



OFFICE OF THE GOVERNOR

EXECUTIVE ORDER # 210

Relating to a Proclamation Declaring a State of Emergency Relating to the Transportation of Emergency Relief Supplies

WHEREAS, I have declared a state of emergency in executive order number 209, and the Governors of Iowa and Minnesota have declared a state of emergency, due to storms and flooding resulting in widespread damage to persons and property; and

WHEREAS, storms and flooding in Iowa, Minnesota, and Southern Wisconsin create a need to transport large amounts of emergency relief supplies (including food, clothing, fuel, building materials, and medical supplies) on Wisconsin highways; and

WHEREAS, allowing the transportation of emergency relief supplies in a safe manner and as described in this order will benefit persons injured by the flooding; and

WHEREAS, there is a critical shortage of emergency relief supplies currently available in Wisconsin; and

WHEREAS, the Federal Motor Carrier Safety Administration has no objection to me exempting drivers of commercial motor vehicles transporting emergency relief supplies 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, section 166.03(1)(b)1 of the Wisconsin Statutes, and 49 C.F.R. sections 390.23 and 390.25, hereby declare the storms and flooding in Southern Wisconsin, Iowa and Minnesota, to be a natural disaster and hereby proclaim the entire State of Wisconsin to be in a state of emergency for a period of 15 days, effective beginning August 20, 2007 and expiring at midnight on September 3, 2007.

PURSUANT TO said state of emergency, by virtue of the authority vested in me by the Constitution and Laws of Wisconsin, section 166.03(1)(b)1 of the 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 providing emergency relief and assistance to persons injured by storms and flooding, and transporting loads of emergency relief supplies (including food, clothing, fuel, building materials, and medical supplies) 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.

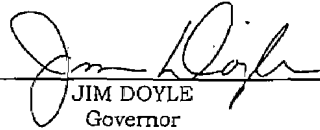
(2) No motor carrier operating under the terms of this emergency declaration shall require or allow an ill or fatigued driver to operate a motor vehicle. A driver who notifies a motor carrier that he or she needs immediate rest shall be given at least 10 consecutive hours off-duty before the driver is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

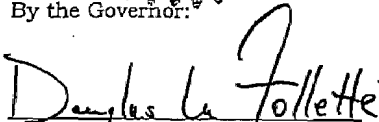
registered by Wisconsin law, registration shall be at not less than the permit weight or at the maximum available registration weight, whichever is less. Vehicles registered in other states and not entitled to reciprocity, or not registered for use in Wisconsin through the International Registration Plan, are not required to obtain an IRP credential for all states as provided in section 341.41, Wis. Stats.; are not required to have a single state registration system credential for all states pursuant to section 341.405, Wis. Stats.; and are not required to have an International Fuel Tax Agreement credential for all states. Vehicles registered in other states and not entitled to reciprocity, or not registered for use in Wisconsin through the International Registration Plan or the International Fuel Tax Agreement, 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 emergency relief supplies 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. Vehicle operators must obtain oversize or overweight permits from the Division of Motor Vehicles under sections 348.26 or 348.27, Wis. Stats., but permit fees will be waived.



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 twentieth day of August, 2007.


JIM DOYLE
Governor

By the Governor:


DOUGLAS LA FOLLETTE
Secretary of State