

Emergency Declaration **08-04**

Effective June **17, 2008 at 4:00 p.m. Central Time** through June **23, 2008 at 12:00 p.m. Central Time**

In response to the continued affects of thunderstorms, 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 transport rock and sand to raise levee heights to prevent flooding in Lincoln, Pike, Ralls, Marion, Lewis, and Clark Counties of Missouri.

Are not required to abide by Hours-of-Service laws.

May benefit from the waiver while under load and when returning either empty or with loads directly related to the emergency.

Must carry a copy of this declaration in the vehicle while operating in response to relief efforts.

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 08-04

WHEREAS, due to the thunder storms and emergency conditions in Lincoln, Pike, Ralls, Marion, Lewis, and Clark Counties of the State of Missouri, which have caused flooding, the threat of dyke failure, road closures, hazardous travel and other hardship; and

WHEREAS, Matt Blunt, Governor of the State of Missouri, issued Executive Order 07-01 on January 2, 2007, and extended this order on December 29, 2007 with Executive Order 07-38, 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 4, 2008, 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 and Executive Order 07-38, hereby declare that I acknowledge the existence of a state of emergency in the State of Missouri, as a result of the severe weather conditions described above; and

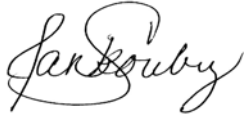
WHEREAS, the safety and welfare of the citizens of the aforementioned State require that operators of commercial motor vehicles upon the public highways within Missouri who are rendering assistance to the emergency efforts within the affected State should be allowed more rapid and efficient travel to 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 State of Missouri; 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 that this Emergency Declaration shall become effective at 4:00 p.m. on Tuesday, June 17, 2008, and shall continue in effect until 12:00 p.m. on Monday, June 23, 2008, unless extended in whole or in part by a subsequent emergency declaration.

Executed this 17th day of June 2008.

A handwritten signature in cursive script that reads "Jan Skouby". The signature is written in black ink and is positioned above the printed name.

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