

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

Administrative Bulletin Number: OE-2022-005

**EXECUTIVE ORDER OF THE GOVERNOR OF PUERTO RICO, HON. PEDRO R. PIERLUISI ISSUED FOR THE PURPOSE OF ESTABLISHING THE RULES TO BE FOLLOWED BY PASSENGERS ARRIVING AT PUERTO RICO ON FLIGHTS FROM THE UNITED STATES OF AMERICA OR ANY INTERNATIONAL DESTINATION, AND TO REPEAL ADMINISTRATIVE BULLETINS OE-2021-037, OE-2021-040, OE-2021-073, AND OE-2021-081.**

**WHEREAS:** For over a year, Puerto Rico and the world have been facing an emergency caused by the COVID-19 pandemic. This has led to certain necessary precautionary measures being taken at a national and international level to safeguard the public's lives. Controlling airports and the flow of passengers stands out among these measures.

**WHEREAS:** For the purposes of implementing these measures, Administrative Bulletin OE-2020-030 was issued on March 30, 2020, in which rules regarding the entry of passengers into Puerto Rico's airports were established. This order was subsequently amended and finally replaced by Administrative Bulletin OE-2021-037. The latter was amended on several occasions as the pandemic's statistics fluctuated. The final amendment was made through Administrative Bulletin OE-2021-081, issued December 20, 2021, in which all passengers arriving at Puerto Rico were required to present a negative COVID-19 test result, regardless of their vaccination status. While this measure helps to prevent the spread of COVID-19, given the current state of the pandemic and the significant increase in demand for COVID-19 tests, it is necessary to limit the test requirement and redirect those efforts to higher priority areas. It is therefore necessary to eliminate the COVID-19 test requirement for vaccinated passengers.

**WHEREAS:** Said restrictions are backed by recommendations issued by the Centers for Disease Control and Prevention (CDC), and by the scientific data. It is therefore necessary to continue monitoring the passengers that arrive at Puerto Rico, and to ensure compliance with the public health mitigation strategies, social distancing, mask usage, hand washing, isolation, and quarantine.

**WHEREAS:** It is this Administration's priority to make all necessary efforts to safeguard the health, lives, and security of all of Puerto Rico's



residents. Timely detection of virus carriers has been recognized as the ideal means to contain and prevent the spread of COVID-19 in the community in order to protect public health and the lives of thousands of people.

**WHEREAS:**

Act 81 of March 14, 192, as amended, known as the Health Department Act, empowers the Department of Health to take any measures it deems necessary to combat any epidemic threatening the People of Puerto Rico. This includes the implementation of procedures to isolate and quarantine people who have been exposed to or contracted infectious diseases that pose a threat to public health, as established in Regulation No. 7380, known as the "Regulation for Isolation and Quarantine". Based on this, the Secretary of Health is empowered to order testing to detect COVID-19 as part of their authority to take measures deemed necessary to combat any epidemic threatening the health of citizens.

**WHEREAS:**

Article 5.10 of Act 20-2017, as amended, better known as the "Puerto Rico Public Safety Department Act," empowers me as Governor to decree a state of emergency, to "issue any state regulation, order, plan, or measure for emergency situations or disasters, or to modify them at their discretion," and to "enact, amend, and repeal any regulation, and issue, amend, and rescind any order that I deem convenient to govern during the state of emergency or disaster."

**THEREFORE:**

I, PEDRO R. PIERLUISI, Governor of Puerto Rico, by virtue of the powers inherent to my office and 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:**

**TRAVELER DECLARATION.** All travelers over the age of two (2) who arrive at Puerto Rico on a flight coming from any state or territory of the United States of America, or any international destination, shall be required to complete a "Travel Declaration Form, COVID-19 Alert", which may be accessed digitally prior to their arrival at the following website: <https://1link.travelsafe.pr.gov/>. In the event that it is not possible to access said document in its electronic form, the traveler may complete it in person upon arriving at the airport. Completing the travel declaration entails, among other things, attaching a copy of

the "COVID-19 Vaccination Record Card," Vacu-ID, or a negative COVID-19 test result from a qualified SARS-CoV2 viral test (nucleic acid amplification or antigen test ["NAAT"] or antigen test), as required in this Executive Order. In said declaration, the traveler certifies, under oath, that they will comply with the orders issued regarding their behavior during their stay.

As the Vacu-ID system is integrated in other United States jurisdictions, the use of these platforms will be permitted in Puerto Rico once they have been validated by the Department of Health and PRITS.

**Section 2:**

**PASSENGERS OF DOMESTIC FLIGHTS.** Starting when this Executive Order enters into force, all passengers over the age of two (2) who arrive at Luis Muñoz Rivera International Airport, Mercedita International Airport, Rafael Hernández International Airport, or any other airport on the Island, from any state or territory of the United States of America, must comply with the following:

1) Vaccinated individuals:

- a. present evidence (COVID-19 Vaccination Record Card or Vacu-ID issued by the Government of Puerto Rico) that shows they are fully inoculated with a vaccine authorized or approved by the FDA, or any other vaccine on the emergency use list published by the World Health Organization (WHO).

2) Unvaccinated individuals:

- a. present a negative COVID-19 test result from a qualified SARS-CoV2 viral test (nucleic acid amplification test ["NAAT"] or antigen test) approved by the Food and Drug Administration of the United States (FDA) and administered by an authorized medical professional no more than two (2) days prior to their arrival, or
- b. a positive COVID-19 test result from the three (3) months prior to the flight, along with documentation of their recovery, including a letter from a certified medical care provider or from a government health official which certifies that the passenger has

recovered and is ready to travel.

If a passenger does not present a COVID-19 test result upon arrival, they shall be required to undergo testing using a qualified SARS-CoV2 viral test within forty-eight (48) hours of their arrival. They must also remain in quarantine while they await their test result. They may only leave their place of quarantine to procure medical or therapeutic services, and to undergo testing for COVID-19. If the result is positive, the person must comply with the isolation requirements established in OE-2021-075 or a superseding document and must follow the protocols established by the Department of Health. If they do not undergo testing within forty-eight (48) hours of their arrival, the person must remain in quarantine for seven (7) days, starting when they arrived at Puerto Rico, and the Department of Health must impose the corresponding fines.

For the purposes of this Executive Order, a person is fully inoculated or vaccinated once two (2) weeks have passed since they received a second dose of the Pfizer or Moderna vaccines, or once two (2) weeks have passed since they received a single dose of the Johnson & Johnson's Janssen vaccine. In the case of the vaccines included in the WHO's emergency use list, the implemented framework and any directives issued by the Secretary of the Department of Health for such purposes must be examined. If an individual does not meet these requirements, they shall not be considered fully vaccinated, and must therefore comply with what is established herein for unvaccinated individuals.

The available scientific data indicates that a booster shot strengthens immune response. Therefore, all individuals who can receive a booster shot are encouraged and urged to do so before boarding a domestic flight to Puerto Rico.

**Section 3:**

**PASSENGERS OF INTERNATIONAL FLIGHTS.** Passengers arriving from any international destination must adhere to the rules imposed by the President of the United States, Joseph R. Biden Jr., in the proclamation issued on October 25, 2021 titled "Advancing the Safe Resumption of Global Travel During the COVID-19 Pandemic," and by the orders issued by the CDC titled "Amended Order Implementing Presidential Proclamation on



Advancing Safe Resumption of Global Travel During the COVID-19 Pandemic” and “Requirements for Negative Pre-Departure COVID-19 Test Result or Documentation of Recovery from COVID-19 for All Airline or other Aircraft Passengers Arriving into the United States from any Foreign Country.” This includes, but is not limited to, requiring all international citizens who are not United States citizens or immigrants to be fully vaccinated against COVID-19, subject to the rules and exceptions established in the proclamation and the CDC’s orders.

In addition, under the abovementioned rules, all passengers over the age of two (2) must present: (a) a negative COVID-19 test result from a qualified SARS-CoV2 viral test (nucleic acid amplification test [“NAAT”] or antigen test) approved by a pertinent national authority that was performed one (1) day prior to boarding the airplane, regardless of whether the person is vaccinated against COVID-19 or not, or (b) a positive COVID-19 test result from the ninety (90) days preceding the flight, along with documentation of their recovery, including a letter from a certified medical care provider or a government official certifying that the passenger has recovered and is ready to travel. Certain individuals are exempted, as specified in the abovementioned CDC orders.

Should President Biden or the CDC modify the rules explained above, the new rules must be adhered to. On the other hand, should the rules be eliminated, all passengers arriving at Puerto Rico on an international flight must comply with the requirements established in Section 2 of this Executive Order.

**Section 4:**

**REQUIREMENTS FOR PASSENGERS WITH COVID-19 SYMPTOMS.** All passengers showing symptoms associated with COVID-19 within the screening area established by the Department of Health and the National Guard must strictly comply with the directives established by the Department of Health regarding the protocols to follow and must undergo the corresponding tests. All passengers whose COVID-19 test results are positive shall be responsible for their medical expenses and for any costs associated with extending their stay, because the traveler shall be required to remain in isolation for a period of time determined by the Department of Health.

**Section 5:**                    **PRECAUTIONARY MEASURES.** All passengers of flights arriving from any state or territory of the United States of America, or any international destination—regardless of whether they are vaccinated or whether they have a negative COVID-19 test result from a qualified SARS-CoV2 viral test (nucleic acid amplification test [“NAAT”] or antigen test)—must comply with all of the precautionary measures established by the Governor’s executive orders or by the Department of Health’s administrative orders. In addition, they must monitor the presence of any COVID-19 symptoms, directly use the “*Secure monitoring and reporting for public health*” (“SARA Alert”), and comply with the information requirements requested digitally, through calls, text, or in person.

**Section 6:**                    **EXCEPTIONS TO THE EXECUTIVE ORDER.** All flight crew members or aviation mechanics who will not remain in Puerto Rico for a period of over seventy-two (72) hours, federal agents, state agents, officials working on extradition processes, active military personnel, and any other personnel specified by the Department of Health, are exempted from complying with what is established in this Executive Order. Individuals returning to Puerto Rico from a trip with a duration of under forty-eight (48) hours are also exempted from complying with what is established herein. They must present evidence of their flight leaving Puerto Rico.

In all of the exempting circumstances specified above, the person must comply with the following: (1) complete the travel declaration established in this Executive Order, for proper oversight and monitoring by the Department of Health; (2) comply with all of the orders, instructions, protocols, and requests for information issued by the Department of Health, the National Guard, and any other pertinent government entity, and (3) comply with the precautionary measures established in the Governor’s executive orders and the Department of Health’s administrative orders

**Section 7:**                    **COMPLIANCE.** The Department of Health—in coordination with the National Guard, the Ports Authority, the Department of Public Safety, and any other government entity deemed pertinent—shall take the measures necessary to implement the provisions of this Executive Order. Among others, they must maintain the specific



protocols that establish the details of the process for gathering the information of each passenger, as applicable; the handling of information by government authorities, and the proper notification of the provisions contained in this Executive Order and the rights that each passenger has, including the strictest confidentiality in the handling of said information.

The Department of Health is hereby delegated the authority to impose, through the corresponding legal mechanisms, more severe restrictions than the ones required in this Executive Order if the infection rates make it necessary to do so. In addition, it is empowered to relax the restrictions as circumstances allow.

No passenger may leave the premises at an airport without having completed the process established by the Department of Health in coordination with the National Guard of Puerto Rico in accordance with the provisions of this Executive Order, which includes completing the travel declaration where applicable.

The Tourism Company and the Ports Authority must establish communication with travel agencies, airlines, and the hotel industry to collaborate in properly notifying passengers concerning the requirements for traveling to Puerto Rico.

**Section 8:**

**DISCLOSURES.** All passengers shall certify, under oath, on the form they complete with their personal information, that they are in compliance with the orders established in the form regarding their stay. Should the passenger knowingly provide false information, they may be criminally prosecuted for perjury under Article 269 of the Puerto Rico Penal Code of 2012, as amended, which carries the penalty of imprisonment for a fixed term of three (3) years.

In addition, any passenger who produces, alters, falsifies, forges, or possesses any document, certificate, file, record, or other analogous document requested by this Executive Order may be criminally prosecuted under Articles 211 and 215 of the Puerto Rico Penal Code of 2012, as amended, which carries the penalty of imprisonment for a fixed term of three (3) years.

Any person who fails to comply with the provisions of this executive order shall be subject to the criminal sanctions and fines established in the provisions of Law No. 20-2017, which



establishes a penalty of imprisonment for a term of no more than six (6) months or a fine not exceeding five thousand (5,000) dollars, or both penalties, at the court's discretion, or that of any applicable law. Similarly, under the provisions of Article 33 of the Health Department Act, "[a]ny natural or legal person who violates the provisions of this Act or the regulations issued by the Department of Health thereunder shall incur a misdemeanor, and upon conviction, may be sentenced to imprisonment that shall not exceed six (6) months, or a fine of not more than five thousand dollars (\$5,000), or both penalties in the discretion of the court." In addition, the Department of Health may present administrative complaints to natural or legal persons who fail to comply with this Executive Order's provisions and who put the lives and safety of the people at risk, in accordance with the provisions of Chapter 7, Section 7.1 of Act 38-2017, as amended, known as the "Uniform Administrative Procedure Act of the Government of Puerto Rico."

**Section 9:** **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 10:** **SEVERABILITY.** The provisions of this Executive Order are separate and independent of each other, and if any part, section, provision, or sentence of this Executive Order is declared unconstitutional, void, or invalid by a court of jurisdiction and venue, such decision shall not affect the validity of the remaining provisions, which shall remain in full force.

**Section 11:** **PRIOR ORDERS SUPERSEDED.** This order shall supersede Administrative Bulletins OE-2021-037, OE-2021-040, OE-2021-073, and OE-2021-081. In addition, this Executive Order shall supersede the parts of any executive order that may, in whole or in part, be inconsistent with the provisions herein, to the extent of such inconsistency.

**Section 12:** **VALIDITY.** This Executive Order shall enter into force on February 2, 2022.

**Section 13:** **PUBLICATION.** This Executive Order must be filed immediately





with the Department of State and the widest possible publication is hereby ordered.



**IN TESTIMONY WHEREOF**, I hereby issue this Executive Order under my signature and cause the Great Seal of the Government of Puerto Rico to be affixed, at La Fortaleza, in San Juan, Puerto Rico, on this 28<sup>th</sup> day of January of 2022.

**PEDRO R. PIERLUISI  
GOVERNOR**

Enacted in accordance with the law on this 28<sup>th</sup> day of January of 2022.

**OMAR J. MARRERO DÍAZ  
SECRETARY OF STATE**

I, Juan E. Segarra, USCCI #06-067/translator, certify that the foregoing is a true and accurate translation, to the best of my abilities, of the document in Spanish which I have seen.