

**STATE OF MONTANA  
OFFICE OF THE GOVERNOR  
EXECUTIVE ORDER NO. 6-2017**

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**EXECUTIVE ORDER DECLARING A DROUGHT DISASTER TO EXIST WITHIN  
CERTAIN COUNTIES AND INDIAN RESERVATIONS IN THE STATE OF MONTANA**

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**WHEREAS**, since on or about April 1, 2017, a widespread drought in eastern and central Montana has caused significant and widespread injury to agricultural crops, including livestock forage, imposing economic hardships on Montana's farmers and ranchers;

**WHEREAS**, on June 23, 2017, I issued Executive Order 5-2017, declaring a Drought Emergency to exist within the State of Montana and ordering the Directors of the Montana Departments of Agriculture, Livestock, and Natural Resources and Conservation to fully assist any agent of the United States Department of Agriculture engaged in any activity that would provide for timely economic assistance to affected producers;

**WHEREAS**, Executive Order 5-2017 compelled the Directors of all other Departments of the State of Montana to fully cooperate with these efforts, and ordered the Montana Department of Transportation to temporarily suspend certain "hours of service" regulations and other rules that would otherwise impede the ability to transport livestock, forage, water, and agricultural implements;

**WHEREAS**, Executive Order 5-2017 directed the Governor's Drought and Water Supply Committee to continue to assess drought conditions and impacts in cooperation with the United States Departments of Agriculture and Commerce;

**WHEREAS**, subsequent to the issuance of Executive Order 5-2017, the loss of moisture in soils and vegetation have continued due to the absence of significant precipitation, sustained high temperatures, and desiccating winds, causing a severe worsening and expansion of drought conditions;

**WHEREAS**, fourteen Montana counties, Fort Peck, and Fort Belknap Indian Reservation, are now classified as suffering from extreme drought as reported without dissent from the Governor's Drought and Water Supply Committee; with all or portions of an additional fourteen counties and the Northern Cheyenne, Crow, and Rocky Boy Indian reservations now classified as in severe drought status;

**WHEREAS**, pursuant to Mont. Code. Ann. §§ 10-3-104 and 10-3-303, the Governor has authority to declare a disaster when there is an occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property requiring emergency action to avert danger or damage including drought, and may suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business or orders or rules of any state agency if the strict

compliance with the provisions of any statute, order, or rule would in any way prevent, hinder, or delay necessary action in coping with the emergency or disaster;

**WHEREAS**, the availability and use of all necessary state government services, equipment, and supplies under this declaration will further the ability to protect natural and agricultural resources and economic interests of the people of the State of Montana; and

**WHEREAS**, relieving “hours of service” requirements for commercial motor carrier vehicles in Montana, provided for in Mont. Code Ann. §§ 61-10-154 and A.R.M. § 18.8.1502, will assist Montanans by reducing restrictions on the transport of livestock, forage, water, and agricultural implements.

**NOW, THEREFORE, I, STEVE BULLOCK**, Governor of the State of Montana, pursuant to the authority vested in me under the Constitution and the laws of the State of Montana, Title 10, Chapter 3, Mont. Code Ann., and under other applicable statutes, do hereby declare a drought disaster as defined in Mont. Code Ann. §§ 10-3-103 and 10-3-303, to exist within Blaine, Big Horn, Carter, Chouteau, Custer, Daniels, Dawson, Fallon, Fergus, Garfield, Golden Valley, Hill, Judith Basin, McCone, Musselshell, Petroleum, Phillips, Powder River, Prairie, Richland, Roosevelt, Rosebud, Sheridan, Treasure, Valley, Yellowstone, Wheatland, and Wibaux Counties and the Fort Peck Indian Reservation, Fort Belknap Indian Reservation, Rocky Boy Indian Reservation, Crow Indian Reservation, and Northern Cheyenne Indian Reservation and order as follows:

- 1) The Directors of the Montana Departments of Agriculture, Livestock, and Natural Resources and Conservation shall compel maximum employee assistance and cooperation with any agent of the United States Departments of Agriculture and Commerce engaged in collecting information related to drought impacts to include soil conditions, loss of crops and forage, loss of income, and impacts to livestock producers, for the purpose of securing timely economic assistance;
- 2) The Director of the Montana Department of Transportation shall continue to temporarily suspend “hours of service” regulations, as provided in A.R.M. 18.8.1502 (incorporating by reference 49 C.F.R. part 395), as they apply to drivers of commercial vehicles while transporting livestock, forage, water, and agricultural implements.

The Director of the Montana Department of Transportation shall allow baled livestock feed with a destination within the thirty-three drought-affected counties or Indian Reservations listed in this Order to be transported during daylight hours and at night two hours before sunrise and two hours after sunset, in vehicles up to 12 feet in width and 15 feet in height and that exceed the statutory limits of weight by 20 percent, provided that the manufacturer’s rated capacity for the vehicle, axle or tires is not exceeded, on all highways in the state except those that are part of the Federal aid interstate system.

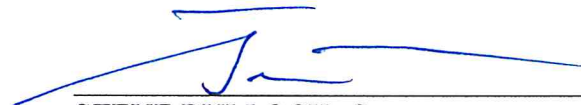
Commercial vehicle carriers, while under this Order, may not require or allow fatigued drivers to operate a motor vehicle;

- 3) The Directors of other Departments of the State of Montana shall fully cooperate with these efforts; and
- 4) The Governor's Drought and Water Supply Committee shall continue to assess drought conditions and impacts and make recommendations regarding further actions that would protect the welfare of the citizens of the State of Montana.

This Order is effective immediately.

GIVEN under my hand and the GREAT SEAL of the State of Montana this 19<sup>th</sup> day of July, 2017.



  
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STEVE BULLOCK, Governor

ATTEST:

  
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COREY STAPLETON, Secretary of State