

STATE OF MINNESOTA

Department of Transportation

Extending Emergency Executive Order 14-16

Extending the Period Provided for Relief from Regulations to Motor Carriers and Drivers Operating in the State of Minnesota

I, Charles Zelle, Commissioner of Transportation of the State of Minnesota, by virtue of the authority granted to me by Minnesota Statutes 2014, section 221.0269, subdivision 2, do hereby extend the 30 day relief period provided in Emergency Executive Order 14-16:

Whereas, Governor Mark Dayton issued Emergency Executive Order 14-16 declaring an emergency and providing relief from regulations to motor carriers and drivers operating in Minnesota for a period not to exceed 30 days from the date of the initial declaration of the emergency; and

Whereas, the emergency 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 in the process of obtaining and transporting diesel fuel; and

Whereas, the emergency described in Emergency Executive Order 14-16 is ongoing and severe; and

Whereas, many motor fuel terminals in Minnesota are continuing to experience difficulties in obtaining their normal supply of diesel fuel, and are running low on, or are out of diesel fuel; and

Whereas, the motor fuel terminals are part of the distribution chain that provides diesel fuel to farmers that is used in farm machinery; and

Whereas, many commercial motor carriers who haul diesel fuel are continuing to experience significant delays at the terminals before they are able to fill their trucks, and/or are needing to obtain motor fuels from alternative terminals that are a significant distance from their delivery area; and

Whereas, the shortages continue to cause drivers and carriers who are transporting diesel fuel to need to simultaneously transport its components, and gasoline and its components, which includes but is not limited to ethanol and biodiesel.

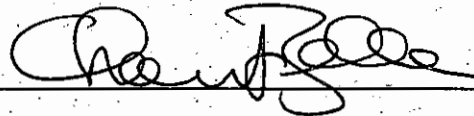
Now, Therefore, I extend the relief granted in Emergency Executive Order 14-16 subject to the following conditions and restrictions:

1. Motor carriers and drivers operating under terms of this extension of Emergency Executive Order 14-16 transporting diesel fuel, and any simultaneous required transportation of gasoline and the components of diesel fuel and gasoline, including but not limited to ethanol and biodiesel, to the affected areas of the state and providing direct assistance for emergency relief efforts, are exempted from the regulations incorporated in Minnesota Statutes, section 221.0314, subdivision 9, pertaining to hours of service.

2. Nothing in the extension of Emergency Executive Order 14-16 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 extension of Emergency Executive Order 14-16 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. Upon the expiration of this extension of Emergency Executive Order 14-16, 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.

This extension of Emergency Executive Order 14-16 is effective at 12:01 AM Central Standard Time, on November 2, 2014, the expiration date of the Emergency Executive Order 14-16, and must be filed with the Secretary of State and published in the State Register as soon as possible after its issuance. This order of relief from regulation to motor carriers and drivers remains in effect for 30 days or until the commercial motor carrier or driver ceases direct assistance in providing emergency relief, whichever occurs first. For purposes of this order, direct assistance is defined in Minnesota Statutes, section 221.0269, subdivision 3(c).

In Testimony Whereof, I have set my hand on October 31, 2014.



Charles Zelle
Commissioner

