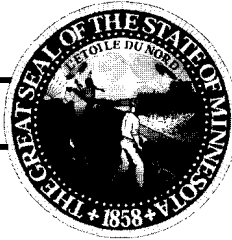


STATE of MINNESOTA

EXECUTIVE



DEPARTMENT

TIM PAWLENTY
GOVERNOR

EMERGENCY EXECUTIVE ORDER 07-11
PROVIDING FOR EMERGENCY 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 Minnesota Statutes 2006, Section 221.0269, do hereby issue this Emergency Executive Order:

WHEREAS, on or around August 18 and 19, 2007 heavy rains caused severe flooding in southeastern Minnesota including Fillmore, Houston, Olmsted, Steele, Wabasha, and Winona Counties; and

WHEREAS, Emergency Executive Order 07-10 was issued on August 19, 2007 declaring a state of emergency in these counties; and

WHEREAS, the President of the United States has declared these six counties as disaster areas under federal law;

WHEREAS, the flooding has caused widespread and substantial damage to the public infrastructure, as well as to individual homes, farms and businesses; and

WHEREAS, it is urgent that immediate action be taken to protect the health and safety of Minnesota citizens by removing flood related debris; and

WHEREAS, emergency assistance of motor carriers is needed to remove flood debris to authorized collection sites located in Mower and Rice Counties.

NOW THEREFORE, I hereby order that:


1. A state of emergency exists that requires relief from regulations incorporated in Minnesota Statutes 2006, Section 221.0314, Subdivision 9, pertaining to hours of service for carriers and drivers of commercial motor vehicles, while transporting flood related

waste and debris in Fillmore, Houston, Olmsted, Steele, Wabasha and Winona Counties collection sites authorized by the Minnesota Pollution Control Agency within those counties or in other counties including but not limited to Mower and Rice Counties.

2. This order will also apply to any additional counties that are included in either an emergency declared by the Governor or a presidential disaster declaration as a result of the flooding in southeastern Minnesota.
3. Nothing herein shall be construed to relieve motor carriers and drivers from regulations pertaining to qualifications of drivers, driving of commercial motor vehicles, 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. No driver operating under terms of this order shall operate a commercial motor vehicle while fatigued or ill. Fatigued drivers shall take at least ten hours off-duty before returning to service.
6. Upon the expiration of the effective date of this emergency order, or when a driver or carrier ceases to provide direct assistance to the flood relief effort, a driver that has had at least thirty four consecutive hours off-duty, shall be permitted to start his or her on-duty status hours and 60/70 hour clock at zero.

This order shall be effective immediately and shall remain in effect for 30 days or until the commercial motor carrier or driver ceases direct assistance in providing emergency relief, whichever occurs earlier. For purposes of this order, direct assistance is defined in Minnesota Statutes 2006, Section 221.0269, Subdivision 3(c). This order may be extended in accordance with Minnesota Statutes 2006, Section 221.0269, Subdivision 2.

IN TESTIMONY WHEREOF, I have set my hand this 27th day of August, 2007.


TIM PAWLENTY
Governor

Filed According to Law:


MARK RITCHIE
Secretary of State

