



— State of —  
**North Dakota**  
*Office of the Governor*

**John Hoeven**  
*Governor*

**Executive Order 2009-06**

**WHEREAS**, I have declared a statewide flood emergency because of excessive fall rains and severe winter and spring storms; and

**WHEREAS**, ice-blocked culverts, rivers, and drainage systems are creating overland flooding and continued precipitation in combination with melting snowpack threatens to adversely impact transportation infrastructure; public and private property, sewage and water systems; and is causing damage; and

**WHEREAS**, potential inundation and/or damage to transportation infrastructure threatens to jeopardize emergency response and isolate rural residents; and

**WHEREAS**, inundation of farm lands, agricultural losses and damage to private and public property will constitute serious economic hardship across the state; and

**WHEREAS**, based upon these factors, actions are necessary to address threats to public health and safety, reduce economic hardships, and continue response, recovery and mitigation efforts by ensuring people and equipment are able to be relocated to help with the flood relief efforts.

**NOW, THEREFORE**, I, John Hoeven, Governor of North Dakota, by virtue of the authority vested in me by Article V, Section 1 of the North Dakota Constitution and North Dakota Century Code § 37-17.1, do hereby declare that a state of emergency exists in North Dakota that requires relief from North Dakota Century Code § 39-32-02 and § 15.1-07-20 pertaining to hours of service for drivers of commercial motor vehicles and school buses while transporting flood relief supplies, materials, or people to flooded areas and qualifications for school bus drivers.

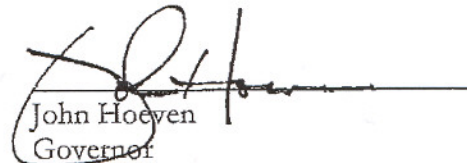
This order is issued on the foregoing bases and on the following conditions:

1. Nothing in this order shall be construed to relieve commercial motor carriers operating under this order from regulations under state law pertaining parts and accessories necessary for the safe operation of vehicles.

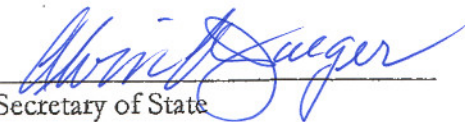
2. Carriers, while under this order, shall not require or allow fatigued drivers to operate a motor vehicle. A driver who informs a carrier that he or she needs immediate rest shall be given at least ten consecutive hours before the driver is required to return to service.

This order shall be effective immediately and remain in effect until 12:01 a.m. CDT April 7, 2009, or for the duration of the emergency, whichever is less.

Executed at Bismarck, North Dakota, this 24<sup>th</sup> day of March 2009.

  
John Hoeven  
Governor

ATTEST:

  
Secretary of State

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Deputy