

OCT 25 2005

**EXECUTIVE ORDER
05-39**
SECRETARY OF STATE
COMMISSION DIVISION

WHEREAS, on August 30, 2005, Executive Order 05-23 was issued acknowledging the existence of a regional state of emergency, within the meaning of Title 49, Code of Federal Regulations, Section 390.23(a)(1), within the States of Alabama, Florida, Louisiana, and Mississippi, as a result of the severe damage and destruction to persons and property caused by Hurricane Katrina's extremely high winds, substantial tidal surges, heavy thunderstorms, and torrential rains and flooding; and

WHEREAS, on September 23, 2005, Executive Order 05-36 was issued acknowledging the existence of a regional state of emergency, within the meaning of Title 49, Code of Federal Regulations, Section 390.23(a)(1), within the States of Texas and Louisiana, as a result of the severe damage and destruction to persons and property caused by Hurricane Rita's extremely high winds, substantial tidal surges, heavy thunderstorms, and torrential rains and flooding; and

WHEREAS, on October 24, 2005, Hurricane Wilma reached mainland Florida resulting in severe damage and destruction to persons and property in the state of Florida due to extremely high winds, substantial tidal surges, heavy thunderstorms, and torrential rains and flooding; and

WHEREAS, this severe natural disaster has resulted in extensive economic and human damage across these affected states, including, loss of lives, destruction of private and public property in the amount of hundreds of millions of dollars, the widespread interruption of electrical power and water service to millions of utility customers across the affected states, and the evacuation and temporary relocation of thousands of persons from the coastal regions to inland destinations, which will eventually require the return of these displaced persons to their places of origin; and

WHEREAS, these extreme weather conditions, and the resulting destruction of property, interruption of essential human services, and continuing dangers to and loss of human life, now require and will continue to require a massive public and private response to provide immediate, emergency assistance and continuing emergency relief to individual persons, businesses, and federal, state and local governmental units in need of transportation for food, supplies, tools, equipment, medicine, public and private health care, law enforcement, security services, public utility services, sanitation and waste disposal, cleanup of debris, property restoration and reconstruction, and other necessities, which threatens to overload the available transportation systems to, from, and within these affected states; and

WHEREAS, the President of the United States of America has issued Declarations of Regional Emergency within the meaning of Section 390.23(a)(1) of Title 49, Code of Federal Regulations, as a result of these severe weather conditions, which continue to pose a threat to the public safety and health of persons residing within the affected states, thereby authorizing exemption to Title 49 of the Code of Federal Regulations, Parts 390-399; and

WHEREAS, the safety and welfare of the inhabitants of the affected states, as well as any other affected state identified in future regional emergency declarations by the President of the United States or a governor of the affected state, resulting from Hurricanes Katrina, Rita and Wilma require that operators of commercial motor carriers upon the public highways within Missouri, who are rendering assistance to the emergency efforts within the affected states should be allowed more rapid and efficient travel to meet this emergency need for transportation of passengers and property; and

WHEREAS, this requirement for more rapid and efficient transportation would be facilitated by the temporary suspension of certain usual and necessary regulatory requirements for the drivers of commercial motor vehicles while they are transporting property and passengers to assist in the relief efforts; and

WHEREAS, the expiration date of Executive Orders 05-23 is October 25, 2005 at 12:01 AM and the expiration date of Executive Order 05-36 is November 23, 2005 at 12:01 AM and the emergency assistance required to be provided to the affected states will likely be necessary long past these previously set expiration dates in order to assist in the recovery efforts in the affected states; and

WHEREAS, the emergency declaration by the President of the United States of America for the affected states remains in effect and has no expiration date.

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, hereby declare that I acknowledge the continuing existence of a regional state of emergency, within the meaning of Title 49, Code of Federal Regulations, Section 390.23(a)(1), within the States of Alabama, Mississippi, Florida, Texas and Louisiana, as well as any other state(s) identified in future regional emergency declarations by the President of the United States, or by the respective governor of an affected state, resulting from Hurricanes Katrina, Rita and Wilma as a result of the severe weather conditions described above; and

FURTHER, I direct that the commercial motor vehicle regulatory requirements regarding the purchase of trip permits for registration and fuel for commercial motor carriers engaged in interstate disaster relief efforts in any of the affected states identified by regional emergency declarations resulting from Hurricanes Katrina, Rita and Wilma shall be waived; and

FURTHER, I direct that the issuance of overdimension and overweight permits by the Missouri Department of Transportation for commercial motor carriers engaged in interstate disaster relief efforts in affected states identified by regional emergency declarations resulting from Hurricanes Katrina, Rita and Wilma shall be subject to the following interim application requirements in obtaining such a permit:

The permittee will be required to supply:

- Year, Make and License plate number 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.

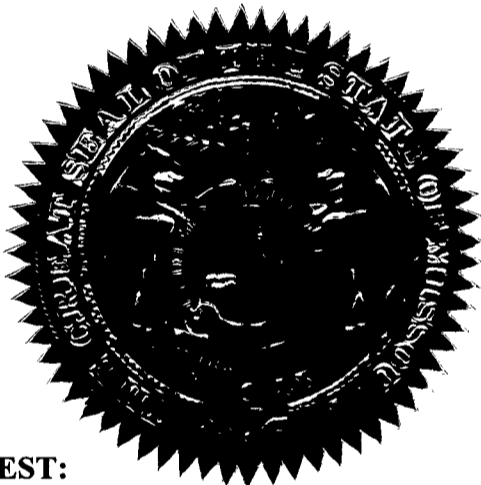
The permit process can be expedited by calling:

800-877-8499
573-526-5314; or
573-526-5312.

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

FURTHER, I hereby rescind Executive Orders 05-23 and 05-36 to be replaced with this Executive Order 05-39; and

FURTHER, I direct that the effective date of this Executive Order shall be retroactive to August 30, 2005 and shall continue in effect until the expiration of all Declarations of Regional Emergency issued by the President of the United States of America, as well as regional emergency declarations by the governor of an affected state resulting from Hurricanes Katrina, Rita, and Wilma or until December 31, 2005 at 12:01 AM, whichever later occurs.




ATTEST:

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 25th day of October, 2005.



Matt Blunt
Governor



Robin Carnahan
Secretary of State