STATE OF WYOMING
EXECUTIVE DEPARTMENT
EXECUTIVE ORDER

Order 2020-3

EMERGENCY EXEMPTION FROM PERMISSIBLE OPERATING TIME REGULATIONS AND WAIVER OF ALLOWABLE SIZE AND WEIGHT PERMIT FEES

WHEREAS, the people of the State of Wyoming are faced with a state of emergency due to the global outbreak of a novel coronavirus named COVID-19; and

WHEREAS, I, Mark Gordon, Governor of the State of Wyoming, declared a State of Emergency and Public Health Emergency in the State of Wyoming on March 13, 2020 (Executive Order 2020-2); and

WHEREAS, these emergency exemptions are necessary in order to provide preparedness and response to areas affected by COVID-19; and

WHEREAS, regulatory impediments to the expeditious delivery of supplies to people throughout Wyoming threaten to endanger the health and welfare of the people; and

WHEREAS, those motor vehicles and motor carriers which are engaged in the business of transporting essential emergency relief supplies to areas affected by COVID-19 and consistent with emergency management strategies to provide aid, comfort, and security to the region, shall be granted relief from regulations as authorized in 49 CFR § 390.23. Further, those motor vehicles and motor carriers shall be granted relief from 49 CFR § 395, Hours of Service of Drivers, subject to the limitations below and in accordance with the declaration; and

WHEREAS, the State of Wyoming has the ability, through an executive order, to make emergency changes in regulations so that the prompt delivery of essential emergency relief supplies to areas affected by COVID-19 throughout the state is not impeded by restrictions to the hours that can be worked by qualified drivers; and

WHEREAS, in the interest of public safety, the Wyoming Legislature, in Wyo. Stat. Ann. § 31-18-303(a), has mandated that the Wyoming Department of Transportation adopt rules and regulations prescribing the permissible operating times and other requirements of motor carrier drivers, and the Department has complied with this mandate by adopting its own rules of motor carriers, chapter 1, § 9, which requires compliance with various federal regulations, including 49 CFR §§ 390 and 395 of the United States Department of Transportation Motor Carrier Safety Regulations; and

WHEREAS, 49 CFR § 390.23 permits a state official authorized to declare an emergency, such as the Governor of the State of Wyoming, in the event of such declaration, to exempt motor carrier drivers

200 WEST 24TH STREET
CHEYENNE, WY 82002-0010

MARK GORDON
GOVERNOR OF WYOMING

307.777.7434 • GOVERNOR@WYO.GOV
HTTP://GOVERNOR.WYO.GOV

from certain regulations, including operating time requirements.

NOW, THEREFORE, pursuant to the authority vested in me by the Constitution and by the laws of the State of Wyoming, I, Mark Gordon, do hereby order, declare, and direct:

1. A state of emergency was declared in Wyoming on March 13, 2020 (Executive Order 2020-02). The emergency requires that the transportation and delivery of essential emergency relief supplies to areas affected by COVID-19 into and within the State of Wyoming shall be exempt from 49 CFR § 395.

2. Additional relief will also be provided in the form of a waiver of allowable Size and Weight permit fees. A permit shall be issued and safety measures will be followed, but the associated fees will be waived for motor carriers as authorized by the Wyoming Department of Transportation Director. This relief will be provided to the operators providing direct support to the Emergency Efforts for both non-divisible and divisible loads, as long as maximum allowable weights are not exceeded for axles, bridges, and gross weights. This relief also applies to deliveries of water, food, heating oil, motor fuels, propane, agricultural products, agricultural supplies, livestock and poultry, livestock and poultry feed, forest products, removal of waste or for providing restoration of utilities.

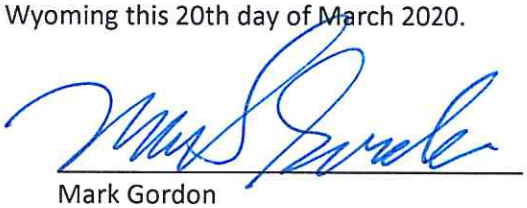
3. Nothing contained in this Order shall be construed as an exemption from the controlled substances, alcohol use, and testing requirements (49 CFR § 382), the commercial driver's license requirements (49 CFR § 383), the financial responsibility requirements (49 CFR § 387), applicable size and weight requirements, or any other portion of the regulations not specifically identified in this Order.

4. Transportation or delivery companies, while under this Order, shall not require or allow any fatigued driver to operate a commercial vehicle. A driver who informs a carrier that he/she needs immediate rest shall be given adequate rest before the driver is required to return to service.

Be it further ordered, this Executive Order shall expire upon the conclusion of the emergency, but no later than midnight, April 12, 2020.

This Executive Order is effective March 20, 2020.

Given under my hand and the Executive Seal of the State of Wyoming this 20th day of March 2020.



Mark Gordon
Governor