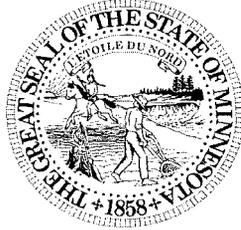


STATE OF MINNESOTA

EXECUTIVE DEPARTMENT



MARK DAYTON
GOVERNOR

Emergency Executive Order 11-22

Providing for Emergency Relief From Regulations to Motor Carriers and Drivers Operating in Minnesota

I, Mark Dayton, Governor of the State of Minnesota, by virtue of the authority vested in me by the Constitution and applicable statutes, including Minnesota Statutes 2010, Chapter 12 and section 221.0269, do hereby issue this Emergency Executive Order:

Whereas, on July 1, 2011 a severe weather front developed over southwest Minnesota and moved northeast spawning tornadoes and supercell thunderstorms, resulting in extensive damage to public infrastructure, the electrical distribution system, as well as widespread damage to private property; and

Whereas, the resources of local, county, and state governments have been fully utilized to ensure immediate response to protect the life and safety of persons in the affected areas, including the following Counties of Anoka, Brown, Isanti, Kanabec, Lincoln, Lyon, McLeod, Meeker, Pine, Pipestone, Redwood, Renville, Scott, Stearns, Wright, and Yellow Medicine, and to protect property and infrastructure from additional damage; and

Whereas, on July 9, 2011, Emergency Executive Order 11-21 was issued, declaring a state of peacetime emergency in the State of Minnesota, ordering continued activation of the Minnesota Emergency Operations Plan, and directing state agencies to continue to provide on-site support and assistance to affected local governments and to determine the need for supplementary disaster aid; and

Whereas, on July 12, 2011, Resolution 11-21-A was passed by the Executive Council, extending the peacetime emergency declared in Emergency Executive Order 11-21 by 30 days; and

Whereas, emergency assistance of motor carriers is needed to transport supplies and materials to affected areas of the state, and to help restore the electrical distribution system.

Now, Therefore, I hereby order that:

1. Carriers or drivers of commercial motor vehicles providing direct assistance for emergency relief are exempted from the regulations incorporated in Minnesota Statutes, section 221.0314, subdivision 9, pertaining to hours of service for carriers and drivers of commercial motor vehicles.
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 Executive 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. No driver operating under terms of this Emergency Executive Order shall operate a commercial motor vehicle while fatigued or ill. Fatigued drivers shall take at least ten hours off-duty before returning to service.
5. Upon the expiration of this Emergency Executive 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. It remains in effect for 30 days from the date of the initial declaration of the emergency, or until the commercial motor carrier or driver ceases direct assistance in providing emergency relief, whichever occurs first. For purposes of this Emergency Executive Order, direct assistance is defined in Minnesota Statutes, section 221.0269, subdivision 3, paragraph

(c). This Emergency Executive Order may be extended in accordance with Minnesota Statutes, section 221.0269, subdivision 2.

IN TESTIMONY WHEREOF, I have set my hand this 16th day of July, 2011.



Mark Dayton
Governor

Filed According to Law:



Mark Ritchie
Secretary of State

