The State of Maryland

Executive Department

ORDER

OF THE

GOVERNOR OF THE STATE OF MARYLAND

NUMBER 20-04-15-01

REQUIRING USE OF FACE COVERINGS UNDER CERTAIN CIRCUMSTANCES AND REQUIRING IMPLEMENTATION OF CERTAIN PHYSICAL DISTANCING MEASURES

WHEREAS, A state of emergency and catastrophic health emergency was proclaimed on March 5, 2020, renewed on March 17, 2020, and renewed again on April 10, 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 throughout Maryland;

WHEREAS, To reduce the spread of COVID-19, the U.S. Centers for Disease Control and Prevention and the Maryland Department of Health recommend canceling large gatherings and physical distancing in smaller gatherings;

WHEREAS, The currently known and available scientific evidence and best practices support limitations on large gatherings and physical distancing to prevent exposures and transmissions, and reduce the threat to especially vulnerable populations, including older individuals and those with chronic health conditions;

WHEREAS, To reduce the threat to human health caused by transmission of the novel coronavirus in Maryland, and to protect and save lives, it is necessary and reasonable that individuals in the state refrain from congregating;

WHEREAS, To protect the public health, welfare, and safety, prevent the transmission of the novel coronavirus, control the spread of COVID-19, and save lives, it is necessary to control and direct the movement of individuals in Maryland, including those on the public streets; and

WHEREAS, It is further necessary to control and direct in Maryland the occupancy and use of buildings and premises, as well as places of amusement and assembly;

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. Definitions.

a. "Face Covering" means a covering that fully covers a person's nose and mouth, but is not a Medical-Grade Mask. The term "Face Covering" includes, without limitation, scarves and bandanas.

b. "Foodservice Establishments" means establishments in the State of Maryland that sell food on a delivery, carry-out, or drive-through basis.

c. "Medical-Grade Mask" means an N95, KN95, surgical, or other mask that would be appropriate for a health care setting.

d. "Public Transportation" means shared-ride surface transportation services that are open to the general public, including without limitation, taxi services, ride-sharing services, car services, and transit services provided by any other unit of the State or any political subdivision. Examples of Public Transportation include, but are not limited to:

i. MTA bus service;

ii. MARC train service;

iii. Light Rail trains service;

iv. MTA Metro subway service; and

v. Mobility and paratransit service.

e. "Retail Establishments" means retail businesses, organizations, establishments, and facilities in the State of Maryland, including without limitation:

i. Grocery stores, convenience stores, farmer's markets, and any other establishment engaged in the retail sale of non-prepared food;

ii. Pharmacies and other stores that sell medication or medical supplies;

iii. Stores that sell supplies for household consumption or use, and/or products needed to maintain safety, sanitation, and essential maintenance of the home or residence;

iv. Alcoholic beverage stores; and

v. Laundromats.

II. Use of Face Coverings.

a. Effective as of 7:00 a.m. on April 18, 2020:

i. all riders and operators on any Public Transportation are required to wear Face Coverings (excluding any operator in a separate compartment that is off-limits to riders);

ii. all customers over the age of nine are required to wear Face Coverings while inside the enclosed area of any Retail Establishment or Foodservice Establishment;

iii. adult customers accompanying children age two through nine shall use reasonable efforts to cause those children to wear Face Coverings while inside the enclosed area of any Retail Establishment or Foodservice Establishment;

iv. all Retail Establishments shall require staff to wear, and those staff shall wear, Face Coverings while working in areas open to the general public and areas in which interactions with other staff are likely; and

v. all Foodservice Establishments shall require staff who interact with customers (including, without limitation, delivery personnel) to wear, and those staff shall wear, Face Coverings while working.

b. Single-use Face Coverings shall be properly discarded in trash receptacles. It is recommended that all reusable Face Coverings be cleaned frequently (at least once per day).

c. Wearing a Medical-Grade Mask satisfies any requirement in paragraph II.a to wear a Face Covering, but all Marylanders are urged to reserve Medical-Grade Masks for use by health care workers and first responders.

III. Physical Distancing Measures for Retail Establishments.

a. All Retail Establishments shall, in good faith and to the extent possible:

i. Where any queue is expected to form, designated with signage, tape, or by other means at least six-foot spacing for persons in line;

ii. Sanitize, or provide customers with a means to sanitize, handles of carts and baskets that are available to customers;

iii. Provide staff and customers with clean restrooms stocked with soap or sanitizer, and allow staff to wash their hands at least once every 30 minutes; and

iv. Post signage at each entrance advising customers about the requirement to wear Face Coverings described in paragraph II.a.

b. The Secretary of Health of the State of Maryland (the "Secretary") is authorized to issue directives under this Order, as the Secretary deems necessary, to prevent, reduce the spread of, and suppress COVID-19 in and around Retail Establishments and/or Foodservice Establishments, which may include, without limitation, additional requirements for physical distancing, cleaning, and disinfection at Retail Establishments and/or Foodservice Establishments.

IV. General Provisions.

a. Each law enforcement officer of the State or a political subdivision shall execute and enforce this Order.

b. A person who knowingly and willfully violates this Order is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding one year or a fine not exceeding $5,000 or both.

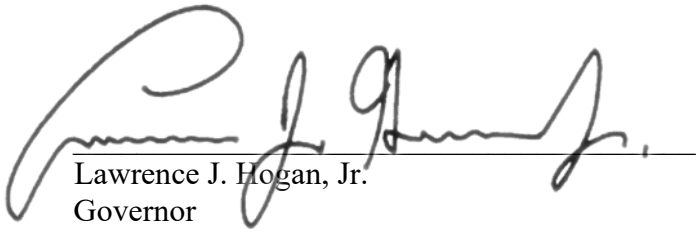
c. This Order remains effective until after termination of the state of emergency and the proclamation of the catastrophic health emergency has been rescinded, or until rescinded, superseded, amended, or revised by additional orders.

d. 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.

e. The underlined paragraph headings in this Order are for convenience of reference only and shall not affect the interpretation of this Order.

f. If any provision of this Order or its application to any person, entity, or circumstance is held invalid by any court of competent jurisdiction, all other provisions or applications of the Order shall remain in effect to the extent possible without the invalid provision or application. To achieve this purpose, the provisions of this Order are severable.

ISSUED UNDER MY HAND THIS 15TH DAY OF APRIL, 2020, AND EFFECTIVE IMMEDIATELY.



Lawrence J. Hogan, Jr.
Governor