

**STATE OF MONTANA
OFFICE OF THE GOVERNOR
EXECUTIVE ORDER NO. 11-2026**

**EXECUTIVE ORDER DECLARING A STATEWIDE DIESEL EMERGENCY AND
TEMPORARILY SUSPENDING ENFORCEMENT OF DYED-FUEL PROVISIONS
FOR COMMERCIAL MOTOR VEHICLES**

WHEREAS, recent global events have severely limited the diesel supply chain; and

WHEREAS, the agricultural and timber industries rely heavily on diesel-fueled commercial motor vehicles for the transport of products vital to Montana's economy, land stewardship, and resource management; and

WHEREAS, MCA § 15-70-441 prohibits the use of untaxed dyed special fuel in motor vehicles on public highways and establishes civil and criminal penalties for violations; and

WHEREAS, ARM 18.15.504 regulates dye concentration standards, inspection procedures, and restrictions on the use of dyed fuel on public roads; and

WHEREAS, strict enforcement of these provisions during ongoing supply and logistical constraints may severely impede the timely transport of essential goods, including agricultural commodities, livestock feed, timber products, and related materials; and

WHEREAS, under MCA §§ 10-3-103 and 10-3-104, the Governor has the authority to declare an emergency and to suspend regulatory statutes and agency rules when strict compliance would prevent, hinder, or delay necessary action in coping with the emergency; and

WHEREAS, uninterrupted operation of commercial motor vehicles engaged in agricultural and timber-related transport is necessary to maintain economic stability and support Montana's resource-dependent communities during this emergency period;

NOW, THEREFORE, I, KRISTEN JURAS, Acting Governor of the State of Montana, pursuant to the authority vested in me under the Constitution of the State of Montana and the laws of the State of Montana, including MCA §§ 10-3-103 and 10-3-104, do hereby declare that a statewide emergency exists and order the following:

SECTION 1 – SUSPENSION OF ENFORCEMENT

1. For a period of forty-five (45) days from the effective date of this Order, through November 23, 2026, the enforcement of MCA § 15-70-441 and ARM 18.15.504 is hereby suspended for commercial motor vehicles ("CMVs") as defined under ARM 18.8.1501 and 49 C.F.R. 390.5, that engage directly in agricultural or timber industry operations.

2. CMV is defined as any self-propelled or towed motor vehicle used on a highway to transport passengers or property when the vehicle: (1) has a gross vehicle weight rating or gross combination weight rating, or gross vehicle weight or gross combination weight, of 10,001 pounds or more; (2) is designed or used to transport more than 8 passengers (including the driver) for compensation; (3) is designed or used to transport more than 15 passengers (including the driver) not for compensation; or (4) is used to transport placardable hazardous materials. CMVs include vehicles of 26,001 pounds or more, passenger vehicles meeting federal thresholds, or vehicles transporting hazardous materials as defined in federal statute. ARM 18.8.1501.
3. Affected agricultural and timber operations include, but are not limited to, the transport of livestock, feed, seed, fertilizer, or other agricultural inputs and outputs; and timber, logs, wood chips, biomass, forestry equipment, or other timber-related materials.
4. This suspension applies only to CMVs using dyed fuel in good faith due to emergency, logistical, or supply constraints, and does not apply to willful misuse or repeated violations.

SECTION 2 – CONDITIONS & EXCLUSIONS

1. This suspension does not apply to CMVs engaged in non-agricultural or non-timber commercial activity.
2. This suspension does not apply to individuals or entities engaged in deliberate evasion of fuel taxes or inspection requirements.
3. The Montana Department of Transportation (MDT), Motor Carrier Services Division, shall monitor CMVs operating under this Order and report any misuse or noncompliance to the Governor's Office.
4. CMVs currently under investigation or pending enforcement for dyed-fuel violations are not eligible for relief unless all outstanding matters are resolved prior to the effective date of this Order.

This Order is effective immediately through November 23, 2026.



GIVEN under my hand and the GREAT SEAL of
the State of Montana this 9th day of
October, 2026.

Kristen Juras
KRISTEN JURAS, Acting Governor

ATTEST:

Christi Jacobsen
CHRISTI JACOBSEN, Secretary of State