DECLARATION OF EMERGENCY DIRECTIVE 030

WHEREAS, in late 2019, the United States Centers for Disease Control and Prevention began monitoring an outbreak of respiratory illness caused by a novel coronavirus first identified in Wuhan, Hubei Province, China; and

WHEREAS, on February 11, 2020, the International Committee on Taxonomy of Viruses named this novel coronavirus "severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2)"; and

WHEREAS, on February 11, 2020, the World Health Organization named the disease caused by SARS-CoV-2, "COVID-19"; and

WHEREAS, the World Health Organization advises that the novel coronavirus that causes COVID-19 virus is highly contagious, and spreads through respiratory transmission, and direct and indirect contact with infected persons and surfaces; and

WHEREAS, the World Health Organization advises that respiratory transmission occurs through both droplet and airborne transmission, where droplet transmission occurs when a person is within 6 feet of someone who has respiratory symptoms like coughing or sneezing, and airborne transmission may occur when aerosolized particles remain suspended in the air and is inhaled; and

WHEREAS, the World Health Organization advises that contact transmission occurs by direct contact with infected people or indirect contact with surfaces contaminated by the novel coronavirus; and

WHEREAS, some persons with COVID-19 may exhibit no symptoms but remain highly infectious; and

WHEREAS, on March 5, 2020, Clark County and Washoe County both reported the first known cases of COVID-19 in the State of Nevada; and

WHEREAS, on March 11, 2020, the World Health Organization declared COVID-19 a pandemic; and

WHEREAS, on March 12, 2020, I, Steve Sisolak, Governor of the State of Nevada issued a Declaration of Emergency to facilitate the State's response to the COVID-19 pandemic; and

WHEREAS, on March 13, 2020, Donald J. Trump, President of the United States declared a nationwide emergency pursuant to Sec. 501 (b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121-5207 (the "Stafford Act"); and

WHEREAS, on March 14, 2020, I formed a medical advisory team to provide medical guidance and scientifically based recommendations on measures Nevada could implement to better contain and mitigate the spread of COVID-19; and

WHEREAS, infectious disease and public health experts advised that minimizing interpersonal contact slows the rate at which the disease spreads, and is necessary to avoid overwhelming healthcare systems, commonly referred to as "flattening the curve"; and

WHEREAS, since the March 12, 2020 Declaration of Emergency, I have issued 29 Directives pursuant to that order to provide for the safety, wellbeing, and public health of Nevadans and the administration of the State of Nevada; and

WHEREAS, these Directives were promulgated to reduce interpersonal contact and promote social distancing to flatten the curve; and

WHEREAS, the danger to Nevadans from COVID-19 has not been eliminated and measures that protect safety, wellbeing, and public health of Nevadans must remain in effect; and

WHEREAS, on April 21, 2020, the National Governors Association issued guidance for a staged reopening that protects the public's health while laying a strong foundation for long-term economic recovery; and

WHEREAS, on April 30, 2020, I introduced the *Nevada United· Roadmap to Recovery* plan that outlined a phased approach to reopening Nevada businesses and industry; and

WHEREAS, the *Nevada United: Roadmap to Recovery* plan set forth a collaborative partnership between state and local governments that included the formation of the Local Empowerment Advisory Panel ("LEAP") to serve as a resource to local governments and local communities; and

WHEREAS, on May 9, 2020, the State of Nevada entered Phase One of the *Nevada United· Roadmap to Recovery* plan; and

WHEREAS, on May 29, 2020, the State of Nevada entered Phase Two of the *Nevada United: Roadmap to Recovery* plan; and

WHEREAS, as of August 12, 2020, Nevada has recorded 58,048 cases of COVID-19; and

WHEREAS, as of August 12, 2020, Nevada has completed 717,306 molecular tests for COVID-19 since the first recognized instance of the disease in the State. Still, the cumulative test positivity rate is 10.5% and the August 12th daily positivity rate is 12.7% demonstrating that the disease acuity in the State remains too high now months into the pandemic; and

WHEREAS, COVID-19 disease management practices have evolved since the issuance of the *Nevada United: Roadmap to Recovery* plan, with most experts now recognizing that disease management is a process, requiring flexibility and targeting based upon strong data collection, robust and quickly available testing results, and vigilant and timely contact tracing; and

WHEREAS, just as medical experts recognize the importance of evolving their disease acuity metrics and of treating COVID-19 not as a fixed-time threat to be eradicated over a period of weeks or even months, but rather as a longer-term and ever-changing challenge requiring fundamental modifications to the way individuals interact with each other, at a micro-level, and to the manner according to which individuals interact within communities, states, and even between individuals and groups across different states, at a macro-level, and that successful disease management plans will similarly adapt; and

WHEREAS, Nevada's citizens, businesses and governmental subdivisions will be better served with a more consistent and predictable path for dealing with and responding to COVID-19 for the upcoming months until there exists a cure or vaccine for the COVID-19 disease; and

WHEREAS, NRS 414.060 outlines powers and duties delegated to the Governor during the existence of a state of emergency, including without limitation, directing and controlling the conduct of the general public and the movement and cessation of movement of pedestrians and vehicular traffic during, before and after exercises or an emergency or disaster, public meetings or gatherings; and

WHEREAS, NRS 414.070 outlines additional powers delegated to the Governor during the existence of a state of emergency, including without limitation, enforcing all laws and regulations relating to emergency management and assuming direct operational control of any or all forces, including, without limitation, volunteers and auxiliary staff for emergency management in the State; providing for and compelling the evacuation of all or part of the population from any stricken or threatened area or areas within the State and to take such steps as ate necessary for the receipt and care of those persons; and performing and exercising such other functions, powers and duties as are necessary to promote and secure the safety and protection of the civilian population; and

WHEREAS, the Nevada Attorney General opined in Opinion Number 95-03 that in times of emergency when the Governor's authority under Nevada Revised Statutes Chapter 414 is in effect, the powers of political subdivisions to control business activity is limited; and

WHEREAS, NRS 414.060(3)(f) provides that the administrative authority vested to the Governor in times of emergency may be delegated; and

WHEREAS, Article 5, Section 1 of the Nevada Constitution provides: "The supreme executive power of this State, shall be vested in a Chief Magistrate who shall be Governor of the State of Nevada"; and

NOW, THEREFORE, by the authority vested in me as Governor by the Constitution and the laws of the State of Nevada and the United States, and pursuant to the March 12, 2020, Emergency Declaration,

IT IS HEREBY ORDERED THAT:

SECTION 1:	To the extent this Directive expressly conflicts with earlier Directives or regulations promulgated pursuant to the March 12, 2020 Declaration of Emergency, the provisions of this Directive shall prevail.
SECTION 2:	Consistent with the Nevada United: Roadmap to Recovery plan for a federally supported, state managed, and locally executed reopening approach, county governments and local municipalities are hereby delegated the authority to impose additional COVID-19 related restrictions on businesses and public activities. Restrictions imposed by county government or local municipalities may exceed the standards imposed by Declaration of Emergency Directives or set forth under the LEAP guidelines, but in no case shall any local government restrictions or guidelines be mote permissive than the provisions authorized by this Directive.
SECTION 3:	Businesses may adopt practices that exceed the standards imposed by Declaration of Emergency Directives, guidelines promulgated by the Nevada State Occupational Safety and Health Administration (NV OSHA), or LEAP guidelines, but in no case shall business practices be more permissive than the provisions authorized by this Directive or those imposed by NV OSHA and the LEAP.
SECTION 4:	The COVID-19 management plan titled, *Road to Recovery: Moving to a New Normal* (the "New Normal Plan") is hereby adopted as a supplement to the earlier phase-focused *Nevada United: Roadmap to Recovery* disease management plan, together with all of the New Normal Plan's provisions, including, but not limited to, Critical Statewide Mettles, County Criteria for measuring COVID-19 acuity (including the Elevated Disease Transmission formulae), and the categories of disease acuity outlined in the numerical Risk Level.
SECTION 5:	The COVID-19 Mitigation and Management Task Force (the "Mitigation Task Force'') is hereby created. Coordinately, the Mitigation Task Force is hereby delegated the authority to implement and enforce the provisions of the New Normal Plan statewide and to amend it after consultation with the Nevada Governor. The Mitigation Task Force shall ensure accountability for state-level efforts, coordinating essential activities between federal, state, and local government departments, and by developing a sustainable model for receiving and sharing data and vetting proposals and recommendations.
SECTION 6:	The Mitigation Task Force shall consist of the following state agency leaders, private sector .representatives, and local representatives: • Governor's COVID-19 Response Director, who is hereby designated as the Mitigation Task Force Chair; and • Directors or designees of the following State Agencies and organizations, as appointed by the Chair: ◦ Department of Health and Human Services ◦ Department ofusiness and Industry ◦ Division of Emergency Management ◦ Department of Education ◦ Nevada National Guard ◦ Governor's Office of Finance ◦ Gaming Control Board ◦ Nevada Hospital Association ◦ Nevada Association of Counties ◦ Nevada League of Cities ◦ Nevada State Public Health Laboratory ◦ Other necessary members as appointed by the Chair
SECTION 7:	The Mitigation Task Force shall meet on at least a weekly basis and provide a current situation report on COVID-19 in Nevada, including weekly case numbers and county-level analysis. The Mitigation Task Force should also provide regular updates outlining the COVID-19 response effort in Nevada, including, but not limited to, enforcement numbers from throughout the State and other findings. The Mitigation Task Force shall, unless otherwise amended in the New Normal Plan, assess county status per these

	guidelines weekly and make decisions for actions to be taken by and in support of identified counties over the following week. All of this should occur in collaboration with county representatives to determine best methods for reducing the community burden of COVID-19.
SECTION 8:	On a weekly basis, the Governor's COVID-19 Response Director and his designees will communicate with leadership from the counties flagged for elevated COVID-19 risk, and inform them of the State's assessment of their county's exposure risk based on the county criteria data and critical statewide metrics set forth in the New Normal Plan. Counties experiencing elevated COVID-19 risk will enter the state assessment process with the Mitigation Task Force and shall, upon requirement by the Mitigation Task Force, complete a local risk assessment and acti.on plan based on the Critical Statewide Metrics. The Mitigation Task Force is hereby authorized to adopt, modify, or reject a county's action plan and will monitor the county's compliance with an approved action plan. If a county does not submit an action plan or if a county's action plan is rejected and agreement cannot be reached on a modified action plan, the Mitigation Task Force is hereby authorized to approve an action plan for the county that may include additional restrictions within the county pursuant to the mitigation levels set forth in the New Normal Plan. Where counties, or the businesses within a county, fail to comply with such action plans and/ or fail to show improvement in applicable disease measurement criteria, as outlined in the New Normal Plan:, the Mitigation Task Force is hereby authorized to enact mitigation and enforcement measures in addition to the action plan pursuant to the mitigation levels set forth in the New Normal Plan.
SECTION 9:	The Mitigation Task Force shall comply with NRS 241, the Nevada Open Meeting Law, as limited by provisions of Directive 006.
SECTION 10:	Section 4 of Directive 029 shall continue to remain in effect as the baseline mitigation standards throughout the State for the duration of the current state of emergency, unless terminated prior to that date by a subsequent directive or by operation of law associated with lifting the Declaration of Emergency. Pursuant to the New Normal Plan and this Directive, certain counties with elevated COVID-19 risk, as set forth in the New Normal Plan, may have restrictions placed upon them in addition to the statewide baseline mitigation standards extended herein.
SECTION 11:	Sections 4, 5 and 6 of Directive 027 shall expire at 11 :59 p.m. on August 20, 2020, at which time Sections 25 and 26 of Directive 021 shall become effective as the statewide baseline mitigation standards for restaurants and food establishments (Directive 021, Section 25) and breweries, distilleries, and wineries (Directive 021, Section 26), respectively. In addition, the New Normal Plan and the restriction determinations of the Mitigation Task Force shall control in those counties with elevated COVID-19 risk, in conjunction with all Directive measures still in force unless expressly modified by the Mitigation Task Force or by a subsequent Directive.
SECTION 12:	Pursuant to NRS 414.060(3)(f), I hereby authorize all local, city, and county governments, and state agencies to enforce this Directive, the elements of the New Normal Plan and the interpretations and decisions of the Mitigation Task Force through any of the following means, but not limited to these: suspending licenses, revoking licenses, or issuing penalties for violating business, professional, liquor, tobacco, or gaming licenses issued by the local jurisdiction for actions that jeopardize the health, safety, or welfare of the public; or for conduct which may injuriously affect the public health, safety, or welfare; conduct that may be detrimental to the public peace, health, or morals; or any other applicable ordinance or requirement for such a license.
SECTION 13:	The State of Nevada shall retain all authority vested in the Governor pursuant to NRS Chapter 414.
SECTION 14:	This Directive shall remain in effect until terminated by a subsequent Directive promulgated pursuant to the March 12, 2020 Declaration of Emergency to facilitate the State's response to the COVID-19 pandemic or upon dissolution or lifting of the Declaration of Emergency.

DECLARATION OF EMERGENCY DIRECTIVE 30 HEREBY ORDERS THAT

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Nevada to be affixed at the State Capitol in Carson City, this day of , in the year two thousand .

Executive

- Governor
- Lt. Governor
- Secretary of State
- Attorney General
- State Treasurer
- State Controller

Legislature

- Legislature Website
- NELIS
- Legislature Meetings
- Find Your Legislator
- Nevada State Senate
- Nevada State Assembly

Alerts

- Amber Alerts
- Consumer Affairs
- Weather Alerts
- 211- Service Information
- 511 - Road Conditions
- 911 - Emergency Help

Select Language ▼

Has Met Section 508 WCAG 2.0 ADA Compliance

The Official State of Nevada Website | Copyright ©2019 State of Nevada - All Rights Reserved | Privacy Policy | ADA Technology Accessibility Guidelines | ♿ | Web Style Standards | ♿ | ADA Assistance | State ADA Website

♿ Icon is to Request Americans with Disabilities Act (ADA) document remediation for individuals using assistive technology devices

Version 3.0.010