

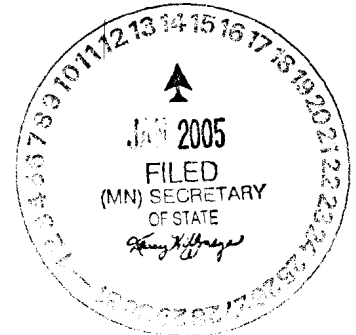
# STATE of MINNESOTA

EXECUTIVE



DEPARTMENT

TIM PAWLENTY  
GOVERNOR



JAN 2005

## EMERGENCY EXECUTIVE ORDER 05-01

### PROVIDING RELIEF FROM REGULATIONS TO MOTOR CARRIERS AND DRIVERS OPERATING IN MINNESOTA

I, TIM PAWLENTY, GOVERNOR OF THE STATE OF MINNESOTA, by virtue of the authority vested in me by the Constitution and applicable laws, including Minnesota Statutes 2004, Section 221.0269, do hereby issue this emergency executive order:

WHEREAS, severe cold weather has seriously affected the supply of various petroleum products that are essential to the safety and well-being of Minnesotans; and

WHEREAS, because of the severe cold, drivers of delivery trucks are required to wait for longer periods of time, up to several hours, at terminals to load fuel, resulting in an inordinate loss of available driving time under current regulations;

WHEREAS, this situation has resulted in distribution and delivery problems and has affected the availability of propane, heating and motor fuels.

NOW, THEREFORE, I hereby order that:

1. A state of emergency exists that requires relief from regulations incorporated in Minnesota Statutes 2004, Section 221.0314, Subdivision 9, pertaining to hours of service for carriers and drivers of commercial motor vehicles, while transporting propane, heating and motor fuels.
2. Nothing herein shall be construed to relieve motor carriers and drivers transporting propane, heating and motor fuels from regulations pertaining to qualifications of drivers, driving of commercial motor vehicles, or parts and accessories necessary for the safe operation of vehicles.

3. No motor carrier operating under the terms of this emergency order shall require or allow a fatigued or ill driver to operate a motor vehicle. A driver who informs a carrier that he or she needs immediate rest shall be given at least eight consecutive off-duty hours before the driver is required to return to service.
4. Upon the expiration of the effective date of this emergency order, or when a driver has been relieved of all duty and responsibility to provide direct assistance to the emergency effort, a driver that has had at least 34 consecutive hours off-duty shall be permitted to start his or her on-duty status hours and 60/70 hour clock at zero.

Pursuant to Minnesota Statutes 2004, Section 4.035, Subdivision 2, this executive order is effective immediately and shall remain in effect until 11:59 p.m. Central Standard Time January 24, 2005, unless superceded or extended under Minnesota Statutes 2004, Section 221.0269, Subdivision 2.

IN TESTIMONY WHEREOF, I have set my hand this 14th day of January 2005.



TIM PAWLENTY  
Governor



Filed According to Law:



MARY KIFFMEYER  
Secretary of State