected areas of the State remains in effect until December 10, 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 26th day of November, 2014.



Mark Dayton
Governor

Filed According to Law



Mark Ritchie
Secretary of State

