



**OFFICE OF THE GOVERNOR**

**EXECUTIVE ORDER #56**

**Relating to Declaring an Energy Emergency**

**WHEREAS**, the health, welfare, safety, and economic wellbeing of the people of the State of Wisconsin depend on access to propane for home heating and agricultural applications;

**WHEREAS**, the corn harvest in Wisconsin is more than two weeks behind schedule due to late planting and wet weather, resulting in an increased need to dry corn with propane;

**WHEREAS**, Wisconsin propane terminals are experiencing increased out-of-state demand due to increased grain drying and a lack of propane in Iowa, Illinois, and Minnesota;

**WHEREAS**, the ONEOK propane pipeline is experiencing outages and is two weeks behind deliveries of propane to Iowa, Illinois, and Minnesota;

**WHEREAS**, approximately 250,000 Wisconsinites depend on propane for home heating;

**WHEREAS**, demand for home heating fuel is strong due to weather conditions;

**WHEREAS**, drivers transporting propane are experiencing long wait times at terminals;

**WHEREAS**, this situation poses a serious risk to the health, welfare, safety, and economic wellbeing of the people of the State of Wisconsin because it is causing a shortage of petroleum products throughout Wisconsin, including difficulties collecting and delivering propane for home heating;

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

**WHEREAS**, having consulted with the Department of Transportation, Department of Administration, and the Public Service Commission's Office of Energy Innovation, I conclude that the above conditions warrant waiver of hours of service for drivers of commercial motor vehicles obtaining and transporting propane.

**NOW, THEREFORE, I, TONY EVERS**, Governor of the State of Wisconsin, by the authority vested in me by the Constitution and the Laws of the State, including Sections 323.10 and 340.01(15s) of the Wisconsin Statutes, and Title 49 of the Code of Federal Regulations Part 390.23 and Chapters Trans 325 and 327 of the Wisconsin Administrative Code, hereby:

1. Declare and certify that an energy emergency exists throughout the State of Wisconsin, as defined by Section 340.01(15s) of the Wisconsin Statutes. This declaration of emergency shall be in effect as long as drivers transporting petroleum products are providing assistance for the emergency or for 30 days from the date of this order, whichever is shorter.
2. Order that carriers and drivers of commercial motor vehicles, while in the process of obtaining and transporting propane products are exempt from federal and Wisconsin hours of service restrictions specified under 49 C.F.R. Part 395 and Wis. Admin. Code chs. Trans 325 and 327. This exemption applies to all highways in Wisconsin, including the national system of interstate and defense highways.
3. Order that no motor carrier operating under the terms of this Executive Order may 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 may be required to return to service.
4. Declare that this Executive Order does not suspend the operation of any state or federal laws except as specifically described above. All other laws shall remain in full force and be enforced. This Executive 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 under Section 341.41 of the Wisconsin Statutes. Motor carriers transporting propane products for hire must have proper authority to operating in the State of Wisconsin, as provided under Section 194.04 of the Wisconsin Statutes, and must meet the insurance requirements under Section 194.41 or 194.42 of the Wisconsin Statutes. Motor carriers must satisfy all ordinarily acceptable federal and state 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 Executive Residence in the Village of Maple Bluff this thirtieth day of October in the year of two thousand nineteen.

  
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TONY EVERS  
Governor

By the Governor:

  
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DOUGLAS LA FOLLETTE  
Secretary of State