



State of
North Dakota
Office of the Governor

Jack Dalrymple
Governor

Executive Order 2016-05

WHEREAS, the people of North Dakota are faced with low inventories of propane supplies, caused by increased demand during harvest season for fuel to dry grain, corn, and other agricultural products; and

WHEREAS, drivers of delivery trucks are driving further to obtain supplies and are frequently required to wait for long periods of time at pipeline terminals, which limits their ability to transport product back to retail sites; and

WHEREAS, temporary shutdowns for maintenance at multiple terminals has resulted in inadequate supplies to resupply regional propane inventories; and

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

NOW, THEREFORE, I, Jack Dalrymple, Governor of North Dakota, by virtue of the authority vested in me by Article V, Section 1 of the North Dakota Constitution and North Dakota Century Code § 37-17.1, do hereby declare 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 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 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 it shall remain in effect through October 28, 2016.

Executed at Bismarck, North Dakota, this 17th day of October, 2016.


Jack Dalrymple
Governor

ATTEST:


Secretary of State

Deputy