



EXECUTIVE ORDER 2022-01.1

WHEREAS, the people of North Dakota continue to face extremely low inventories of propane supplies resulting from market conditions impacted by severe seasonal weather and increased heating fuel demands; and,

WHEREAS, a waiver of the hours of service requirements will ensure that motor carriers and drivers can continue to secure, obtain, transport and deliver propane supplies to businesses, farms, ranches and private households, to meet the needs of the state; and,

WHEREAS, it is the responsibility of the State to assist North Dakotans, responding and mitigating the effects of weather and other emergencies, disasters and other hardships citizens may encounter.

NOW, THEREFORE, Doug Burgum, Governor of North Dakota, by virtue of the authority set forth in 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 supplies.

This order is issued on the foregoing bases 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.

Executive Order 2022-01 issued January 4, 2022, is hereby rescinded and replaced with Executive Order 2022-01.1. Pursuant to the February 3, 2022, notice issued by the U.S. Department of Transportation, Federal Motor Carrier Safety Administration, the hours of service waiver issued on January 4, 2022, is hereby extended for a period of thirty days.

This Order is effective immediately and shall remain in effect for thirty days.

Executed at the State Capitol, this 4th day of February, 2022.



Doug Burgum
Governor

ATTEST:


Secretary of State

Deputy