



STATE *of* NEBRASKA
OFFICE OF THE GOVERNOR
LINCOLN

**EXECUTIVE ORDER
No. 06-01**

EASING DIESEL FUEL SUPPLY SHORTAGES

WHEREAS, shortages of diesel fuel supplies in Nebraska are more widespread than usual during this period of the year; and

WHEREAS, these shortages appear to be temporary in nature but caused by a combination of peak demand due to severe drought conditions resulting in heavy agricultural crop irrigation coupled with refinery production problems being experienced with the conversion to ultra-low sulfur diesel fuel; and

WHEREAS, diesel fuel haulers are experiencing much longer time waiting in supply lines at all available terminals and the extra time is creating hardship for diesel fuel suppliers and distributors to obtain and deliver fuel supplies to retail outlets;

NOW THEREFORE, pursuant to the authority vested in me as Governor by the Constitution and the laws of the State of Nebraska, in order to minimize the potential for diesel supply disruptions caused by these unique circumstances, I hereby declare an emergency and direct and order as follows:

1. Effective immediately, the enforcement of Nebraska Revised Statute § 75-363 (1)(g), commonly known as the "hours of service" rules (Part 395) shall be waived SOLELY for any commercial vehicle hauling diesel fuel WITHIN the State of Nebraska for a period of 30 days from the effective date of this Executive Order. All remaining state and federal regulations pertaining to motor carrier safety and commercial driver license requirements are not waived by this Executive Order.; and

2. Nothing in this order shall waive any federal "hours of service" requirements for any drivers outside of the State of Nebraska.

3. This Executive Order shall expire at 12:01 a.m. on August 20, 2006.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Nebraska to be affixed this 21st day of July, in the year of our Lord Two Thousand and Six.



Dave Heineman

Dave Heineman, Governor
State of Nebraska

Attest:

John A. Gale

John A. Gale, Secretary of State
State of Nebraska