The State of Maryland

Executive Department

ORDER
OF THE
GOVERNOR OF THE STATE OF MARYLAND

NUMBER 20-03-19-02

EXPANDING ALCOHOL BEVERAGE DELIVERY AND CARRYOUT SERVICES

WHEREAS, A state of emergency and catastrophic health emergency was proclaimed on March 5, 2020, and renewed on March 16, 2020, to control and prevent the spread of COVID-19 within the state, and the state of emergency and catastrophic health emergency still exists;

WHEREAS, COVID-19, a respiratory disease that spreads easily from person to person and may result in serious illness or death, is a public health catastrophe and has been confirmed in several Maryland counties;

WHEREAS, An emergency order was issued on March 16, 2020, prohibiting large gatherings and events and closing bars and restaurants in order to promote social distancing and reduce the threat to human health caused by the transmission of the novel coronavirus in Maryland, and to protect and save lives;

WHEREAS, To treat, prevent, or reduce the spread of COVID-19 caused by the transmission of the novel coronavirus, it may become medically necessary and reasonable to require individuals to remain in isolation or quarantine at their homes or to remain indoors;

WHEREAS, The sale of food or beverages for on-premises consumption is now generally prohibited in Maryland;

WHEREAS, Licenses held by alcohol manufacturing businesses may limit or not permit them to sell and deliver their products directly to consumers for off-premises consumption;

WHEREAS, Alcohol consumption is often a component of social, community, spiritual, religious, recreational, leisure, and sporting gatherings and events;

WHEREAS, Delivering alcohol to customers' homes, and requiring alcohol to be taken from the premises where sold, encourages consumption in individuals' homes or in other small, less public settings, furthering the goal of social distancing and promoting compliance with isolation or quarantine protocols; and

WHEREAS, To protect the public health, welfare, and safety, it is necessary to suspend the effect of certain statutes, rules, or regulations of agencies of the State or political subdivisions relating to alcohol delivery and sales;

NOW, THEREFORE, I, LAWRENCE J. HOGAN, JR., GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, INCLUDING BUT NOT LIMITED TO TITLE 14 OF THE PUBLIC SAFETY ARTICLE, AND IN AN EFFORT TO CONTROL AND PREVENT THE SPREAD OF COVID-19 WITHIN THE STATE, DO HEREBY ORDER:

I. Restaurants, bars, breweries, wineries, distilleries, and other entities holding a State or local license to manufacture or sell alcoholic beverages ("Alcoholic Beverage Retailers") may deliver off-premises, or sell if promptly taken from the premises before consumption, alcoholic beverages in sealed containers to purchasers, subject to:

   a. any social-distancing recommendations of the Maryland Department of Health;

   b. all other applicable legal requirements, including in regards to sales limitations, recordkeeping, and verification of the age of recipients;

   c. with respect to Alcoholic Beverage Retailers holding a State license, any conditions imposed on such activities by the Comptroller of Maryland; and

   d. with respect to Alcoholic Beverage Retailers holding a local license, any conditions imposed on such activities by the local licensing board (as defined in Section 1-101 of the Alcoholic Beverages Article of the Maryland Code).

II. This Order remains effective until after termination of the state of emergency and the proclamation of the catastrophic health emergency has been rescinded, or until rescinded, superseded, amended, or revised by additional orders.

III. The effect of any statute, rule, or regulation of an agency of the State or a political subdivision inconsistent with this Order is hereby suspended.

ISSUED UNDER MY HAND THIS 19TH DAY OF MARCH, 2020, AND EFFECTIVELY IMMEDIATELY.

Lawrence J. Hogan, Jr.
Governor