

# STATE OF MINNESOTA

## EXECUTIVE DEPARTMENT



**MARK DAYTON**  
**GOVERNOR**

### Emergency Executive Order 14-16

#### **Declaring an Emergency and Providing for Relief from Regulations to Motor Carriers and Drivers Operating in the State of Minnesota**

**I, Mark Dayton, Governor of the State of Minnesota**, by virtue of the authority vested in me by the Constitution and applicable statutes, do hereby issue this Executive Order:

**Whereas**, there exists a shortage of diesel fuel entering the state of Minnesota; and

**Whereas**, many motor fuel terminals in Minnesota are experiencing 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 experiencing 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**, because drivers are obtaining motor fuels at alternative terminals, there are long lines and delays at motor fuel terminals across the State; and

**Whereas**, drivers and carriers who are transporting diesel fuel will also need to simultaneously transport its components, and gasoline and its components, which includes but is not limited to ethanol and biodiesel.

**Now, Therefore**, I hereby declare that:

1. An emergency exists in Minnesota that requires relief from regulations incorporated in Minnesota Statutes, section 221.0314, subdivision 9, pertaining to hours of service for motor

carriers and drivers of commercial motor vehicles providing direct assistance in emergency relief efforts.

2. Motor carriers and drivers 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.
3. 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.
4. No motor carrier operating under terms of this emergency 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.
5. Upon the expiration of this emergency 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. Emergency relief from regulations for motor carriers and drivers transporting the above referenced motor fuels to affected areas of the State remains in effect until November 2<sup>nd</sup>, 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.