

Summary: Emergency Declaration **_09-16_**

Effective **December 9, 2009 at 2:00 p.m. Central Time** through
December 16, 2009 at 2:00 p.m. Central Time

In response to frigid temperatures and increased demand for propane home delivery, the Missouri Department of Transportation issues an emergency declaration to waive certain state and federal regulations for propane carriers who participate in emergency relief efforts in Missouri only.

While this declaration is in effect, participating carriers:

- 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.
- Carriers must abide by all state and federal motor carrier safety rules and regulations which are not specifically exempted in the following emergency declaration.
- **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
09-16

WHEREAS, in response to frigid weather and increased demand for propane home delivery in the State of Missouri; and

WHEREAS, a massive public and private response is required to provide immediate, emergency assistance and continuing emergency relief to individual persons and businesses in need of propane transportation;

WHEREAS, Executive Order 07-01 issued January 2, 2007, and extended by Executive Order 08-40 on December 17, 2008, 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 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 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 Missouri, as a result of the severe demand for propane described above; and

WHEREAS, the safety and welfare of the citizens of Missouri require that operators of commercial motor vehicles upon the public highways within Missouri who are rendering assistance to the emergency efforts within the State should be allowed more rapid and efficient travel to meet this emergency need; 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 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 2:00 p.m. on Wednesday, December 9, 2009, and shall continue in effect until 2:00 p.m. on Wednesday, December 16, 2009, unless extended in whole or in part by a subsequent emergency declaration.

Executed this 9th day of December 2009.

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

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