



— State of —  
**North Dakota**  
*Office of the Governor*

**Doug Burgum**  
*Governor*

**Executive Order 2018-03**

**WHEREAS**, farmers in North Dakota are faced with a compressed spring season for application of anhydrous ammonia and other fertilizers due to late winter snowfalls 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 and other fertilizer 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**, Doug Burgum, as Governor of the State 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 anhydrous ammonia and other fertilizers.

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 May 30, 2018.

Executed at Bismarck, North Dakota, this 9<sup>th</sup> day of May 2018.



Doug Burgum  
Governor

ATTEST:



Secretary of State