



**OFFICE OF THE GOVERNOR**

**EXECUTIVE ORDER #223**

**Relating to the Declaration of an Energy Emergency**

**WHEREAS**, the health, welfare, and economic well-being of the citizens of Wisconsin depend on petroleum products, including gasoline and diesel fuel; and

**WHEREAS**, the one hundred and ten mile segment of the West Shore Pipeline which transports a significant amount of refined petroleum products to supply terminals in the Green Bay area has been shut down since March 2016; and

**WHEREAS**, the pipeline shutdown has resulted in fuel constraints in the Green Bay area and the extended harvest season and impending winter heating season will increase the demand for diesel in the region which may trigger shortages of petroleum products; and

**WHEREAS**, the extended wait times at Milwaukee, Madison, and Junction City terminals and trucking of petroleum products over long distances are making it difficult for petroleum product transporters to meet demand and have resulted in more trucks on the road; and

**WHEREAS**, in light of the foregoing, the shutdown of the pipeline leading to the shortage of petroleum products in the Green Bay area poses the risk of temporary shortages and shipment delays that may potentially impact the health, safety, and economic well-being of the citizens of this state; and

**WHEREAS**, to provide safe and appropriate measures for the transportation of petroleum products within this state in response to an imminent energy emergency, and to assure that gasoline and other motor fuel supplies will remain sufficient to protect the health, safety, and welfare of the citizens of Wisconsin; and

**WHEREAS**, The Wisconsin Department of Transportation has consulted with the Wisconsin Department of Administration and the Office of Energy Innovation in the Wisconsin Public Service Commission, and concludes that the above conditions warrant that the divisible load limitations in section 348.25(4) of the Wisconsin Statutes be waived for commercial motor vehicles transporting petroleum products;

**NOW THEREFORE, I, SCOTT WALKER**, Governor of the State of Wisconsin, by the authority vested in me by the Constitution and laws of this State, including sections 323.10 and 340.01(15s) of the Wisconsin Statutes, do hereby declare the present shutdown of the pipeline and potential shortage of petroleum products to be an energy emergency, and I further declare that a state of emergency shall exist for the entire State of Wisconsin, effective immediately today, Friday, November 4, 2016, for as long as drivers transporting petroleum products are providing assistance for the emergency, or for a duration of sixty days, whichever is shorter. Pursuant to this state of emergency, and by the authority vested in me by section 323.12(1)(c) of the Wisconsin Statutes, I hereby order that:

1. Carriers and drivers of commercial motor vehicles while in the process of obtaining and transporting petroleum products are exempted pursuant to section 348.17(3) of the Wisconsin Statutes, from the divisible load limitations of section 348.25(4) of the Wisconsin Statutes. This exemption authorizes only weights not more than 10%

greater than the gross axle weight and axle combination weight limitations, and not more than 15% greater than the gross vehicle weight limitations under sections 348.15 and 348.16 of the Wisconsin Statutes.

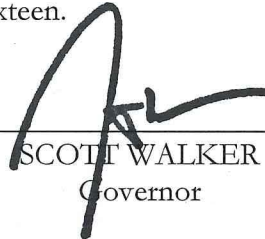
2. The waiver described in par. 1 above does not apply to commercial motor vehicles operating on highways designated as parts of the national system of interstate and defense highways, except for the I 39 and I 41 Interstate corridors.
3. The waiver described in par. 1 above lasts for thirty days but may be extended for an additional thirty day period if the Wisconsin Department of Transportation determines the conditions described above warrant an additional thirty days.
4. This order does not suspend the operation of any state or federal laws within the State of Wisconsin except as specifically described in the order. All other laws remain in full force and will be enforced.



By the Governor:

  
DOUGLAS LA FOLLETTE  
Secretary of State

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol in the City of Madison this fourth day of November in the year two thousand sixteen.

  
SCOTT WALKER  
Governor