

EXECUTIVE ORDER
96-01

JAN 12 1996

WHEREAS, the recent period of extremely cold temperatures and weather conditions including ice, sleet, and snow, have increased the necessity and public demand for heating fuels within the state, including propane (also known as liquified petroleum gas or LP gas); and

WHEREAS, this period of inclement weather has imposed corresponding adverse affects on road and highway conditions, which have substantially delayed and hindered highway traffic and have made it unusually difficult for commercial transporters of propane to make consistent and timely deliveries of propane products by motor vehicles on the public highways in Missouri, which are needed to supply the public demand for propane as a heating fuel; and

WHEREAS, the safety and welfare of the inhabitants of this state require that motor carriers for hire and private carriers by motor vehicle which are transporting propane be allowed more rapid and efficient travel to meet this public demand for propane products within the state;

WHEREAS, this requirement for more rapid and efficient transportation would be facilitated by the temporary suspension of certain usual and necessary regulator limitations on the hours of service of drivers of commercial motor vehicles while transporting propane during this period;

WHEREAS, the Regional Director of the Federal Highway Administration's Office of Motor Carriers for Region 7, which includes the State of Missouri, has declared a regional emergency pertaining to the transportation of propane, as a result of interruptions in the availability and/or delivery of propane at various locations within this state, and has granted relief from the requirements of 49 C.F.R. Sections 395.3(a) and 395.3(b) of the Federal Motor Carrier Safety Regulations for motor carriers while providing propane to customers in the State of Missouri, for the period beginning on January 5, 1996, and continuing for the duration of the emergency, or until 12:01 A.M. on January 13, 1996, whichever is less; and

WHEREAS, the requirements of 49 C.F.R. Sections 395.3(a) and 395.3(b) are also made applicable to the drivers of commercial motor vehicles operating in this state under Section 307.400, RSMo 1994, and the rules promulgated by the Director of the Missouri Department of Public Safety under 11 C.S.R. 30-6.010;

NOW THEREFORE, I, Mel Carnahan, Governor of the State of Missouri, by virtue of the authority vested in me by the Constitution and laws of the State of Missouri, hereby suspend the requirements of Section 307.400, RSMo 1994, and the rules promulgated by the Director of the Missouri Department of Public Safety under 11 C.S.R. 30-6.010, but only to the extent that those provisions make 49 C.F.R. Sections 395.3(a) and 395.3(b) applicable to the drivers of commercial motor vehicles while transporting propane within this state; and

I further direct the Missouri State Highway Patrol, its officers and commercial vehicle inspectors, the enforcement personnel of the Missouri Division of Transportation within the Missouri Department of Economic Development, and any other officers of this state or any political subdivisions of this state, to suspend their enforcement of the requirements of 49 C.F.R. Sections 395.3(a) and 395.3(b) with reference only to drivers of commercial motor vehicles while transporting propane within this state; and

I further direct that this suspension order shall not apply with reference to any driver while that driver, or the employer of that driver, have been placed out of service as provided by law; and

This order shall become effective immediately upon issuance, and shall remain in effect for the duration of the emergency period declared by the Regional Director of the Federal Highway Administration's Office of Motor Carriers for Region 7, or until 12:01 A.M. on January 13, 1996, whichever is less.

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 6th day of January, 1996.



Warren E. Hearnes
GOVERNOR

Rebecca McDowell Cook
SECRETARY OF STATE