STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF NEW JERSEY STATE POLICE
OFFICE OF EMERGENCY MANAGEMENT

ADMINISTRATIVE ORDER

ESSENTIAL BUSINESSES

No. 2020-6

WHEREAS, on March 9, 2020, through Executive Order No. 103, the facts and circumstances of which are adopted by reference herein, the Governor declared both a Public Health Emergency and a State of Emergency throughout the State due to the public health hazard posed by Coronavirus disease 2019 (COVID-19); and

WHEREAS, to further protect the health, safety, and welfare of New Jersey residents by, among other things, reducing the rate of community spread of COVID-19, the Governor issued Executive Order No. 107 (2020) on March 21, 2020, the facts and circumstances of which are also adopted by reference herein, which established enhanced social mitigation strategies for combatting COVID-19; and

WHEREAS, pursuant to paragraph 5 of Executive Order No. 107, the Governor prohibited the gatherings of individuals; and

WHEREAS, pursuant to paragraph 6 of Executive Order No. 107, the Governor ordered closed to the public the brick-and-mortar premises of all non-essential retail businesses but also deemed a subset of retail businesses as "essential" and permitted them to remain open, provided these businesses abide by social distancing practices to the extent practicable; and

WHEREAS, pursuant to paragraph 9 of Executive Order No. 107, the Governor ordered closed to the public all recreational and entertainment businesses; and

WHEREAS, pursuant to paragraphs 5, 6, and 9 of Executive Order No. 107, the Governor granted the State Director of Emergency Management, who is the Superintendent of State Police, the discretion to make clarifications to any of these provisions, including to make additions, amendments, clarifications, exceptions, and exclusions to the list of essential retail businesses and to the list of recreational and entertainment businesses;

NOW, THEREFORE, I, Patrick J. Callahan, State Director of Emergency Management, hereby ORDER as follows:

1. Individual appointments to view real estate with realtors by individuals or families shall be considered essential retail business for the purposes of paragraph 6 of Executive Order No. 7. However, open houses will be considered impermissible gatherings in accordance with paragraph 5 of Executive Order No. 107.

2. Car dealers may continue to conduct online sales or remote sales that can be completed by phone, text, or email, and are consistent with current law. Such sales shall be deemed permissible in accordance with paragraph 6 of Executive Order No. 107. In the event of such a sale, the car may be delivered to the purchaser or the purchaser can pick up the car curbside or in the dealership service lane. Picking up a car from a dealership shall be considered essential retail business for the purposes of paragraph 6 of Executive Order No. 107.

3. Effective Tuesday, March 31, at 8:00am, Federal Firearms Licensees (FFLs) are added to the list of essential retail businesses in accordance with paragraph 6 of Executive Order No. 107, but must operate under the following provisions:

    a. FFLs may remain open to the public only for the purpose of completing the portions of a sale or transfer that must be conducted in-person under state and/or federal law and for the purpose of product maintenance and repair services;

    b. All in-person sales or transfers shall be conducted by appointment and during limited hours so as to minimize congregating of persons; and

    c. FFLs must operate in accordance with paragraphs 6 and 7 of Executive Order No. 107 regarding social distancing and all other applicable provisions of that Order.

4. Golf courses are considered to be recreational and entertainment businesses that must close to the public and to members associated with private golf clubs, in accordance with paragraph 9 of Executive Order No. 107.

5. This ORDER shall take effect immediately and shall remain in effect for as long as Executive Order No. 107 (2020) remains in effect or until I issue a subsequent amending Administrative Order.

March 30, 2020

Colonel Patrick J. Callahan
State Director of Emergency Management