

STATE OF MINNESOTA

EXECUTIVE DEPARTMENT



MARK DAYTON
GOVERNOR

Emergency Executive Order 13-07

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, the late and wet spring has caused and will continue to cause a compressed planting season for Minnesota farmers; and

Whereas, the upcoming compressed planting season is one of the peak times for consumption of diesel fuel in the State and relief is needed to ensure that farmers have reliable supplies of diesel fuel to plant crops; and

Whereas, many motor fuel terminals in Minnesota are experiencing difficulties in obtaining their normal supply of gasoline and are running low on, or are out of gasoline and diesel fuel; and

Whereas, the motor fuel terminals are part of the distribution chain and gasoline from the terminals is pumped into trucks for delivery to local gas stations and convenience stores across the State; and

Whereas, many commercial motor carriers who haul motor fuels are experiencing significant delays at the terminals before they are able to fill their trucks, and/or are needing to obtain motor fuels from alternative terminals that are a significant distance from their delivery area; and

Whereas, because drivers are obtaining motor fuels at alternative terminals, there are long lines and delays at motor fuel terminals across the State; and

Whereas, Memorial Day weekend is one of the peak travel times within Minnesota and relief is needed to ensure that local gas stations are able to obtain motor fuels for Minnesota consumers to ensure that

consumers living and traveling across Minnesota are not stranded without adequate access to necessary motor fuels; and

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 carriers and drivers of commercial motor vehicles while in the process of obtaining and transporting motor fuels.
2. 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.
3. 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.
4. 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 motor fuels to affected areas of the State remains in effect for 30 days from the date of the initial declaration of the emergency.

In Testimony Whereof, I have set my hand on this 23rd day of May, 2013.



Mark Dayton
Governor

Filed According to Law



Mark Ritchie
Secretary of State