



February 6, 2023

The Honorable Robin Hutcheson
Administrator
Federal Motor Carrier Safety Administration
1200 New Jersey Avenue, SE
Washington, D.C. 20590

Re: Clarification to the Applicability of Emergency Exemptions - Proposed Rule Making

Greetings,

We urge the Federal Motor Carrier Safety Administration (FMCSA) to continue to allow each state's governor to institute regulatory relief based on a regional declaration of an emergency and issue the 30-day relief period from all FMCSRs in parts 390 through 399.

The proposed rule change would severely impact operations in North Dakota during emergencies and have a direct impact on all citizens of our great state.

Besides the three executive orders over the last two years to waive the hours of service for haulers of propane, gasoline, diesel fuel and heating oil, six more executive orders were issued for haulers of agricultural inputs, fertilizer, milk for students, rural electric workers, and haulers of hay, water and livestock. As an agricultural state, the executive orders issued are carefully considered and determined necessary to combat significant winter storms, drought and staff shortages in the CDL industry that last longer than the five-day recommended change.

North Dakota heavily depends on CDL drivers, and as a rural state, it is critical that we be able to move products and get resources to where they are needed most. The above conditions could create life-and-death situations.

In conclusion, we ask for your support to continue to allow governors the authority to issue an emergency waiver for the 30-day relief period when necessary to provide the services required by the citizens of North Dakota.

Sincerely,

A handwritten signature in blue ink that reads "Doug Burgum".

Doug Burgum
Governor