



EMERGENCY EXECUTIVE ORDER NO. 79-30

Declaring a State of Emergency

I, Albert H. Quie, Governor of the State of Minnesota, by virtue of the authority vested in me by the Constitution of the State of Minnesota and applicable statutes, and specifically by Executive Order No. 12140 of the President of the United States, issued pursuant to the Emergency Petroleum Allocation Act of 1973 (P.L. 93-159), as amended, do hereby issue this Executive Order:

WHEREAS, the State of Minnesota is experiencing a shortage of motor gasoline available for retail distribution; and,

WHEREAS, the President of the United States has delegated to the Governors of the various states the authority to establish certain rules and regulations for the purpose of alleviating such shortages of motor gasoline; and,

WHEREAS, it is necessary for the protection of the public health, safety and welfare to establish a system of end-user allocation for motor gasoline by establishment of the following rules

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NOW, THEREFORE, I Order:

1. The following provisions for minimum purchases of motor vehicle fuel are hereby established:

(a) Minimum purchases of fuel shall be \$5.00 for 4-cylinder vehicles and \$7.00 for vehicles with more than 4 cylinders except as provided in Rule 5 below.

(b) In accordance with the provisions of Special Rule 2 promulgated by the U.S. Department of Energy, it shall not be in violation of federal price regulations to collect the minimum dollar amount specified in Rule 1(a) even though the customer does not purchase sufficient volumes of gasoline at the seller's posted price to reach the minimum dollar amount.

(c) In any single transaction, not more than six (6) gallons of gasoline may be sold or dispensed into any container or containers other than the fuel tank of a vehicle to be transported away from the premises of the retail seller. Such containers must meet applicable safety requirements.

2. Gasoline retailers shall not require the purchase of special goods and services, including, but not limited to, carwashes, tires, or car lubrication, as a condition to the dispensing of gasoline. In addition, except as otherwise provided in Rule 5, retailers shall not dispense gasoline on a preferential basis such as an appointment system.

3. Each gasoline retailer shall prominently display a full and complete copy of these rules in an accessible location.

4. Each gasoline retailer shall manage his/her monthly fuel allocation so that it will last through the month and shall ensure

that at least one-sixth of the weekly supply is available for sale on weekends, i.e., Saturdays and Sundays.

5. The following vehicles are exempt from the provisions of these rules:

(a) Authorized emergency vehicles, defined as follows:

"Authorized emergency vehicle" means any of the following vehicles when equipped and identified according to law: (1) a vehicle of a fire department; (2) a publicly owned police vehicle or a privately owned vehicle used by a police officer for police work under agreement, express or implied, with the local authority to which he is responsible; (3) a vehicle of a licensed land emergency ambulance service, whether publicly or privately owned; (4) an emergency vehicle of a municipal department or a public service corporation, approved by the Commissioner of Public Safety or the chief of police of a municipality; (5) any volunteer rescue squad operating pursuant to Laws 1959, Chapter 53, (6) a vehicle designed as an authorized emergency vehicle upon a finding by the Commissioner of Public Safety that a designation of that vehicle is necessary to the preservation of life or property or to the execution of emergency governmental functions.

(b) Other emergency repair and service vehicles, whether public or private, used for functions directly related to the protection of life, property, or public health.

(c) Vehicles operated in an unusual emergency situation in the judgment of the gasoline retailer.

(d) Motorcycles, mopeds, and similar two-wheeled vehicles.

6. Each gasoline retailer must comply with these Rules and may be charged for violations thereof. The vehicle operator and the gasoline retailer are separately required to comply with the provisions of Rule 1. Either or both may be charged for violation of Rule 1.


7. Violations of these Rules are subject to civil and criminal penalties as set forth in Section 5 of the Emergency Petroleum Allocation Act of 1973 (P.L. 93-159), Federal Regulation 10 C.F.R. Section 205.203, and other applicable federal statutes. Local authorities shall have the responsibility for monitoring compliance with these Rules. Any violations should be reported to the Minnesota Energy Agency for referral to federal authorities.

8. Rule 3 shall not take effect until July 16, 1979.


9. If a retailer orders gasoline in accordance with his monthly allocation and his supplier cannot deliver that gasoline within forty-eight hours of the time the order is placed, the supplier shall immediately notify the retailer. The notification shall include a firm delivery time for the gasoline and shall set forth the reasons for the delay.

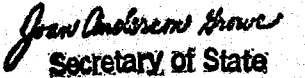
10. This Emergency Executive Order, which is issued for the protection of the citizens of the State, shall be effective immediately, and shall remain in force until such date as the shortage of motor gasoline available for retail distribution has ended, or until this Emergency Executive Order is otherwise superceded or terminated.

IN TESTIMONY WHEREOF, I have hereunto set my hand this 28th
day of June, 1979.


ALBERT H. QUIE
Governor

Filed according to law:


Joan Anderson Grove
Secretary of State

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
JUN 28 1979

Secretary of State

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