

Emergency Declaration __09-05_____

Effective __February 4, 2009 at 4:00 p.m. Central Time____ through
_____February 9, 2009 at 3:59 p.m. Central Time_____

In response to winter storms in Missouri, the Missouri Department of Transportation has issued an emergency declaration to waive certain state and federal regulations for Iowa-based utility companies and electric co-ops who travel through Missouri on the way to participate in emergency relief efforts in Arkansas.

While this declaration is in effect, participating carriers:

- Iowa utility companies and electric co-ops, specifically, are exempt from certain driver's age and medical qualification requirements.
- Who haul oversize/overweight permits
 - MUST obtain permits
 - Receive priority service
 - Must supply the information listed in the declaration
 - May operate during low visibility and during normal 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.
- **Must carry a copy of this declaration in each vehicle that operates 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
09-05

WHEREAS, Utility companies and electrical cooperatives based in the State of Iowa wish to act in response to winter storms and emergency conditions in many parts of the State of Arkansas, which caused power outages, tree damage, road closures, hazardous travel and other hardship; and

WHEREAS, these extreme weather conditions, and the resulting interruption of essential human services 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 power restoration and reconstruction, and other necessities, which threatens to overload the available transportation systems to, from, and within the state of Arkansas;

WHEREAS, Matt Blunt, Governor of the State of Missouri, issued Executive Order 07-01 on January 2, 2007, and extended this order on December 17, 2008 with Executive Order 08-40, 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 5, 2009, 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 08-40, hereby declare that I acknowledge the existence of a state of emergency in the State of Arkansas, 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 operated by employees of utility companies and electrical cooperatives based in the State of Iowa 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, and exemption from the drivers' age qualification and requirement of a medical examiner's certificate of fitness to operate a commercial motor vehicle 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 Parts 391 and 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, exemption of interstate drivers' age qualification and the requirement to hold and carry a medical examiner's certificate of fitness to

operate a commercial motor vehicle 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 oversize 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 State 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 Serial 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, and Length of trailer and load only;
Date of Movement;
Axle weights and axle spacings.

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

800-877-8499;
573-751-7410
573-526-5312; or
573-291-4853 (after hours cell phone)

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 oversize /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 lanes 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 4:00 p.m. on Wednesday, February 4, 2009, and shall continue in effect until 3:59 p.m. on Monday, February 9, 2009, unless extended in whole or in part by a subsequent emergency declaration.

Executed this 4 day of February 2009.



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