



— State of —
North Dakota

Office of the Governor

Doug Burgum
Governor

Executive Order 2017-08

WHEREAS, many counties in North Dakota are under a drought declaration of emergency as a result of extreme drought conditions resulting in a D3 rating from the US Drought Monitor as well as all adjacent counties; and

WHEREAS, these extreme drought conditions have adversely and significantly impacted the State's agribusiness and livestock production, resulting in inadequate amounts of hay and water supplies necessary to sustain livestock herds; and,

WHEREAS, North Dakota livestock producers have been forced to purchase supplemental hay and water supplies hauled in from non-drought areas or forced to move herds to areas where feed and water supplies are more plentiful; and,

WHEREAS, current and forecasted drought conditions have, and will continue, to contribute to water and feed supply shortages for livestock producers in those counties under a drought declaration of emergency; and

WHEREAS, drivers of commercial trucks have been required to move livestock, hay and water supplies in greater volumes in a shorter amount of time to or from those counties under a drought emergency to enable livestock producers to maintain existing herds and to meet the needs of our State; and

WHEREAS, it is the responsibility of the State to assist the people of North Dakota in responding to and mitigating the effects of weather 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 granted 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 livestock, hay and water supplies for the benefit of North Dakota livestock producers impacted by the extreme drought conditions, and weight restrictions for drivers of commercial motor vehicles transporting hay and water supplies for the benefit of North Dakota livestock producers impacted by extreme drought conditions.

This order is issued on the foregoing bases and on 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 qualifications of drivers, driving of commercial motor vehicles, or parts and accessories necessary for the safe operation of 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 the driver needs immediate rest shall be given at least ten consecutive hours before the driver is required to return to service.
4. Due to drought conditions resulting in hay and water supply shortages in those counties experiencing extreme drought conditions, resulting in a D3 rating from the US Drought Monitor as well as all adjacent counties, the North Dakota Department of Transportation has authorized the following waiver for the transport of HAY and WATER SUPPLIES only:
 - a. Routes restricted to 75 feet in overall length are temporarily increased to 95 feet in overall length.
 - b. Routes posted for 80,000 pounds GVW are temporarily increased to 105,500 pounds.
 - c. All axle weights must be legal.
 - d. All North Dakota Highway Patrol rules, regulations, and laws must be complied with.
 - e. A \$50 seasonal permit or \$20 single trip permit must be purchased for oversize hay movement. The permit allows a carrier hauling hay using a truck-tractor semi-trailer vehicle configuration to be 12 feet in width, and 15 feet in height. Loads must be marked with 12x12" red or bright orange flags. An 18x84" Oversize Load sign is required when the overall length exceeds 75 feet.
 - f. Transport of hay and water supplies under this waiver is limited to the hours from sunrise to sunset.
 - g. Carriers traveling on the interstate system over 80,000 pounds GVW must purchase single trip interstate permits, as well as the seasonal permit. The fee for a single trip interstate permit is \$10. All axle weights must be legal.

This order is effective immediately, and it shall remain in effect until further notice.

Executed at Bismarck, North Dakota, this 10th day of July, 2017.


Doug Burgum
Governor

ATTEST:


Secretary of State


Deputy