



EXECUTIVE ORDER 2021-03

WHEREAS, the people of North Dakota are faced with extremely low inventories of propane, gasoline and diesel fuels resulting from recent increased demands due to severe winter weather; and,

WHEREAS, a waiver of hours of service requirements would greatly assist commercial carriers to avoid delays and allow carriers to secure, obtain, transport and deliver propane, gasoline and diesel fuels to meet the needs of the state; and,

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


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 fuels.

This order is issued upon on the foregoing 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 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 shall remain in effect for thirty days.

Executed this 12th day of February, at the State Capitol in Bismarck, North Dakota.



Doug Burgum
Governor

ATTEST:



Secretary of State

Deputy