

Emergency Declaration:

08-05

Effective: **June 30, 2008 at 12:01 (noon) Central Time**
Through
July 23, 2008 at 12:00 (noon) Central Time

In response to the continuing negative impacts of flooding along the Mississippi River in the State of Missouri, the Missouri Department of Transportation has issued the attached Emergency Declaration 08-05 to waive certain state and federal regulations for motor carriers who participate in Missouri emergency relief efforts.

While this declaration is in effect, participating carriers:

* Who transport property in Clark, Lewis, Lincoln, Marion, St. Charles, and St. Louis Counties of Missouri, specifically related to removing, repairing or otherwise offering assistance related to the flooding.

While this declaration is in effect, participating motor carriers shall be subject to the following requirements:

While this declaration is in effect, participating carriers:

1. Under authority of over-dimension / overweight permits:
 - MUST obtain permits
 - Receive priority service
 - Must supply the information listed in the declaration
 - May operate during low visibility and during normal night, holiday and curfew hours with clearance lights; and
2. Are not required to abide by Hours-of-Service laws; and
3. Shall benefit from the waiver while under load and when returning either empty or with loads directly related to the emergency; and
4. **Must carry a copy of this declaration in the vehicle while operating in response to relief efforts.**

NONE of the provisions in Emergency Declaration 08-05 shall apply to carriers who are not directly involved in emergency relief efforts.

Carriers must read and understand Emergency Declaration 08-05. In the event this note contradicts any information in Emergency Declaration 08-05, the Declaration shall control.

EMERGENCY DECLARATION
08-05

WHEREAS, flooding has caused major property damage, and emergency conditions along the Mississippi River in Clark, Lewis, Lincoln, Marion, St. Charles, and St. Louis counties of Missouri, resulting in the need of supplies and resources to be transported to and from those areas.

WHEREAS, Matt Blunt, Governor of the State of Missouri, issued Executive Order 07-01 on January 2, 2007, and extended this order on December 29, 2007 with Executive Order 07-38, which authorizes the Director of the Missouri Department of Transportation (hereinafter, MoDOT), or the Director's designee, to issue Emergency Declarations for the limited purpose of temporarily suspending certain usual and necessary federal and state laws, regulations and administrative rules for commercial motor vehicles and drivers while they are transporting property and passengers to assist in the emergency relief efforts during the emergency; and

WHEREAS, Pete K. Rahn, MoDOT Director, issued a Memorandum on January 4, 2008, delegating the authority to Jan Skouby, MoDOT Motor Carrier Services Director, to issue such Emergency Declarations for the limited purpose of suspending certain federal and state laws, regulations and administrative rules for commercial motor vehicle and drivers while they are transporting property and passengers to assist in the emergency relief efforts during the emergency; and

NOW THEREFORE, I, JAN SKOUBY, MOTOR CARRIER SERVICES DIRECTOR FOR MODOT, by virtue of the authority delegated to me by Director Rahn under Executive Order 07-01 and Executive Order 07-38, hereby declare that I acknowledge the existence of a state of emergency in the above-mentioned counties in the State of Missouri, as a result of the severe weather conditions described above; and

WHEREAS, the safety and welfare of the citizens of the aforementioned Missouri counties require that operators of commercial motor vehicles upon the public highways within Missouri who are rendering assistance to the emergency efforts within the affected counties should be allowed more rapid and efficient travel to meet this emergency need for transportation of passengers and property; and

WHEREAS, this requirement for more rapid and efficient transportation would be facilitated by the temporary suspension of the driver's hours of service regulations, while drivers are transporting property in the aforementioned Missouri counties impacted by this Emergency Declaration;

WHEREAS, authorized personnel of the Missouri Department of Transportation, and Missouri State Highway Patrol officers and employees within the Missouri Department of Public Safety, who generally are authorized to enforce the provisions of Part 395 of Title 49, Code of Federal Regulations, as provided by the Revised Statutes of Missouri, shall recognize this temporary suspension of the driver's hours of service regulations during the duration of these emergency conditions, both while providing assistance to the emergency relief efforts during the emergency, and while returning empty to the motor carrier's terminal or driver's normal work reporting location; and

FURTHER, I direct the issuance of over-dimension and overweight permits for commercial motor carriers engaged in interstate and intrastate transportation within the State of Missouri in support of disaster relief efforts in the affected Missouri counties identified in this Emergency Declaration, subject to the following application requirements in obtaining such a permit:

The permittee will be required to supply:

Year, Make, License plate number and Serial Number of the power unit and trailer;
Size, Make and Serial Number (last four digits) of the commodity being hauled;
Origin, Destination and Consecutive Routing;
Overall Width, Height, and Length of trailer and load only;
Date of Movement;
Axle weights and axle spacings.

The permit process can be expedited by calling one of the following numbers:

800-877-8499;
573-751-7410
573-522-5314; or
573-291-4853 (after hours cell phone)

The permit shall allow continuous movement, including nighttime and moves during curfew hours and holiday restriction periods. Clearance lights in lieu of flags and reflectorized oversize load signs mounted on the front and rear of the vehicle and load are required for nighttime movement or when visibility is less than 500'. One (1) escort shall be required to the rear of the vehicle and load on interstates and other divided highways and such escort shall be required for the front of the vehicle and load on all other highways when the load width exceeds 12'4".

However, this Emergency Declaration shall not suspend the applicability of the standard Overdimension/overweight permit fee requirements; and

FURTHER, I direct that this Emergency Declaration shall become effective at 12:00 p.m. (noon) on Monday, June 30, 2008, and shall continue in effect until 12:00 a.m. (midnight) on Tuesday, July 23, 2008, unless extended in whole or in part by a subsequent emergency declaration. Executed this 30th day of June 2008.



Jan Skouby, Director
Motor Carrier Services Division
Missouri Department of Transportation
Jefferson City, Missouri