

EXECUTIVE ORDER

07-01


 SECRETARY OF STATE
 COMMISSION DIVISION

WHEREAS, emergencies may arise at any time, including but not limited to power outage due to tornado, rain, snow or ice storm, propane or gas shortages due to extremely cold conditions requiring carriers to travel out of state to haul fuel and distribute such fuel upon their return, flooding conditions, potential terrorist attack, or other unforeseen emergencies; and

WHEREAS, many of these emergencies occur after normal working hours or on holidays; and

WHEREAS, the safety and welfare of the inhabitants of the affected areas may require the rapid identification of an emergency situation that necessitates the need to suspend state enforcement of federal commercial vehicle and driver laws; and

WHEREAS, Section 390.23 of Title 49, Code of Federal Regulations, provides that a Governor of a State, or the Governor's authorized representatives having authority to declare emergencies, may declare an emergency thereby exempting motor carriers or drivers operating a commercial vehicle from the Federal Motor Carrier Safety Regulations, Parts 390-399, both while providing assistance to the emergency relief efforts during the emergency, and while returning empty to the motor carrier's terminal or driver's normal work reporting location; and

NOW THEREFORE, I, Matt Blunt, Governor of the State of Missouri, by virtue of the authority vested in me by the Constitution and laws of the State of Missouri, do hereby order as follows:

1. The Director of the Missouri Department of Transportation is authorized to issue an emergency declaration of a regional emergency within the meaning of 49 CFR section 390.23(a)(1) or a local emergency within the meaning of 49 CFR section 390.23(a)(2) for the limited purpose of temporarily suspending the usual requirements of Parts 390-399 of Title 49, Code of Federal Regulations, with reference to motor carriers and operators of commercial motor vehicles, when such official determines that an emergency situation exists which requires the suspension of federal commercial motor vehicle and driver laws. An emergency declaration issued pursuant to this order shall not exceed the duration of the motor carrier's or driver's direct assistance in providing emergency relief, or five days from the date of the initial declaration of the emergency, whichever is less; and

2. The Director of the Missouri Department of Transportation, or the Director's designee, is also authorized to issue overdimension and overweight permits for commercial motor carriers engaged in interstate and intrastate disaster relief efforts in the affected regions identified by the regional or local emergency declaration(s) authorized in paragraph 1 above, subject to the following application requirements in obtaining such a permit:

The permittee will be required to supply:

Year, Make, License plate number, and Vehicle Identification Number (VIN) of the power unit and trailer;
 Size, Make and Serial Number (last 4 digits) of commodity being hauled;
 Origin, Destination and Consecutive Routing;
 Overall Width, Height, Length and length of trailer and load only; and
 Date of Movement.

The permit process can be expedited by calling:

866-831-6277
 573-526-5314; or
 573-522-8176.

This Executive Order shall allow continuous movement, including nighttime and moves during curfew hours and holiday restriction periods. Clearance lights in lieu of flags and reflectorized oversize load signs mounted on the front and rear of the vehicle and load are required for nighttime movement or when visibility is less than 500'. One (1) escort shall be required to the rear of the vehicle and load on interstates and other divided highways and such escort shall be

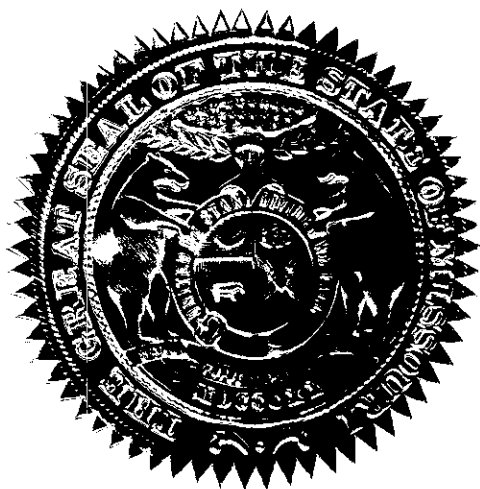
required for the front of the vehicle and load on all other highways when the load width exceeds 12'4".

However, this Executive Order shall not suspend the applicability of the standard overdimension/overweight permit fee requirements; and

3. The Director of the Missouri Department of Transportation, or the Director's designee, is also authorized to waive the commercial motor vehicle regulatory requirements regarding the purchase of trip permits for registration and fuel and to waive the mileage restrictions on restricted plates for commercial motor carriers engaged in interstate disaster relief efforts in any of the affected states identified by regional emergency declarations authorized in paragraph 1 above; and

4. The Director of the Missouri Department of Transportation, or the Director's designee, shall notify the Governor's office as soon as possible of any emergency declarations issued pursuant to this order.

This order shall terminate on January 1, 2008, unless extended or revoked in whole or in part.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri in the City of Jefferson on this 2nd day of January 2007.

A handwritten signature in black ink, reading "Matt Blunt".

Matt Blunt
Governor

ATTEST:

A handwritten signature in black ink, reading "Robin Carnahan".

Robin Carnahan
Secretary of State