

DEC 17 2008

## EXECUTIVE ORDER

08-40

*Robin Carnahan*  
 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, Executive Order 07-01, issued on January 2, 2007, in accordance with Section 390.23 of Title 49, Code of Federal Regulations (CFR), authorized the Missouri Department of Transportation to declare an emergency exempting motor carriers or drivers operating a commercial vehicle from the Federal Motor Carrier Safety Regulations, 49 CFR 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

WHEREAS, Executive Order 07-01 was scheduled to terminate on January 1, 2008; and

WHEREAS, Executive Order 07-38 was signed on December 29, 2007, to extend Executive Order 07-01 until January 1, 2009; and

WHEREAS, in order to ensure the safety and welfare of Missourians in times of emergency situations, an extension of the January 1, 2009, termination date is necessary:

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 extend the order that Executive Order 07-01 shall remain in effect until January 1, 2010.



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 17<sup>th</sup> day of December, 2008.

*Matt Blunt*

Matt Blunt  
 Governor

ATTEST:

*Robin Carnahan*

Robin Carnahan  
 Secretary of State