

STATE of MINNESOTA



TIM PAWLENTY
GOVERNOR



EMERGENCY EXECUTIVE ORDER 05-09

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, section 221.0269, do hereby issue this Emergency Executive Order:

WHEREAS, Hurricane Katrina has temporarily disrupted gas and oil production and delivery, and created significant disruptions to the national transportation system that may result in reallocation of existing fuel stocks in Minnesota in order to meet the needs of other States; and

WHEREAS, this transportation crisis has caused the United States Department of Transportation to issue a Declaration of Regional Emergency for transportation of gasoline, diesel fuel, and jet fuel,

NOW, THEREFORE, I hereby declare that:

1. A state of 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 transporting gasoline, diesel fuel, ethanol, biodiesel and jet fuels to customers.
2. Nothing herein shall be construed to relieve motor carriers and drivers from regulations pertaining to qualifications of drivers, driving of commercial motor vehicles, commercial drivers' licenses, drug and alcohol testing and use or financial responsibility.

3. No motor carrier operating under the terms of this emergency order shall require or allow a fatigued or ill driver to operate a motor vehicle. A driver who informs a carrier that he or she needs immediate rest shall be given at least eight consecutive hours off duty before the driver is required return to service.
4. Upon the expiration date of this emergency order, or when a driver has been relieved of all duty and responsibility to provide direct assistance to the emergency effort, a driver that has had at least 34 consecutive hours off-duty shall be permitted to start his or her on-duty status hours of service record at zero.

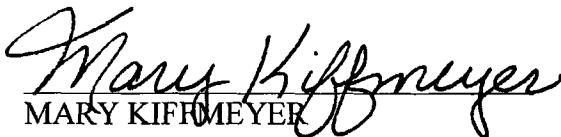
This order shall be effective immediately and shall remain in effect until 12:00 p.m. CDT September 15, 2005, unless superseded or extended under Minnesota statutes, section 221.0269, subdivision 2.

IN TESTIMONY WHEREOF, I have set my hand this 2nd day of September, 2005.



TIM PAWLENTY
Governor

Filed According to Law:



MARY KIFFMEYER
Secretary of State