

OFFICE OF THE GOVERNOR

EXECUTIVE ORDER # 187

Relating to Proclamation of an Energy Emergency

WHEREAS, the health, welfare, and economic well-being of the citizens of Wisconsin depend on energy resources and fuel; and

WHEREAS, there has been unusually cold weather in Wisconsin and there is an imperative need for energy resources and fuel; and

WHEREAS, because of the unusually cold weather conditions which have caused various fuel supply problems, drivers of delivery trucks have been forced to wait for significantly longer periods of time at terminals before loading fuel, and some drivers have been forced to travel to terminals farther away from their market to load fuel, resulting in significant loss of available driving time under current regulations, causing distribution and delivery problems affecting the availability of needed propane in Wisconsin; and

WHEREAS, the Canadian National Railroad strike has also contributed to a disruption in the availability of propane fuel in Wisconsin; and

WHEREAS, in light of the foregoing, there is a critical shortage of energy resources or fuel currently available in Wisconsin; and

WHEREAS, allowing the transportation of petroleum products within this state, in a safe manner and as described in this order, will benefit the citizens of Wisconsin;

WHEREAS, I have previously issued Executive Order number 186 exempting drivers of commercial motor vehicles transporting petroleum products and fuel from the Wisconsin and federal hours of service restrictions in 49 C.F.R. Part 395 and Wis. Admin. Code, Ch. Trans 327, but excluding from that Executive Order any part of the national system of interstate and defense highways, except for that portion of USH 51 between Wausau and STH 78 and that portion of STH 78 between USH 51 and the Interstate 90/94 interchange near Portage, designated as Interstate 39.

WHEREAS, the Federal Motor Carrier Safety Administration has no objection to me exempting drivers of commercial motor vehicles transporting petroleum products and fuel from the Wisconsin and federal hours of service restrictions in 49 C.F.R. Part 395 and Wis. Admin. Code, Ch. Trans 327; and no objection to allowing this exemption to apply to the national system of interstate and defense highways.

NOW, THEREFORE, I, JIM DOYLE, Governor of the State of Wisconsin, by virtue of the authority vested in me by the Constitution and the Laws of Wisconsin sections 166.03(1)(b)1, 340.01(15s), and 348.17(3), of the Wisconsin Statutes, and 49 C.F.R. sections 390.23 and 390.25, hereby amend Executive Order number 186 and declare the present condition of unusually cold weather, along with the shortage of petroleum products and fuel to be a natural disaster and hereby proclaim the entire State of Wisconsin to be in a state of

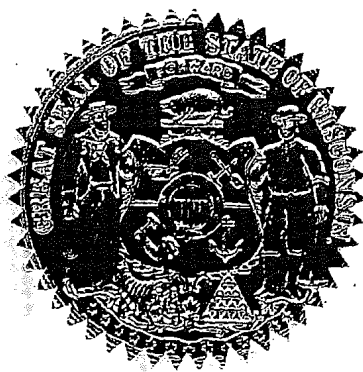
emergency for a period of two weeks, effective beginning February 14, 2007 and expiring February 28, 2007.

PURSUANT to said state of emergency, by virtue of the authority vested in me by the Constitution and Laws of Wisconsin, sections 166.03(1)(b)1, 340.01(15s), and 348.17(3), Wisconsin Statutes, and 49 C.F.R. sections 390.23 and 390.25, I HEREBY ORDER THAT:

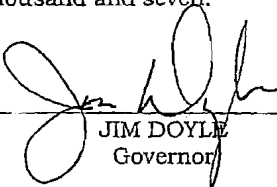
(1) Drivers of commercial motor vehicles transporting petroleum products and fuel are exempted from Wisconsin and federal hours of service restrictions in 49 C.F.R. Part 395 and Wis. Admin. Code, Ch. Trans 327. This exemption applies to all highways in Wisconsin, including the national system of interstate and defense highways.

(2) No motor carrier operating under the terms of this emergency declaration shall require or allow an ill or fatigued driver to operate a motor vehicle. A driver who notifies a motor carrier that he or she needs immediate rest shall be given at least 10 consecutive hours off-duty before the driver is required to return to service.

(3) This order does not suspend the operation of any state or federal laws within the State of Wisconsin except as specifically described in the order. All other laws remain in full force and will be enforced. This order does not authorize any person transporting fuel to exceed any statutory vehicle weight, width, length, or height limit. This order does not authorize the use of unregistered or improperly registered vehicles. Vehicles registered in other jurisdictions and not entitled to reciprocity, or not registered for use in Wisconsin through the International Registration Plan, must obtain a permit as provided in section 341.41, Wis. Stats. Motor carriers transporting petroleum products or fuel for hire must have proper authority to operate in this State, as provided by section 194.04, Wis. Stats., and must meet the insurance requirements of sections 194.41 or 194.42, Wis. Stats. Carriers must satisfy all ordinarily applicable federal and Wisconsin requirements concerning vehicle equipment, vehicle operations and driver qualifications and conduct.

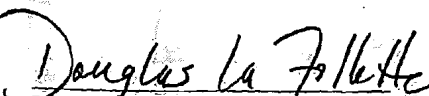


IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol in the City of Madison this sixteenth day of February in the year two thousand and seven.



JIM DOYLE
Governor

By the Governor:



DOUGLAS LA FOLLETTE
Secretary of State