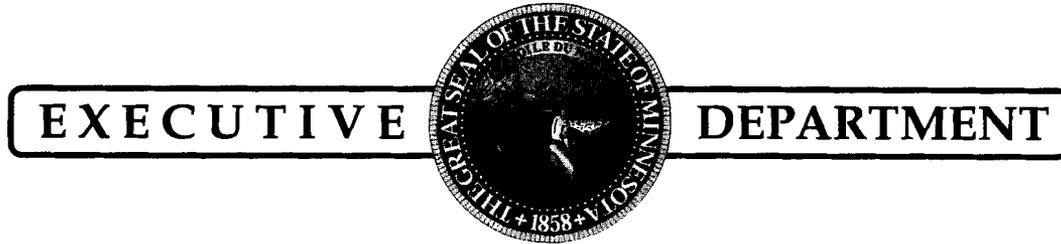


STATE of MINNESOTA



TIM PAWLENTY
GOVERNOR

EMERGENCY EXECUTIVE ORDER 10-15

PROVIDING FOR EMERGENCY RELIEF FROM REGULATIONS TO MOTOR CARRIERS 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 2010, Section 221.0269, do hereby issue this Emergency Executive Order:

WHEREAS, October is peak harvest season in Minnesota; and

WHEREAS, Minnesota is experiencing disruptions in the supply of diesel fuel due to conditions at regional refineries, resulting in less-than-normal supplies at some terminals within the state, especially those in Greater Minnesota; and

WHEREAS, without relief, farmers may not be able to obtain needed supplies of diesel fuel to complete the harvest; and

WHEREAS, there are limited qualified drivers that can haul diesel fuel; and

WHEREAS, disruptions in the ability to sufficiently supply diesel fuel may also impact driver availability to supply fuel oils for the upcoming cold weather season.

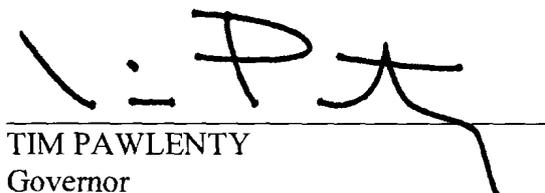
NOW, THEREFORE, I hereby declare that:

1. An emergency exists in Minnesota that requires relief from regulations incorporated in Minnesota Statutes 2010, 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 diesel fuel. This relief from regulations pertains to hours of service requirements for carriers and drivers of commercial motor vehicles while in the process of obtaining and transportation diesel fuel, gasoline, fuel oil, and E-85 ethanol/gasoline motor fuel mixtures.

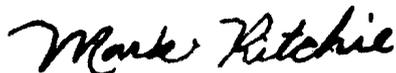
2. Nothing herein shall be construed to relieve commercial motor carriers and drivers from regulations pertaining to qualifications of drivers, driving of commercial motor vehicles, commercial drivers' licenses, drug and alcohol testing and use or financial responsibility.
3. A carrier must keep the time records required by Code of Federal Regulations, title 49, section 395.1, paragraph (e) for drivers operating within a 100 air-mile radius of the driver's normal work reporting location. Drivers and carriers operating outside of the 100 air-mile radius must comply with Code of Federal Regulations, title 49, section 395.8 and must identify all time operating a vehicle on the record of duty status form as driving time, with a notation identifying which hours are operated under the terms of this order.
4. No commercial motor carrier operating under the terms 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 ten consecutive hours off-duty before the driver is required return to service. If a driver requests time off under this paragraph, the motor carrier must document the request in a writing that includes the driver's name and the date and time of the request. The carrier shall retain the document for six months.
5. Upon the request of a driver, a commercial motor carrier operating under this executive order must give a driver at least 34 consecutive hours off-duty when the driver has been on-duty for more than 70 hours in any 8 consecutive days.
6. Upon the expiration of the effective date of this emergency order, or when a driver or commercial motor carrier ceases to provide direct assistance to the emergency relief effort, a driver that has had at least thirty four consecutive hours off-duty, shall be permitted to start his or her on-duty status hours of service record at zero.
7. Drivers operating under the terms of this order must carry a copy of this order.

This order shall be effective immediately and shall remain in effect until the commercial motor carrier or driver ceases direct assistance in providing emergency relief or 11:59 p.m. on October 31, 2010, whichever occurs earlier. For purposes of this order, direct assistance is defined in Minnesota Statutes 2010, Section 221.0269, Subdivision 3(c).

IN TESTIMONY WHEREOF, I have set my hand this 8th day of October, 2010.


TIM PAWLENTY
Governor

Filed According to Law:



MARK RITCHIE
Secretary of State

