

**EMERGENCY EXECUTIVE ORDER 97-5
PROVIDING FOR EMERGENCY ASSISTANCE TO
MOTOR CARRIERS AND DRIVERS OPERATING IN MINNESOTA**

I, ARNE H. CARLSON, GOVERNOR OF THE STATE OF MINNESOTA, by virtue of the authority vested in me by the Constitution and the applicable statutes, do hereby issue this Emergency Executive Order:

WHEREAS, the severe winter storms that have repeatedly struck Minnesota have seriously affected the necessary transportation of liquid and gaseous heating, motor and aviation fuels; and

WHEREAS, this transportation crisis has resulted in widespread delivery problems and has affected local availability of needed fuels;

NOW, THEREFORE, I hereby order that:

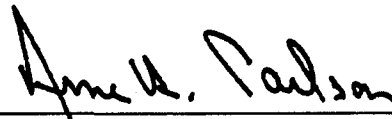
1. A state of emergency exists that requires relief from laws and regulations incorporated in Minnesota Statutes section 221.0314 subd. 9, pertaining to hours of service for carriers and drivers of commercial motor vehicles while delivering all grades of liquid and gaseous heating, motor and aviation fuels in Minnesota during this emergency.

2. Nothing contained herein shall be construed as an exemption from the driver qualification requirements of Minnesota Statutes section 221.0314 subd. 2, the requirements for driving of motor vehicles in Minnesota Statutes section 221.0314 subd. 6 or the parts and equipment necessary for safe operations as referenced in Minnesota Statutes section 221.0314 subd. 7.

3. No motor carrier operating under terms of this emergency declaration shall require or allow any fatigued or ill driver to operate a motor vehicle. Any driver who informs a carrier that he/she needs immediate rest shall be given at least eight consecutive hours off duty before the driver is required to return to service.

Pursuant to Minnesota Statutes 1996, section 221.0269, this Order is effective immediately and shall remain in effect for fourteen days for those carriers and drivers providing direct assistance to the emergency relief effort. Direct assistance to the emergency relief effort terminates when a driver or commercial motor vehicle is used to transport cargo not destined for the emergency relief effort.

IN TESTIMONY WHEREOF, I have set my hand this seventeenth day of January, 1997.



ARNE H. CARLSON
Governor

Filed According to Law:



JOAN ANDERSON GROWE
Secretary of State

