Mayor's Order 2020-080: Wearing of Masks in the District of Columbia To Prevent the Spread of COVID-19

GOVERNMENT OF THE DISTRICT OF COLUMBIA
ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2020-080
July 22, 2020
SUBJECT: Wearing of Masks in the District of Columbia To Prevent the Spread of COVID-19

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia pursuant to section 422 of the District of Columbia Home Rule Act, approved December 24, 1973, Pub. L. 93-198, 87 Stat. 790, D.C. Official Code § 1-204.22 (2016 Repl.); pursuant to the Coronavirus Support Congressional Review Emergency Amendment Act of 2020 (the "Act"), effective May 19, 2020, D.C. Act 23-328, and any substantially similar subsequent emergency or temporary legislation; section 5 of the District of Columbia Public Emergency Act of 1980, effective March 5, 1981, D.C. Law 3-149, D.C. Official Code § 7-2304 (2018 Repl.), section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002, D.C. Law 14-194, D.C. Official Code § 7-2304.01 (2018 Repl.); section 1 of An Act To Authorize the Commissioners of the District of Columbia to make regulations to prevent and control the spread of communicable and

1939, 53 Stat. 1408, D.C. Official Code §§ 7-131 et seq. (2012 Repl.); and in accordance with Mayor's Order 2020-045, dated March 11, 2020, Mayor's Order 2020-046, dated March 11, 2020, Mayor's Order 2020-050, dated March 20, 2020, Mayor's Order 2020-063, dated April 15, 2020, Mayor's Order 2020-066, May 13, 2020, and Mayor's Order 2020-067, dated May 27, 2020, and Mayor's Order 2020-079, dated July 22, 2020, it is hereby ORDERED that:

I. BACKGROUND

1. This Order incorporates the findings of prior Mayor's Orders relating to COVID-19.

2. Community transmission of COVID-19 remains throughout the District. Over 11,427 District residents have tested positive for COVID-19 and tragically 580 District residents have lost their lives already due to COVID-19. Further, transmission is widespread in the Maryland and Virginia areas near Washington, DC, and even more prevalent in numerous "hot zones" around the country. Transmission is facilitated by persons who are asymptomatic or pre-symptomatic.

3. Dr. Robert Redfield, the Director of the Centers for Disease Control and Prevention, Dr. Anthony Fauci, Director of the National Institute of Allergy and Infectious Diseases, the World Health Organization, and the District of Columbia Department of Health are all agreed that wearing masks when social distancing is impossible to maintain can reduce the spread of the disease dramatically.

4. This Order consolidates, clarifies, and extends requirements related to wearing masks indoors and outdoors in the District of Columbia and provides enforcement mechanisms for these requirements.

II. INDOOR WEARING OF MASKS

Except as specified in Section IV of this Order:

1. Persons must wear a mask in the common areas of apartments, condominiums and cooperatives.

2. Businesses, office buildings, and other establishments open to members of the public shall post signage on their exterior doors stating that a person may not enter unless the person is wearing a mask. In addition, the business, office building, or other establishment shall exclude or attempt to eject persons who are not wearing masks or who remove their required masks.

3. Employers shall provide masks to their employees.

III. OUTDOOR AND TRANSIT-RELATED WEARING OF MASKS

Except as specified in Section IV of this Order:

1. Persons leaving their residences shall wear a mask when they are likely to come into contact with another person, such as being within six feet of another person for more than a fleeting time; and

2. Persons who are operating or a passenger in a taxi or a vehicle that is part of a Transportation Network Company, or who are a passenger on or operator of any form of public transit in the District, including a bus, subway, streetcar, shuttle bus or van, or school bus, must wear a mask at all such times.

IV. EXCEPTIONS

1. Wearing a mask is not required when:

a. A person is a resident or guest in a private home or apartment;
b. A person is actually eating, drinking, or legally smoking;
c. A person is engaged in vigorous outdoor exercise and is maintaining social distance of at least six (6) feet from each other person;
d. A person is in the water at a swimming pool;
e. A person is in an enclosed office that no one else is permitted to enter;
f. A person is aged two (2) years old or younger;
g. A person is unable to wear a mask due to a medical condition or disability, or is physically unable to remove a mask;
h. A person is giving a speech for broadcast or an audience, provided no one is within six feet of the speaker;
i. A deaf or hard of hearing person needs to read the lips of a speaker;
j. The equipment required for a job precludes the wearing of a mask and the person is wearing that equipment, or when wearing a mask would endanger public safety;
k. A person has been lawfully asked to remove the mask for facial recognition purposes.

2. The enforcement provisions of this Order shall not be applied to persons in the judicial or legislative branches of the District government while those persons are on duty; and shall not apply to any employees of the federal government while they are on duty.

V. MASKS DEFINED

For the purpose of this Order, masks include cloth face coverings, such as homemade cloth masks, store-bought fabric masks, bandanas or other cloth wrapped around the head that covers the mouth and nose, as well as medical or surgical masks.

VI. SUPERSESSION

This Order supersedes any prior Order or agency guidance issued during the COVID-19 public health emergency to the extent of any inconsistency.

VII. ENFORCEMENT

1. The Department of Health shall issue rules pursuant to the Communicable and Preventable Diseases Act, approved August 11, 1939, 53 Stat. 1408, D.C. Official Code §§ 7-131 et seq., to provide for the imposition of penalties upon any individual or entity that knowingly violates this Order, and the Metropolitan Police Department is authorized to enforce those rules, except no youth under eighteen (18) years of age shall be charged with a violation.

2. All District government agencies that issue licenses, permits, certificates, endorsements, or other authorizations including the Department of Consumer Regulatory Affairs (DCRA), the District Department of Transportation (DDOT), the Alcohol Beverage Regulatory Administration (ABRA), the Office of the State Superintendent of Education (OSSE), the Department of For Hire Vehicles (DFHV), and the Department of Health may issue rules consistent with or take enforcement action directly under this Order to provide for the revocation, suspension, or limitation of a license, permit, certificate, endorsement, or other authorization of a person or entity that violates this Order.

3. For the purpose of this section, a violation of a rule, order, or other issuance (including a guidance) issued under the authority of a prior Order addressing the COVID-19 public health emergency shall constitute a violation of this Order.

4. Charges of violations of this Order may be referred to the Office of the Attorney General for possible prosecution in the Superior Court of the District of Columbia, in the name of the District of Columbia, and persons found to be in violation of this Order or other rules promulgated pursuant to the Order are subject to fines of up to one thousand dollars ($1,000) per violation.

VIII. EFFECTIVE DATE AND DURATION

This Order shall be effective immediately and shall continue to be in effect through

October 9, 2020, or until the date to which the state of emergency is extended, whichever is later. Any regulations or guidance issued pursuant to this Order, or its COVID-19-related predecessors, including Mayor's Orders 2020-066, 2020-067 and 2020-075, shall continue to be in effect through October 9, 2020, or until the date to which the state of emergency is extended, whichever is later, unless otherwise specifically limited after the issuance of this Order.

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MURIEL BOWSER
MAYOR
Attachment(s):

- Amharic (አማርኛ)
- Chinese (中文)
- French (Français)
- Korean (한국어)
- Vietnamese (Tiếng Việt)

HSEMA

Mayor

Tax & Revenue