

**STATE OF MINNESOTA**  
**EXECUTIVE DEPARTMENT**



**MARK DAYTON**  
**GOVERNOR**

**Emergency Executive Order 16-05**

**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,** the recent severe storms in Minnesota has resulted in widespread power outages which threaten life and property within the state;

**Whereas,** the emergency assistance of motor carriers and drivers is needed to provide utility support, and to transport utility service vehicles and materials from other states; and

**Whereas,** to further relief efforts and to recover from the storms, carriers and drivers or commercial motor vehicles require waivers of federal and state regulations.

**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 providing direct assistance in emergency relief efforts.
2. 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.
3. 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.

4. 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. This order providing emergency relief from regulations for motor carriers and drivers providing direct assistance to emergency relief shall remain in effect for the duration of the motor carrier or driver's direct assistance in providing emergency relief or 30 days, whichever is less.

**In Testimony Whereof**, I have set my hand on this 6th day of July, 2016.

  
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**Mark Dayton**  
Governor

Filed According to Law

  
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**Steve Simon**  
Secretary of State

