



**EXECUTIVE ORDER 2019-11**

**WHEREAS**, the State of North Dakota is experiencing record fall precipitation levels and cold temperatures, causing significant delays in fall harvest activities; and,

**WHEREAS**, due to the cold, wet weather and delayed harvest season, North Dakota farmers and ranchers have an increased need for propane and other petroleum fuels to dry late-harvested hay and grains; and,

**WHEREAS**, the colder than normal fall temperatures and precipitation levels have increased the demand for petroleum products for other retail uses, including home heating; and,

**WHEREAS**, a waiver of hours of service requirements would ensure that carriers, agribusiness, farmers, ranchers and other consumers can secure, obtain, transport and deliver propane, diesel fuel and other petroleum products to meet the needs of this state; and,

**WHEREAS**, it is the responsibility of the state to assist the people of North Dakota in addressing emergencies, disasters, and other hardships that may face the state and its citizens.

**NOW, THEREFORE**, Doug Burgum, Governor of North Dakota, by virtue of the authority vested under Article V, Section 1 of the North Dakota Constitution and North Dakota Century Code § 37-17.1, hereby declares that a state of emergency exists in North Dakota that requires relief from North Dakota Century Code § 39-32-02 pertaining to hours of service for drivers of commercial motor vehicles transporting propane, gasoline and diesel fuel to retail suppliers.

This order is issued on the foregoing bases and under the following conditions:

1. All road safety and vehicle compliance regulations still apply and will be fully enforced.
2. Nothing in this order shall be construed to relieve carriers operating under this order from regulations pertaining to the qualifications of

drivers operating commercial motor vehicles, or parts and accessories necessary for the safe operation of motor vehicles.

3. Carriers, while under this order, shall not require or allow fatigued drivers to operate a motor vehicle. A driver who informs a carrier that she/he needs immediate rest shall be given at least ten consecutive hours before the driver is required to return to service.

This order is effective immediately and shall remain in effect for thirty days.

Executed at Bismarck, North Dakota, this 2<sup>nd</sup> day of November 2019.



Doug Burgum  
Governor

ATTEST:



Secretary of State

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Deputy