

STATE OF MINNESOTA

Department of Transportation

Extension of Emergency Executive Order 11-25

Extending the Period Provided for Relief from Regulations to Motor Carriers and Drivers Operating in Minnesota

I, **Thomas K. Sorel**, Commissioner of Transportation of the State of Minnesota, by virtue of the authority granted to me by Minnesota Statutes 2010, section 221.0269, subdivision 2, do hereby extend the 30 day relief period provided in Emergency Executive Order 11-25.

Whereas, Governor **Mark Dayton** issued Emergency Executive Order 11-25 declaring an emergency and providing relief from regulations to motor carriers and drivers operating in Minnesota for a period not to exceed 30 days from the date of the initial declaration of the emergency; and

Whereas, the emergency requires relief from regulations incorporated in Minnesota Statutes, section 221.0314, subdivision 9, pertaining to hours of service for carriers and drivers of commercial motor vehicles while in the process of obtaining and transporting motor fuels; and

Whereas, the emergency described in Emergency Executive Order 11-25 is ongoing and severe, resulting in continuing disruption in the supply of motor fuels, extremely low supplies of motor fuel and shortages at motor fuel terminals; and

Whereas, the shortages continue to cause motor carrier drivers to travel longer distances and wait many hours in line to procure motor fuels; and

Whereas, the agricultural harvest season is a peak time for consumption of fuel in Minnesota, and continuing relief is needed to ensure that farmers have reliable supplies of fuel to harvest crops.

Now, Therefore, I extend the relief granted in Emergency Executive Order 11-25 subject to the following conditions and restrictions:

1. Nothing in the extension of Emergency Executive Order 11-25 relieves 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.
2. No motor carrier operating under terms of this extension of Emergency Executive Order 11-25 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.

3. Upon the expiration of this extension of Emergency Executive Order 11-25, 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.

This extension of Emergency Executive Order 11-25 is effective at 12:01 AM Central Standard Time, on September 19, 2011, the expiration date of the Emergency Executive Order 11-25, and must be filed with the Secretary of State and published in the State Register as soon as possible after its issuance. This order of relief from regulations to motor carriers and drivers remains in effect for 30 days or until the commercial motor carrier or driver ceases direct assistance in providing emergency relief, whichever occurs first. For purposes of this order, direct assistance is defined in Minnesota Statutes, section 221.0269, subdivision 3(c).

In Testimony Whereof, I have set my hand on September 16, 2011.



Thomas K. Sorel
Commissioner

Filed According to Law



Mark Ritchie
Secretary of State

