



— State of —
North Dakota
Office of the Governor

Doug Burgum
Governor

EXECUTIVE ORDER 2017-11.1

WHEREAS, many counties in North Dakota are under a drought declaration of emergency due to extreme drought conditions resulting in D3 and D4 ratings from the U.S. Drought Monitor; and

WHEREAS, these extreme drought conditions have, and will continue to, adversely and significantly impacted the State's agribusiness and livestock production, resulting in inadequate amounts of hay and water supplies necessary to sustain livestock herds; and,

WHEREAS, North Dakota livestock producers have been forced to purchase supplemental hay and water supplies hauled in from non-drought areas or forced to move herds to areas where feed and water supplies are more plentiful; and,

WHEREAS, current and forecasted drought conditions have, and will continue, to contribute to water and feed supply shortages for livestock producers in those counties under a drought declaration of emergency; and

WHEREAS, drivers of commercial trucks have been required to move livestock, hay and water supplies in greater volumes in a shorter amount of time to or from those counties under a drought emergency to enable livestock producers to maintain existing herds and to meet the needs of our State; and

WHEREAS, it is the responsibility of the State to assist the people of North Dakota in responding to and mitigating the effects of weather emergencies, disasters, and other hardships that may face the state and its citizens.

NOW, THEREFORE, Doug Burgum, Governor of North Dakota, by virtue of the authority granted under Article V, Section 1 of the North Dakota Constitution, North Dakota Century Code § 37-17.1 hereby declares that a state of emergency exists in North Dakota that requires relief from North Dakota Century Code § 39-32-02 pertaining to hours of service and North Dakota Century Code Chapter 39-12 pertaining to weight, width and height restrictions and fees for drivers of commercial motor vehicles. Hours of service, weight, width and height restrictions and fees for drivers of commercial vehicles are hereby suspended for the transportation of livestock, hay and water supplies, on interstate and state roadways only, in extreme drought affected counties.

This order is issued based upon the foregoing and following conditions:


1. All road safety and vehicle compliance regulations still apply and will be fully enforced.
2. Due to drought conditions resulting in hay and water supply shortages in those counties experiencing extreme drought conditions, resulting in a D3 or D4 rating from the US Drought Monitor, as well as all adjacent counties, the North Dakota Department of Transportation has authorized the following waiver for the transport of LIVESTOCK, HAY and WATER SUPPLIES only:
 - a. Routes restricted to 75 feet in overall length are temporarily increased to 95 feet in overall length.
 - b. State Routes posted for 80,000 pounds GVW are temporarily increased to 105,500 pounds.
 - c. All axle weights must be legal.
 - d. All North Dakota highway traffic rules, regulations, and laws must be complied with.
 - e. The fees for interstate highways and state roadways for carriers hauling at least 80,000 pounds, not to exceed 105,500 pounds, are temporarily waived. Carriers traveling on the interstate highways must carry this Executive Order and the route clearance information with them in the truck-tractor as this Executive Order is the permit being issued for these movements on the interstate.
 - f. The ND Trip and fuel permit requirements and fees are temporarily waived.
3. The following waiver applies to the transport of HAY only:
 - a. The over-dimensional permit and fees are temporarily waived up to truck-tractor semi-trailer vehicle configurations to be 12 feet in width, and 15 feet in height. Loads must be marked with 18"x18" red or bright orange flags. A 12"x60" Oversize Load sign is required when the overall load exceeds 8'-6" wide and 75 feet long.
 - b. Travel at night is permitted for loads not to exceed 12 feet in width, 15 feet in height and 95 feet in length, provided proper lighting for nighttime travel is in place. Proper lighting means: 1) Clearance lights visible from the front, rear, and side, marking the outermost portion of the vehicle and load which extends beyond 8 feet 6 inches and 2) One rotating or two flashing amber lights mounted above the cab visible at a distance not less than 500 feet. When lights on the cab are not visible to the rear, additional flashing amber lights are required at the rear.
 - c. All insurance, safety and flagging requirements remain in effect
 - d. Routes and clearances are the responsibility of the carrier.
 - e. Check 511 traveler road information for construction information.
 - f. Travel is not permitted if weather reduces visibility to less than 1/2 mile.

4. A copy of this Executive Order must be carried in the vehicle of carriers operating in direct support of the declared emergency under the stated exemptions, acting as the permit allowing movement as stated in this order.

This order extends the August 10, 2017 expiration date of Executive Order 2017-11 to **August 26, 2017**, pursuant to the July 27, 2017 notice extending the hours of service waiver issued by the U.S. Department of Transportation, Federal Motor Carrier Safety Administration.

This order is effective immediately and shall remain in effect until 11:59 p.m. CT on August 26, 2017.

Executed at Bismarck, North Dakota, this 28th day of July, 2017.



Doug Burgum
Governor

ATTEST:



Secretary of State