

Emergency Declaration Cover Letter

Emergency Declaration 07-09

Effective May 7, 2007 through June 9, 2007

In response to flooding in Missouri and Iowa, and storms in Kansas, the Missouri Department of Transportation has issued an emergency declaration to waive certain state and federal regulations for carriers who participate in emergency relief efforts.

While this declaration is in effect, participating carriers:

- Who haul over-dimension/overweight permits
 - MUST obtain permits
 - Receive priority service
 - Must supply the information listed in the declaration
 - May operate during low visibility and during night, holiday and curfew hours with clearance lights
- Are not required to abide by Hours-of-Service laws
- Who are involved in interstate commerce are not required to obtain fuel or trip permits for travel in the State of Missouri
- May benefit from the waiver while under load and when returning either empty or with loads directly related to the emergency.

NONE of the emergency provisions apply to carriers who are not directly involved in emergency relief efforts.

Carriers must read and understand the attached emergency declaration. In the event this note contradicts any information in the declaration, the declaration language shall rule.

EMERGENCY DECLARATION

07-09

WHEREAS, torrential rains in Missouri and Iowa have caused flooding and damaging storms in Kansas have caused a state of emergency in the States of Missouri, Iowa and Kansas, making roadway travel in the affected areas extremely hazardous or impossible, and causing hardship to our neighbors to the north; and

WHEREAS, these extreme weather conditions, and the resulting destruction of property, interruption of essential human services, and potential dangers to and loss of human life, 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 local governmental units in need of transportation for food, supplies, tools, equipment, medicine, fuel and 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 the states of Missouri, Iowa and Kansas;

WHEREAS, Matt Blunt, Governor of the State of Missouri, issued Executive Order 07-01 on January 2, 2007, which authorizes the Director of the Missouri Department of Transportation (hereinafter, MoDOT), or the Director's designee, to issue Emergency Declarations for the limited purpose of temporarily suspending certain usual and necessary federal and state laws, regulations and administrative rules for commercial motor vehicles and drivers while they are transporting property and passengers to assist in the emergency relief efforts during the emergency; and

WHEREAS, Pete K. Rahn, MoDOT Director, issued a Memorandum on January 12, 2007, delegating the authority to Jan Skouby, MoDOT Motor Carrier Services Director, to issue such Emergency Declarations for the limited purpose of suspending certain federal and state laws, regulations and administrative rules for commercial motor vehicle and drivers while they are transporting property and passengers to assist in the emergency relief efforts during the emergency; and

NOW THEREFORE, I, JAN SKOUBY, MOTOR CARRIER SERVICES DIRECTOR FOR MODOT, by virtue of the authority delegated to me by Director Rahn under Executive Order 07-01, hereby declare that I acknowledge the existence of a state of emergency in the States of Missouri, Iowa and Kansas, as a result of the severe weather conditions described above; and

WHEREAS, the safety and welfare of the citizens of the aforementioned States require that operators of commercial motor vehicles 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 the driver's hours of service regulations, while drivers are transporting property and passengers to assist in the relief efforts in the States of Missouri, Iowa and Kansas; and

WHEREAS, authorized personnel of the Missouri Department of Transportation, and Missouri State Highway Patrol officers and employees within the Missouri Department of Public Safety, who generally are authorized to enforce the provisions of Part 395 of Title 49, Code of Federal Regulations, as provided by the Revised Statutes of Missouri, shall recognize this temporary suspension of the driver's hours of service regulations during the duration of these emergency conditions, 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

FURTHER, I direct the issuance of overdimension and overweight permits for commercial motor carriers engaged in interstate and intrastate transportation within the State of Missouri in support of disaster relief efforts in the affected States identified in this Emergency Declaration, 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 of the power unit and trailer;
Size, Make and Serial Number (last four digits) of the commodity being hauled;
Origin, Destination and Consecutive Routing;
Overall Width, Height, Length and Length of trailer and load only;
Date of Movement;
Axle weights and individual axle spacings.

The permit process can be expedited by calling one of the following numbers:

866-831-6277;
573-526-5314; or
573-526-5312,

The permit 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 Emergency Declaration shall not suspend the applicability of the standard overdimension/overweight permit fee requirements; and

FURTHER, I direct that the commercial motor vehicle regulatory requirements regarding the purchase of trip permits for registration and fuel and the mileage restrictions on restricted plates for commercial motor vehicles engaged in interstate and intrastate transportation in support of the disaster relief efforts in the affected State under this Emergency Declaration shall be waived; and

FURTHER, I direct that this Emergency Declaration shall become effective at 3:00 p.m. on Monday, May 7, 2007, and shall continue in effect until 12:01 a.m. on Saturday, June 9, 2007, unless extended in whole or in part by a subsequent emergency declaration.

Executed this 7 day of May, 2007.



Jan Skouby, Director
Motor Carrier Services Division
Missouri Department of Transportation
Jefferson City, Missouri