

OFFICE OF THE GOVERNOR

EXECUTIVE ORDER # 240

**Relating to a Proclamation Declaring a State of Emergency
Relating to the Transportation of Abrasives or Salt
For Highway Winter Maintenance**

WHEREAS, heavy snow, rain, and ice continue to cover Wisconsin highways and low temperatures prevent natural melting and runoff; and

WHEREAS, allowing the transportation of abrasives or salt for highway winter maintenance of Wisconsin highways in a safe manner as described in this order will benefit persons traveling on Wisconsin highways; and

WHEREAS, there is a critical shortage of abrasives or salt for highway winter maintenance currently available in Wisconsin; and

WHEREAS, the Federal Motor Carrier Safety Administration has no objection to me exempting drivers of commercial motor vehicles transporting abrasives or salt for highway winter maintenance 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; and

WHEREAS, I have previously issued Executive Order number 238 effective starting on February 6, 2008, and which expires at midnight on February 16, 2008;

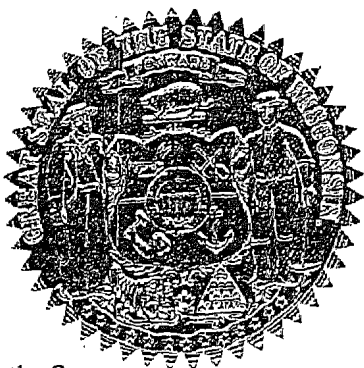
NOW, THEREFORE, I, Jim Doyle, Governor of the State of Wisconsin, by virtue of the authority vested in me by the Constitution and the Laws of Wisconsin sections 166.03(1)(b)1, of the Wisconsin Statutes, and 49 C.F.R. sections 390.23 and 390.25, hereby extend Executive Order number 238 and declare the currently existing heavy snow, rain, and ice covering Wisconsin highways to be a natural disaster and hereby proclaim the entire State of Wisconsin to be in a state of emergency for a period of an additional 20 days, effective beginning February 17, 2008 and expiring at midnight on March 7, 2008.

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, Wisconsin Statutes, and 49 C.F.R. sections 390.23 and 390.25, I **HEREBY ORDER THAT**:

(1) Drivers of commercial motor vehicles directly involved in transporting abrasives or salt for highway winter maintenance 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.

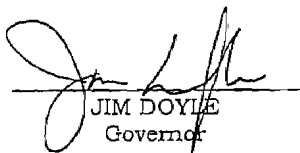
(2) No motor carrier operating under the terms of this emergency declaration shall require or allow an ill or fatigued driver to operate a motor vehicle. A driver who notifies a motor carrier that he or she needs immediate rest shall be given at least 10 consecutive hours off-duty before the driver is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

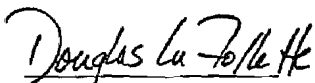
(3) This order does not suspend the operation of any state or federal laws within the State of Wisconsin except as specifically described in the order. All other laws remain in full force and will be enforced. This order does not authorize the use of unregistered vehicles. If the vehicle is required to be registered by Wisconsin law, registration shall be at not less than the permit weight or at the maximum available registration weight, whichever is less. Vehicles registered through the Unified Carrier Registration System (UCRS) are not required to provide proof of registration required by the UCRS in section 194.407, Wis. Stats., or 49 U.S.C. 14504a. Vehicles registered in other states and not entitled to reciprocity, or not registered for use in Wisconsin through the International Registration Plan (IRP), are not required to obtain an IRP credential for all states as provided in section 341.41, Wis. Stats.; and are not required to have an International Fuel Tax Agreement (IFTA) credential for all states. Vehicles registered in other states and not entitled to reciprocity, or not registered for use in Wisconsin through the IRP, or the IFTA, are not required to obtain a temporary fuel and registration permit (72-hour trip permit) pursuant to Ch. Trans 146, Wis. Admin. Code. Motor carriers hauling abrasives or salt for highway winter maintenance must have proper authority to operate in this State, as provided by section 194.04, Wis. Stats. Motor carriers must satisfy the insurance requirements of sections 194.41 or 194.42, Wis. Stats., but are not required to file a Form E as proof of insurance. Motor carriers must satisfy all applicable federal and Wisconsin requirements concerning vehicle equipment, vehicle operations and driver qualifications and conduct.



By the Governor:

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 fifteenth day of February in the year two thousand and eight.


JIM DOYLE
Governor


DOUGLAS LA FOLLETTE
Secretary of State