

**GOVERNMENT OF PUERTO RICO
LA FORTALEZA
SAN JUAN, PUERTO RICO**

Administrative Bulletin Number: OE-2021-019

EXECUTIVE ORDER OF THE GOVERNOR OF PUERTO RICO, HON. PEDRO R. PIERLUISI, FOR THE PURPOSES OF IMPLEMENTING MEASURES TO FACE THE EMERGENCY CAUSED BY COVID-19, AND REPEALING ADMINISTRATIVE BULLETIN NO. OE-2021-014.

WHEREAS: The Government of Puerto Rico is responsible for making every effort to prevent and stop the spread of COVID-19, as well as safeguard the health, lives, and safety of Puerto Rico's residents.

WHEREAS: In keeping with the state of emergency prevailing across the world, the Government of Puerto Rico has issued several executive orders aimed at implementing certain restrictive measures to control the spread of COVID-19 on the Island.

WHEREAS: Article 6.10 [sic] of Act 20-2017, as amended, better known as the "Puerto Rico Public Safety Department Act," empowers the Governor to declare a state of emergency on the Island, and "to establish or modify state regulations, orders, plans, or measures for emergencies or disasters as deemed necessary," as well as "to enact, amend or repeal any regulation, and to enact, amend, or repeal any order as deemed appropriate during the state of emergency or disaster."

WHEREAS: In the event that an epidemic threatens the health of the people of Puerto Rico, Act No. 81 of March 14, 1912, as amended, known as the "Department of Health Organic Act," empowers the Department of Health to take any measures it deems necessary to combat said threat, including measures to isolate and quarantine people who have been exposed to or who have contracted infectious diseases that pose a threat to public health, in accordance with the provisions of Regulation No. 7380, known as the "Regulation for Isolation and Quarantine."

WHEREAS: The COVID-19 pandemic presents a dynamic and changing scenario that requires the Government to redesign its strategies in order to manage infections in the population so as to safeguard medical-hospital resources

and, in turn, prevent the collapse of our economy.

WHEREAS:

Medical and scientific data establishes that there has not been an increase in infections since last January. On the contrary, it has declined. Likewise, a significant reduction in hospital admission rates has been reported during the same period. This data is consistent with that of the United States. According to data from the Centers for Disease Control and Prevention (CDC) there has been a decline in the positivity, hospitalization, and death rates reported.

WHEREAS:

Studies show that COVID-19 vaccines are effective in preventing infection. The fact that, to date, we have received over 1,050,430 doses, of which 960,904 has been distributed, and that there are 380,753 persons with at least one dose and at least 226,968 persons fully vaccinated, is encouraging. These numbers are increasing daily. Hence, it is clear that the vaccination process in Puerto Rico is well underway.

WHEREAS:

A series of restrictions have been implemented since March 2020 which, despite being beneficial to the health of all Puerto Ricans, have seriously affected small- and medium-sized businesses. According to data provided by the International Monetary Fund, the economy is estimated to have contracted by 4.4% in 2020. Most countries are facing a recession. Based on a preliminary estimate by the United States Department of Commerce, COVID-19 caused the United States economy to contract by 3.5% in 2020. The loss of jobs, the massive closure of small businesses and a growing inequality among citizens were evident. There was also a contraction in consumer spending, exports, private investment, and state and local government spending. Exports and personal consumption expenditures fell 13% and 3.9%, respectively. The service industry has been the most affected by the closures.

WHEREAS:

Puerto Rico's economic data are not encouraging either. They also show that the COVID-19 pandemic has had a negative impact on our Island. According to data provided by the Puerto Rico Economic Development Bank, the Economic Development Bank's Economic Activity Index decreased by 6.4% as of December 2020, as compared to the previous

year. This confirms that, since March 2020, there was a decline for ten consecutive months. Moreover, during the first months of fiscal year 2021, said reduction reached 7.1%. This has placed the service, commerce, and tourism employment sectors as the hardest hit by the pandemic crisis, among others. This clearly shows an economic downturn on our Island since March 2020.

WHEREAS:

The CDC have acknowledged that, while necessary to reduce the spread of COVID-19, public health measures such as social distancing make people feel isolated and increase their stress and anxiety levels. Therefore, it has been recognized that people feel the need to visit different establishments in order to manage their stress and anxiety. In this manner, they are also supporting businesses, which are an important part of our community and economic activity.

WHEREAS:

Since the implementation of Administrative Bulletin No. OE-2021-010, there has been a reduction in Covid-19 infections and hospital admissions, thus, it is possible to allow more flexibility in certain areas in order to allow for the recovery of the economic sector, which has been affected since the beginning of the pandemic, while reducing stress and anxiety among people, with public health as a main priority. It should also be noted that this flexibility is possible because the Government of Puerto Rico is currently taking the necessary preventive measures and is implementing an aggressive campaign to vaccinate as many people as possible in the next few weeks and months.

WHEREAS:

This flexibility is also possible because each citizen has an individual responsibility to exercise caution and act wisely in any personal, business, or professional activity that they attend or in which they are involved. If all Puerto Ricans carefully follow all the precautionary measures ordered by the CDC, by this Order, and by the Department of Health and other components of the Government of Puerto Rico, there is no doubt that we will all be protected. The flexibility allowed in certain areas does not exempt individuals from their responsibility to take all imposed precautionary measures, avoid crowding, as well as to act wisely and not to participate in



any activity that they believe may put their health at risk.

WHEREAS:

I, PEDRO R. PIERLUISI, Governor of Puerto Rico, by virtue of the powers inherent in my office and by the authority vested in me by the Constitution and the Laws of the Government of Puerto Rico, hereby declare and order the following:

Section 1:

CURFEW. In an effort to strike a balance between our commitment to protect individual liberties and in fulfilling our duty to protect the health and life of all citizens in Puerto Rico, a curfew is hereby established as an exceptional measure, as defined by Article 6.14 of Act No. 20-2017, from 12:00 a.m. to 5:00 a.m. Also, all citizens are encouraged to limit their social activities and family gatherings in public or private spaces due to the emergency. Should any event be held, it must comply with all safety procedures and precautionary measures established in this Executive Order.

Section 2:

QUARANTINE ORDER. Under the authority granted by the Constitution of Puerto Rico, by Act No. 20-2017, as amended, known as the "Puerto Rico Public Safety Department Act" and by Act No. 81 of March 14, 1912, as amended, known as the "Organic Act of the Department of Health," I hereby order any person who is reasonably suspected to have been exposed to COVID-19, regardless of whether or not he shows signs of infection, and for the purpose of preventing or limiting the transmission and spread of the virus, to remain in quarantine for a period of fourteen (14) days. The purpose of the quarantine is to keep a person that may have been exposed to the virus, away from others. A quarantine requires a person to stay at home and physically distant from others. Said person must restrict his movements outside of his residence to avoid the risk of infection within the community. Moreover, every citizen who has been in contact with some who has tested positive for COVID-19 is hereby instructed to take a molecular test. Said test must be administered at least five (5) days after exposure. Failure to meet the requirement of remaining quarantined, as provided in this section, shall be deemed a violation of this Executive Order.



Section 3:

ISOLATION ORDER. Under the authority granted by the Constitution of Puerto Rico, by Act No. 20-2017, as amended, known as the “Puerto Rico Public Safety Department Act” and by Act No. 81 of March 14, 1912, as amended, known as the “Department Health Organic Act,” I hereby order any person who has been infected with the virus to be physically isolated for at least ten (10) days, and with the potential to be extended contingent upon the investigation to be conducted on COVID-19 cases. The purpose of the isolation is to keep infected persons away from others, even at their homes. This means that such person must be confined and restrict his movements to avoid endangering public health and preventing transmission to other persons who are not infected. A person may end the isolation period if he had no symptoms for at least twenty-four (24) hours. Patients who test positive for COVID-19 and violate this isolation order thus endangering others, shall be subject to criminal liability under Act No. 145[sic]-2012, as amended, known as the “Puerto Rico Penal Code,” in addition to sanctions for noncompliance with this Executive Order.

Section 4:

INDIVIDUAL PRECAUTIONARY MEASURES. Any person who has been in contact with any other person outside of his family unit shall comply with the following protective measures:

- a) cover their mouth and nose with a mask or scarf made of fabric or other material pursuant to the instructions of official health entities;
- b) maintain at least six (6) feet from other people outside of their family unit, avoiding crowding;
- c) wash their hands often with soap and water, or use a hand sanitizer approved by official health entities;
- d) avoid attending authorized establishments in large groups;
- e) spend the least amount of time possible at authorized locations; and
- f) follow any other health or hygiene measures recommended by the pertinent health authorities to prevent the spread of the virus.



Section 5: **GOVERNMENT OPERATIONS.** Agencies shall continue operating and providing the citizens with services without compromising the health and safety of employees. Thus, agencies shall adopt work plans which shall include measures to prevent COVID-19 infections including the individual precautionary measures provided in this Order. As part of the agencies' work plans, heads of agencies shall require public employees to work in person to the extent feasible. Telework shall be considered a viable option when an employee is unable to work in person, as determined by each head of agency based on the needs of the agency, the duties of the positions, as well as the applicable laws and regulations. In these cases, telework shall be implemented in accordance with the rules adopted by the Government of Puerto Rico Human Resources Administration and Transformation Office ("OATRH"). However, agencies that provide services to the public shall continue to do so in person, subject to the health parameters established to prevent the spread of COVID-19 at their facilities.

Employees who are unable to report to work for a valid reason justified under a state or federal law, and who are unable to work from home, as determined by each head of agency, shall have said absences deducted from the appropriate leave, if he has any available, in accordance with the applicable legal provisions.

Government agencies may engage in any activity or hold meetings as are necessary to fulfill their ministerial duties, such as holding public hearings to promulgate regulations. These meetings or activities may be held in governmental or nongovernmental facilities, as the case may be. Government agencies are instructed to use technological tools as a first option whenever citizen participation is required. In cases where it is necessary to conduct activities in person, following the individual precautionary measures established in this Order shall be mandatory.

It is further provided that all Heads of Agency shall establish protocols and provide the necessary resources for employees to comply, in a timely manner, with the information requirements established by the Department



of Treasury for the preparation and submission of the Financial Statement of the Government of Puerto Rico for fiscal years 2017-2018, 2018-2019, 2019-2020, and 2020-2021.

All heads of agency shall be required to report any COVID-19 case in their work units to the Department of Health, in addition to take all precautionary measures, notify employees, and activate their safety protocols. Failure to do so shall be considered a violation of this Order.

Municipal Appointing Authorities may take similar actions in their respective jurisdictions, pursuant to the provisions of Act No. 107- 2020, known as the "Puerto Rico Municipal Code."

Section 6:

PRIVATE OPERATIONS.

1) All commercial, industrial, manufacturing, construction, sales, healthcare or medical, funeral, recreational, agricultural, livestock, sports, horseracing, casino, film, finance, community, consumer service, professional, nonprofessional, care center, religious services, as well as other services not expressly prohibited in this Executive Order, may operate. In other words, all services and businesses permitted under Administrative Bulletin OE-2021-010 and OE-2021-014 shall continue to operate, subject to the criteria outlined herein.

2) Except as otherwise provided in this Order, these private operations may be carried out during the established hours, that is, from 5:00 a.m. to 11:00 p.m. at fifty percent (50%) of maximum capacity for indoor establishments. Outdoor spaces may operate with no occupancy limits. However, physical distancing of six (6) feet must be maintained at all times between persons from different households. Crowding shall be prohibited at all times.

3) Restaurants, including fast food restaurants and food courts, may operate during the established hours, that is, from 5:00 a.m. to 11:00 p.m. at fifty percent (50%) of the establishments' maximum capacity, maintaining a distance of six (6) feet between customers in different tables. Restaurants with outdoor dining service may operate with no occupancy limits, but ensuring physical distancing of six (6) feet between customers



in different tables. For the purposes of this Order, restaurant means an establishment where food is served for consumption on or off the premises, and whose primary activity may include the sale of alcoholic beverages as a related incidental activity.

4) **Movie theaters, amphitheatres, and activity centers** may operate; **however, stadiums still are excluded.** These establishments may operate during the established hours, that is, 5:00 a.m. to 11:00 p.m. at thirty (30%) percent of their maximum capacity. These establishments shall have a protocol in place to manage the entrance and exit of the public, ensure physical distancing, and avoid crowding. To achieve this, establishments shall follow the CDC guidelines entitled, Guidance for Organizing Large Events and Gatherings, established for such purposes. The owner, administrator, or a similar person shall ensure compliance with the precautionary measures established in this Order.

5) In-person general meetings are authorized at condominiums subject to the horizontal property regime. These activities must follow the orders or guidelines issued for said purpose by the Secretary of the Department of Consumer Affairs (DACO, Spanish acronym). The Secretary may, within the scope of his authority, also issue statements regarding any other matter, not expressly provided herein, related to condominiums subject to the horizontal property regime.

6) The percentage (%) applicable to indoor establishments shall be established as defined by the Building Code in effect in Puerto Rico (PR Building Code 2018).

7) If the number of people present in a space meets the occupancy requirements, but maintaining physical distancing is impossible, the establishment shall be required to reduce the occupancy limit so that physical distancing of six (6) feet can be ensured at all times, restaurants shall ensure a distance of six (6) feet between customers. Moreover, crowding is prohibited.

8) In order to protect the health and safety of customers, employees, and visitors at indoor malls, it is necessary to limit maximum occupancy to one



(1) person per seventy-five (75) square feet in hallway areas, which shall be implemented by the mall's management. In addition, every mall must establish designated entrances for employees, suppliers, and customers.

9) Every establishment must adhere to the protocols established by the CDC, the Department of Health, and the Puerto Rico Occupational Safety and Health Administration ("PROSHA"), and the guidelines established for COVID-19. The reopening of businesses that have failed to submit the self-certification to the Department of Labor and Human Resources ("DLHR") required in previous executive orders, shall not be permitted.

10) The guidelines and directives issued by local and federal authorities shall be followed; provided, that they are not inconsistent with this Order.

11) Online sales continue to be the most recommended and safest way of making purchases and must continue to be the first choice, prioritizing delivery or curbside pickup options. Similarly, businesses or establishments that able to do so (such as restaurants, medical offices, mortgage banks or lending entities, laundromats, vehicle inspection centers, beauty salons or barbershops, spas and aesthetics salons, motor vehicle dealerships, advertising agencies, car wash and detailing establishments, among others) are encouraged to require reservations or scheduled appointments, and/or offer curbside pickup options to offer their services or make their sales. The sale of tickets and concession stand items by electronic means is encouraged. In addition, it is necessary for merchants, owners, managers, or similar persons to oversee waiting lines outside of their establishments. Establishments that are able to do so must develop a system so that, in the event that there are several appointments at the same time at the establishment, customer can wait within their respective vehicles.

12) As part of the infection control plan, each establishment must reserve a period of time at the end of their daily operations for cleaning and disinfecting the establishment. The same process must also be carried out for disinfecting shopping carts, grooming items, gyms, and any other public convenience item used frequently by different people. These must be



disinfected constantly and after every use.

13) The Secretary of the Department of Health is empowered to prohibit the operation or to limit the operations or business hours of certain industries and business sectors if he determines that they represent a health risk due to COVID-19.

14) Merchants, owners, managers, or similar persons must ensure that they oversee waiting lines within and outside establishments, crowding inside and outside of the establishment, and compliance with established occupancy limits in order to ensure compliance with social distancing measures. Waiting lines are not prohibited, however, the merchant, owner, manager, or similar person must ensure that all precautionary measures are being followed, including avoiding crowding.

15) Each merchant, owner, manager, or person in charge shall be responsible for ensuring strict compliance with precautionary measures and must employ the necessary hygiene and safety measures to protect employees, visitors, and customers. Merchants, owners, managers and others, as applicable, are hereby further advised that failure to comply with these measures may result in the imposition of fines pursuant to the provisions of this Order.

16) Every healthcare facility must follow the protocols established by the Department of Health and the appropriate regulatory entities. Patients shall receive care in accordance with the precautionary measures, including avoiding crowding in waiting rooms. Scheduled appointments shall be promoted.

17) The agencies concerned are hereby directed to oversee strict compliance with the established protocols by establishments. Moreover, the public is encouraged to report to the pertinent authorities any private entities that fail to comply with this Order. In order to allow citizens to contribute to the oversight and full compliance with this Executive Order, every business or establishment is hereby ordered to display, in a conspicuous place, posters with the confidential COVID-19 hotline created by the Department of Health. These posters or signs shall include the



following contact information in order for citizens to report cases of noncompliance:

a) Phone: (787) 522-6300, extensions 6899, 6840, 6824, 6833, and 6893

b) Email: investigaciones@salud.pr.gov

18) Posters or signs shall also include the number of persons that constitute the required 50% maximum occupancy, pursuant to the Building Code in effect (PR Building Code 2018), and authorized by the Puerto Rico Firefighters Corps Bureau, subject to penalties for noncompliance with this Executive Order.

19) Every employer shall be required, including business owners, to immediately report suspected and confirmed COVID-19 cases among their staff to the Department of Health at the following email address: covidpatronos@salud.pr.gov. Employers must comply with the guidelines issued by the DLRH and the Department of Health concerning their employees and operations.

20) All private establishments are encouraged to register in the Department of Health's Municipal Case Investigation and Contact Tracing System (SMICRC, Spanish acronym). This will help the Government of Puerto Rico have more accurate case tracking data. This information shall be useful in determining future flexibilization measures.

Section 7:

SOCIAL EVENTS AND DISPENSATIONS. We maintain our recommendation that virtual gatherings are the safest way to meet with family and friends to celebrate special occasions. Social events such as weddings, birthdays, *quinceañeros* (coming of age parties), baptisms, baby showers, gender reveals, graduations, ring ceremonies, award ceremonies, corporate activities, and general meetings shall be exempt from requesting a dispensation. Provided, that such events are held on a moderate level and have adequate supervision to ensure strict compliance with the precautionary measures herein imposed, such as avoiding crowding. These social events are permitted only in public or private places



CERTIFIED TRANSLATION

or venues, including those within residential complexes; provided, that the restrictions imposed on such places under this Order are observed. Persons in charge of these places shall be responsible for ensuring strict compliance with the provisions of this Order. Furthermore, persons in charge of these places shall be responsible for obtaining a list with the contact information of all attendees in order to facilitate the necessary information to the Department of Health should it be required to conduct contact tracing. Said list shall be kept for at least forty-five (45) days. Each event shall limit occupancy according to the venue's capacity and abide by the precautionary measures established for individuals and private events, such as the established hours, that is, from 5:00 a.m. to 11:00 p.m. and at fifty percent (50%) occupancy of the venue's capacity, in case of indoor establishments. Outdoor spaces may operate with no occupancy limits, but shall avoid crowding. Physical distancing of six (6) feet shall be maintained at all times between persons from different households. In case of events where food is served, physical distancing of six (6) feet shall be maintained between diners at different tables. Bars at these events are prohibited, alcoholic beverages shall be served through table service.

It is encouraged that authorized social events be held outdoors. Events shall not promote exchanges between multiple persons without any type of control. The owner, administrator or similar person of the activity center or venue shall be responsible for ensuring compliance with the precautionary measures and provisions of this Order at all times. To do so, the necessary personnel shall be employed to monitor compliance with health protocols at all times, and report any violation of the provisions of this Order to the Department of Health and the Puerto Rico Police Department.

The Secretary of the Department of Health, at his discretion, may order the cancellation of an event if he believes that it could be a source of infection with the virus and detrimental to the health of Puerto Ricans.

Proposals for other activities not expressly authorized under this Order may be submitted for consideration of the Governor's Chief of Staff for approval and authorization. Said proposals shall be evaluated subject to

the implementation of health and safety measures to mitigate the spread of the virus and safeguard the health and safety of workers, artists, and any other person participating in the event.

Section 8:

RECREATIONAL AND SPORTS ACTIVITIES. Exercise and physical activity are important for physical and mental health, and must be performed in order to lead a healthy life, especially during the coronavirus emergency. Hence, during the hours established for private operations, sports, recreational, training, and competitive activities shall be permitted as established by the Sports and Recreation Department (DRD, Spanish acronym) upon consultation with the Department of Health. The DRD shall promulgate guidelines, regulations, rules, and protocols to such effects.

The use of reserves, golf courses, parks, courts, gyms, and cockfighting arenas shall be permitted, subject to the guidelines and restrictions imposed by the DRD, the Department of Natural and Environmental Resources (DNER), the Department of Health or the municipality where the establishment is located. In addition, hunting, as well as commercial and recreational fishing shall be permitted during the hours authorized for private operations, provided, that all precautionary measures and physical distancing rules are followed by hunters and fishermen, as provided by the DNER through circular letter.

Parks and gyms located within residential complexes, including those that are subject to the horizontal property regime, are authorized to operate provided, that the individual precautionary measures established in this Order are taken, and the necessary supervision is in place to ensure strict compliance with this Order. The board of each residential complex shall issue rules to ensure that residents comply with this Order. The Secretaries of the DRD and DACO may issue additional guidelines.

Section 9:

BEACHES, PUBLIC BATHING BEACHES, AND BODIES OF WATER: Beaches, public bathing beaches (“balnearios”), rivers, marinas, and other bodies of water may be used by visitors during the hours authorized for private operations and for enjoyment of all, avoiding crowding and following



all applicable precautionary measures. It is important to maintain a mandatory distance of not less than ten (10) feet between bathers from different households both on the sand and in the water. Beach visitors must demarcate the area around them in order to ensure the necessary physical distancing. Bathers must wear a mask at all times while they are out of the water. The use of beach chairs, umbrellas, and coolers is allowed among members of the same household. However, consumption of alcoholic beverages is prohibited, given that the CDC recognized that alcohol consumption may reduce the person's ability to adhere to the COVID-19 safety measures. The DNER shall perform preventive patrols on the beaches to educate the public and shall post signs in strategic locations around bathing beaches to inform visitors of the rules applicable to the use and enjoyment of beaches.

The opening of pools in residential complexes, including those subject to the horizontal property regime, is authorized during the effective period of this Order at a maximum capacity of fifty percent (50%), subject to physical distancing and other precautionary measures. However, consumption of alcoholic beverages is prohibited. DACO may issue additional guidelines.

Regarding marinas, these shall continue to be open to any vessel, including recreational vessels. However, the use or occupation of recreational vessels by persons from different households as well as tying vessels together is prohibited is hereby prohibited.

Strict compliance with the guidelines issued by the DNER and this Order is required to reopen marinas. The DNER Ranger Corps, the Department of Health, the Puerto Rico Police Bureau, and any Municipal Police in Puerto Rico are hereby authorized to intervene with any person who uses any type of vessel in violation of this Executive Order and/or in violation of the DNER's orders, guidelines, and circular letters, among others. Marinas shall be responsible for ensuring strict compliance with the provisions of this Order.



Maritime transportation services provided by the Maritime Transport Authority (ATM, Spanish acronym) shall continue to be provided to residents and people who will be working and conducting transactions in the island municipalities of Vieques and Culebra. Water transportation services shall continue in effect for tourists travelling to the Island Municipality of Culebra, except as otherwise provided by its Mayor. Water transportation services for tourists to the Island Municipality of Vieques will resume at its Mayor's request or order for such purposes. The residents of both island municipalities are hereby ordered to continue strictly implementing precautionary measures such as the use of masks, physical distancing, hand washing, and avoid crowding.

Section 10:

TOURISM. The Puerto Rico Tourism Company (PRTC) is hereby directed to resume efforts to promote internal tourism, stressing on the health measures required for both visitors and tourism businesses to prevent COVID-19 infections. Hotels shall comply with the precautionary measures imposed in this Executive Order. Furthermore, the conditions established for private operations, including restaurants, are applicable thereto. Hoteliers are responsible for designating personnel to monitor compliance with health protocols at all times, and shall report any violation of the provisions of this Order to the Puerto Rico Police. The PRTC shall issue additional guidelines.

All tourism businesses are required to certify full compliance with the provisions of the Puerto Rico Tourism Company (PRTC) Health and Safety Destination Program (Program) in order to protect both the workforce in the tourism industry and consumers.

In accordance with the provisions of the program, every hotelier must complete the "Declaration of Agreement" electronically so that the PRTC may verify compliance by means of random unannounced compliance inspection. In order to monitor compliance, the PRTC is hereby authorized to enter into any collaborative agreement to designate a joint compliance team with authority to inspect tourism facilities and enforce faithful compliance with the provisions of this Order.



Lodgings, including short-term rentals, that do not have an Innkeeper ID Number issued by the PRTC are entirely prohibited from opening and operating at any time; therefore, their owners and tenants shall be subject to the penalties for noncompliance with this Executive Order, as well as the applicable penalties as provided in in Act No. 272-2003, as amended, known as the “Commonwealth of Puerto Rico Room Occupancy Tax Act.”

Owners, managers, administrators, or people in charge of short-term rental properties (either rented independently or through platforms such as Airbnb, VRBO, Join a Join, etc.) must ensure to prohibit the entry of people who have not been properly registered as guests in the property. The holding of social activities, events, or gatherings at short term rental properties is strictly prohibited if the limitations imposed in this Order are not complied with. Both property managers and tenants must comply with the provisions of this Order.

As part of the oversight plan, the Department of Health and the Puerto Rico Police, in conjunction with the Tourism Company shall be conduct inspections at these locations.

Recreational activities, including nautical tourism, hiking, scuba diving, snorkeling, and guided tours, among others, are hereby authorized, provided, that the precautionary measures established in this Order are taken.

Section 11:

SCHOOLS. The reopening and operations public and private educational institutions shall be governed by Administrative Bulletin No. OE-2021-017. Art schools or any other type of educational institution not specified in this Order, may submit a reopening plan to be evaluated and potentially approved by the Governor’s Chief of Staff in consultation with the Department of Health.

Section 12:

HEAD START CENTERS, EARLY HEAD STARTS AND DAY CARES. For this Administration, the reopening of schools and the reopening or the continuity of operations of Head Start, Early Head Start, and day care centers administered by public and private entities, as the case may be, is



a top priority. This controlled reopening shall ensure the health of children as well as of their personnel at all times.

To achieve this, these centers shall adhere to the plans developed by the Department of the Family, through the Integral Childhood Care and Development Office (ACUDEN, Spanish acronym), in conjunction with the Department of Health.

Moreover, the Permit Management Office (OGPe, Spanish acronym) of the Department of Economic Development and Commerce is hereby directed to promptly and swiftly address any matters related to use permits for Head Start, Early Head Start, and day care centers. Likewise, all other agencies of the Government of Puerto Rico shall make efforts as are necessary for the gradual reopening of these centers.

Section 13: ELDERLY CARE CENTERS, CORRECTIONAL INSTITUTIONS, AND JUVENILE INSTITUTIONS.

It is the interest of the Government of Puerto Rico to resume visits to elderly care centers, correctional institutions, and juvenile institutions, provided, that it is safe for all. Therefore, the Government has made all efforts necessary to achieve it, including to develop the appropriate protocols and administer vaccines in several of these sectors.

Thus, before the expiration of this Order's effective period, if the Department of the Family, upon consultation and coordination with the Department of Health and the Elderly Advocate's Office, and upon approval of protocols, deems it appropriate and safe, it may authorize partial and gradual visits to elderly care centers.

Similarly, before the expiration of this Order's effective period, if the Department of Corrections and Rehabilitation, upon consultation and coordination with the Department of Health, and upon approval of protocols, deems it appropriate and safe, it may authorize partial and gradual visits to correctional institutions and juvenile institutions.


Section 14: PRECAUTIONARY MEASURES FOR PRIVATE OPERATORS:

Persons in charge of public and private establishments are hereby directed

to comply by the following precautionary measures:

- 1) Ensure that, prior to beginning their work shifts, every employee wear a face mask and that periodically, during their shift, wash their hands with soap and water for twenty (20) seconds or use hand sanitizer. They must also disinfect their working stations upon arrival and at the end of their shift;
- 2) Implement control measures to achieve physical distancing between employees and customers/public.
- 3) Each establishment shall screen visitors before entering the premises;
- 4) Ensure that visitors comply with the required individual precautionary measures;
- 5) whenever possible, use transparent protectors or other barriers to separate employees from customers;
- 6) promote technological solutions to reduce personal interactions, namely, online reservations and check in, mobile menu access, contactless services and payment options, among others;
- 7) frequently clean and disinfect the surfaces used by different persons, including, but not limited to, public areas, bathrooms, tables, elevator buttons, water dispensers, automated teller machines, card payment terminals, vending machines, pens, light switches, knobs, remote controls, telephones, leased equipment, among others;
- 8) provide adequate ventilation and air filters in areas with air conditioning systems; and
- 9) follow any other health and hygiene measure established by health officials to prevent the spread of the virus.

It is hereby directed that the rules established for workplaces adopted by PROSHA, the DLHR, and the CDC shall continue to be followed. All employers shall be required to submit their employer compliance self-certification to the DLHR. This self-certification shall be a prerequisite to begin operations. Once a self-certification has been submitted, it shall be



understood that the facilities comply with aforementioned requirements and the employer may begin operations.

Section 15: PROHIBITED ACTIVITIES.

1) Establishments licensed to operate exclusively as bars, (bars, cafés holding a license to sell alcohol, as well as sport bars and any other similar establishment whose primary function is to sell alcoholic beverages, such as “chinchorros”) shall not be authorized to operate. This prohibition includes bars located within restaurants or other commercial establishments that are allowed to operate in accordance with this Order. In these places, all beverages shall be served through table service.

For the purposes of this Executive Order, a bar is an establishment primarily devoted to the retail sale of alcoholic beverages for consumption on the premises. It is also any establishment that sells food and drink, such as restaurants, cafés, or cafeterias (indoor establishments where coffee, soft drinks, sandwiches, and other light meals are sold) that intends to continue operations selling alcoholic beverages, and this becomes its main activity.

2) It is hereby ordered the total closure of night clubs, gaming halls, or any similar places or events, which promote the gathering of a group of citizens in the same place and render it difficult to implement precautionary measures. Any establishment owner and/or administrator who allows, promotes, and/or rents the place knowing that a social event which promotes crowding is being promoted or planned shall be liable for noncompliance with this Order.

3) Crowding in the private parking lots of any establishment is hereby prohibited. This includes serving food and drinks in such places. Under no circumstances shall people be allowed to gather outside establishments to consume alcoholic beverages.

4) Activities involving mass gatherings, whether in outdoor or indoor venues, are not permitted. This includes parades, processions, fairs, patron saint festivals, fests, and similar activities that promote crowding



and exchanges between multiple persons without any controls.

5) In view of the emergency caused by the pandemic, elective surgeries that require the use of intensive care units shall continue to be limited, emergency surgeries shall have priority over these subject to medical judgment. Hospitals shall strengthen their COVID-19 safety and health protocols for healthcare services at hospital facilities, including the Local Resumption of Elective Surgery Guidance issued by the American College of Surgeons on April 17, 2020, in order to schedule elective surgeries.

6) The use of playgrounds at shopping malls or similar establishments is hereby prohibited. Likewise, valet parking services are hereby prohibited when these are an optional service.

7) The use of party buses and the hosting of mobile gatherings shall not be permitted for any event while this Order is in effect. The Department of Health and the Puerto Rico Police Bureau, in conjunction with the Municipal Police, shall ensure compliance with this Order. Escorting and/or controlling traffic at any of the events prohibited in this Executive Order shall not be authorized.

Section 16: **PREFERENTIAL SERVICE.** To the extent practicable, all businesses authorized to operate under this Executive Order must provide preferential service to people who work in hospitals and medical laboratories, law enforcement officers, people over the age of 65, and people with disabilities or chronic illnesses.

Section 17: **PERSONS AND SERVICES EXEMPTED FROM CURFEW.**

With the curfew in place, all individuals and services authorized under this Executive Order due to work and/or emergency reasons shall be exempt therefrom:

1) Individuals who provide assistance, care, food, and transportation to older adults, children, dependents, people with disabilities or particularly vulnerable persons who require some type of medical or professional care, provided, that proper precautions are taken to prevent infection;



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- 2) Individuals duly identified as employees of state or federal public or private safety agencies;
- 3) Health professionals, including mental health professionals and people working in hospitals, pharmacies, pharmaceutical companies, bioscience facilities or healthcare centers;
- 4) Personnel working in the food supply chain, including those necessary for agricultural activity, such as agricultural centers;
- 5) Personnel working with utilities or critical infrastructure;
- 6) Call center and sensitive data center personnel;
- 7) Ports and airports personnel;
- 8) Members of the press and the media;
- 9) Road assistance and locksmith services;
- 10) Delivery or courier services;
- 11) Gas stations and their distribution chain; however, these establishments shall not sell alcoholic beverages after 11:00 p.m.;
- 12) Solid waste collection services (public or private) and recycling services;
- 13) Services related to any federal agency, including the U.S. Department of Defense (DOD);
- 14) Logistics and transportation services; customs brokers; ocean or ground freight consolidation services, third-party storage and distribution services;
- 15) Persons addressing emergency or health situations,
- 16) Priests, pastors, reverends, bishops, imams, rabbis, chaplains, or any other religious leader in order to address any emergency situation or crisis within the scope of their ministerial responsibilities;
- 17) Public officials and employees of the Executive, Legislative, and Judicial Branches;



- 18) Legal representatives when addressing legal and court matters;
- 19) People with Autism Spectrum Disorders (ASD) are authorized to conduct therapeutic outings consisting of short walks in the area near their homes, accompanied by only one person and taking all physical distancing precautionary measures;
- 20) Researchers from university laboratories and other administrative staff members, provided, that they abide by the physical distancing rules and follow all precautionary measures in the discharge of their duties;
- 21) Specialized professionals, researchers, and general personnel and suppliers for museums, libraries, institutions, and foundations that curate public or private cultural collections; and
- 22) Any person who provides services to businesses and the service sector authorized to operate after closing hours to discharge said function.

Section 18:

MODIFICATIONS. During the effective period of this Order, the analysis of all measures taken shall continue in order to discuss their results and timely adopt any modifications that may be required.

Section 19:

NONCOMPLIANCE. Any person and/or business that fails to comply with the provisions of this Executive Order shall be subject to the criminal penalties and fines established in Section 6.14 of Act No. 20-2017, as amended, which sets a penalty of imprisonment not to exceed six (6) months, or a fine of not more than five thousand dollars (\$5,000), or both penalties, at the discretion of the court and any applicable law. Furthermore, in accordance with the provisions of Section 33 of the "Organic Act of the Department of Health," "[a]ny natural or juridical person who violates the provisions of this Act or the regulations issued by the Department of Health thereunder shall be guilty of a misdemeanor, and upon conviction, may be punished by a term of imprisonment that shall not exceed six (6) months, or a fine of not more than five thousand dollars (\$5,000), or both penalties at the discretion of the court." Authorities are hereby directed to intervene with citizens who fail to comply with the precautionary measures described herein, including the mandatory use of



face masks at all times.

Any person who fails to comply with the provisions of this Order shall be subject to criminal prosecution, which may be initiated without delay by the Department of Justice, which, in turn, shall request the imposition of bail, as provided in the Rules of Criminal Procedure.

The Department of Health and the Puerto Rico Police Bureau, in coordination with Municipal Police Corps, the DNER Ranger Corps and the Puerto Rico Department of Public Safety, are hereby directed to take the necessary measures to enforce this Executive Order.

Section 20:

INTERAGENCY OVERSIGHT TEAM. In order to oversee compliance with this Executive Order, all entities concerned, including, but not limited to, the Department of Public Safety and all of its components, including the Puerto Rico Police, the Special Investigations Bureau, the Puerto Rico Firefighters Corps, as well as DACO, the Department of Treasury, the Department of Health, the Department of the Family, DNER, the Permit Management Office, and the Office of the Commissioner of Financial Institutions, are hereby authorized to establish their monitoring plans in coordination with PROSHA so that they may impose the corresponding fines and penalties within their authority and jurisdiction, in accordance with applicable laws. This includes, but is not limited to, the closure of businesses due to noncompliance with this Executive Order.

These government agencies may also enter into collaborative oversight agreements with municipal governments, which may take any actions directed to overseeing and ensuring compliance with this Order within their respective jurisdictions in accordance with the provisions of Act No. 107-2020, known as the "Puerto Rico Municipal Code."

Section 21:

ESTABLISHMENT OF GUIDELINES BY AGENCIES. The provisions of this Executive Order may be defined, reinforced, and supplemented in detail through guidelines issued by any agency called upon to regulate the services discussed herein upon approval thereof by the Governor's Chief



of Staff. Any agency that promulgates guidelines to explain the provisions of this Executive Order in detail shall publish them as widely as possible upon their approval.

In addition, the Government of Puerto Rico Human Resources Administration and Transformation Office, the DLHR in conjunction with Department of Health must create, revise, and publish uniform protocols or guidelines applicable to government agencies and private employers, as applicable.

Section 22: **DEFINITION OF THE TERM AGENCY.** For the purposes of this Executive Order, the term “Agency” means any agency, instrumentality, office, or department of the Executive Branch of the Government of Puerto Rico, including public corporations, regardless of its name.

Section 23: **REPEALING CLAUSE.** This Executive Order repeals Administrative Bulletin No. OE-2021-014. Likewise, it repeals any other executive order that is inconsistent, in whole or in part, with the provisions herein to the extent of such inconsistency.

Section 24: **EFFECTIVENESS.** This Executive Order shall take effect on March 15, 2021 and shall remain in full force and effect until April 11, 2021, unless a new order is issued, pending public health and safety needs.

Section 25: **SEVERABILITY.** The provisions of this Executive Order are separate and independent from each other, and if any part, section, provision, or sentence of this Executive Order were held to be unconstitutional, void, or invalid by a court of competent jurisdiction, such holding shall not affect the validity of the remaining provisions, which shall remain in full force and effect.

Section 26: **NON-CREATION OF ENFORCEABLE RIGHTS.** This Executive Order is not intended to create any rights, substantive or procedural, enforceable at law or equity, by any person or entity, in any matter, civil, criminal, or administrative, against the Government of Puerto Rico or its agencies, officials, employees, or any other person.



Section 27: **PUBLICATION.** This Executive Order shall be filed immediately with the Department of State and the widest possible publication thereof is hereby ordered.



IN WITNESS WHEREOF, I hereby issue this Executive Order under my signature and cause the Great Seal of the Government of Puerto Rico to be affixed, in La Fortaleza, San Juan, Puerto Rico, on this 11th day of March, 2021.

PEDRO R. PIERLUISI
GOVERNOR

Promulgated in accordance with the law on this 11th day of March, 2021.

LAWRENCE N. SEILHAMER RODRÍGUEZ
SECRETARY OF STATE