



State of
North Dakota

Office of the Governor

Doug Burgum
Governor

Executive Order 2017-04

WHEREAS, farmers in North Dakota are faced with a compressed spring season for application of anhydrous ammonia due to record winter snowfalls from 350 to 550 percent above normal in some areas and a protracted spring snowmelt season; and

WHEREAS, drivers of commercial trucks must move greater fertilizer volumes in a shorter amount of time to enable our farmers to complete crop planting and other necessary work to meet the needs of our State; and

WHEREAS, the State Agriculture Commissioner has requested a waiver of hours of service to ensure that sufficient anhydrous ammonia resources are available during this compressed spring planting season; and

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

NOW, THEREFORE, I, Doug Burgum, 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 anhydrous ammonia.

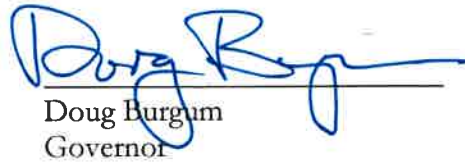
This order is issued on the foregoing bases and on the following conditions:

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 the driver 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 June 3, 2017.

Executed at Bismarck, North Dakota, this 19th day of May, 2017.


Doug Burgum
Governor

ATTEST:


Secretary of State


Deputy