

## Executive Order 2020-080 Extends Curfew; New Restrictions Announced

### ATTORNEYS

- Arturo J. García-Solá
- Marcos Rodríguez-Ema
- Rubén Méndez-Benabe
- Isis Carballo-Irigoyen
- Carlos J. Fernández-Lugo
- Patricia George-Iguina
- Anita Montaner-Sevillano
- Miguel Rivera-Arce
- Magda M. Boyles
- Sila M. González-Calderón
- Carla S. D'Almeida-Aracena

### PRACTICE AREAS

- Government Affairs & Public Policy

### An McV Government Affairs Alert

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On November 13, 2020, Governor Wanda Vázquez-Garced signed Executive Order 2020-080 (“EO 2020-080” or the “Executive Order”) to, among other matters, further extend the curfew currently in effect for another three weeks and implement more restrictive measures to curb the spread of COVID-19 in Puerto Rico.

In addition, EO 2020-080, which is effective from November 16<sup>th</sup> until December 11<sup>th</sup> unless otherwise extended or modified, reintroduces certain restrictions by considering the recommendations of the Puerto Rico Economic and Medical Task Forces and the guidelines set forth in the United States Department of National Security’s Guidance on the Essential Critical Infrastructure Workforce: Ensuring Community and National Resilience in COVID-19 Response.

For your convenience, in this Alert we will highlight the major modifications and amendments in this new Executive Order. We will refer to our previous Alerts as needed.

#### **Extension of Curfew**

The curfew set forth in EO 2020-044, from 10:00pm until 5:00am, continues in effect until December 11<sup>th</sup>, 2020.

#### **Quarantine Order (Section 3 of the Executive Order)**

The Quarantine Order is modified to order individuals who reasonably believe to have been exposed to COVID-19 to remain in their place of residence for a minimum period of 10 days, which period may be extended as necessary.

#### **Authorized Private Businesses and Exceptions (Section 6 of the Executive Order)**

Pursuant to Section 6 of EO 2020-080, restaurants may keep their dining rooms open Monday through Sunday until curfew, at or below 30% of their maximum capacity, as defined in PR Building Code 2018. Under no circumstance will people be allowed to crowd outside of a restaurant consuming alcoholic

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beverages.

Businesses dedicated mainly to the retail sale and consumption of alcoholic beverages outside or within its premises (bars, canteens, cocktail lounges and any business whose earnings are primarily derived from the retail sale of alcohol) remain closed during the effectiveness of the Executive Order.

The following businesses may continue operating Monday through Sunday until curfew at or below 30% of their maximum capacity, as defined in PR Building Code 2018. For additional details on any of these, please refer to our EO 2020-044 Alert.

- Advertising Agencies
- Armory Services
- Automobile Dealerships
- Casinos
- Funeral Homes
- Gyms
- Laundromats
- Movie Theaters
- Museums
- Open Layout Shopping Malls
- Ornamental Gardening Businesses
- Religious Events
- Retail Stores
- Travel Agencies
- Wholesale Businesses

Provisions regarding the following businesses and industries remain unaltered from previous administrative bulletins:

- Beauty Salons and Barbershops
- Car Wash Establishments
- Closed Layout Shopping Malls
- Daycare Centers

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- Film Industry
- Financial Institutions
- Gas Stations and their Distribution Chain
- Healthcare, Medications, Medical Items or Equipment, and Pharmacies
- IT Sector Establishments
- Laundry and Laundromat Services
- National Security
- Organizations or Groups that Provide Services that Address the Basic Needs of Vulnerable Persons
- Other food businesses
- Safety
- Spas and Esthetic Clinics
- Textile
- Vehicle Inspection Centers

### **Required Signage (Section 7 of the Executive Order)**

The Executive Order requires that authorized businesses visibly display a sign with the contact information of the confidential COVID-19 hotline created by the PR Department of Health to allow citizens to contribute with the enforcement and compliance of EO 2020-080.

The sign must also include the maximum number of people allowed inside the establishment in light of the 30% maximum occupancy set forth in the Executive Order.

### **Outdoor Sports and Recreational Activities (Section 11 of the Executive Order)**

Starting on November 16th, and within permissible curfew hours, only individual sports and recreational training that do not entail physical contact are allowed. Competitive activities of any kind, professional or non-professional, are not allowed during the effectiveness of this Executive Order.

Pools, including those located at housing complexes, may continue to operate at a maximum capacity of 30%.

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### **Beaches**

Section 12 of EO 2020-080 provides that beaches be closed to persons wishing to sunbathe, socialize or gather in groups. Beaches may continue open strictly for professional or recreational sports (runners, surfers, sailing and rowing athletes, and divers, among others).

### **Horse Racing Industry and Sport**

Section 13 of EO 2020-080 provides that the horse racing industry may continue to celebrate official races. The general public may attend the races held at the Camarero Racetrack so long as occupancy does not exceed 30% of the racetrack's official capacity, as set forth in the PR Building Code 2018.

### **Tourism**

Section 14 of EO 2020-080 provides that the use of bars in hotel and inns is not allowed during the effectiveness of this Executive Order. Hotels and inns with pools and beach access must ensure compliance with the measures set forth in the Executive Order. Specifically, EO 2020-080 mandates that the use of pools in hotel and inns be 30% occupancy with prior appointment for hotel guests only.

Restaurants located within hotels may remain open, so long as occupancy does not exceed 30% of the official capacity, as set forth in the PR Building Code 2018.

### **Events**

Section 15 of the Executive Order provides that proposals for virtual concerts and theater activities may be submitted for the approval and authorization of the Governor's Chief of Staff. Proposals will be evaluated subject to the implementation of health and safety measures to safeguard employees' health. Venues may not reopen during the effectiveness of EO 2020-080.

Mass gatherings that encourage the crowding of persons are prohibited.

### **Activation of the Puerto Rico National Guard**

Section 29 of the Executive Order provides that, pursuant to Executive Order 2020-081, the Puerto Rico National Guard will be activated to assist in the implementation of EO 2020-080.

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### **Other EO 2020-080 Provisions**

The following Sections of EO 2020-080 remain unaltered. For additional details, you may access all previous COVID-19 related Executive Orders on our McV COVID-19 Information Center, which you can access **here**.

- Section 2 – Quarantine Order
- Section 4 – Government Operations
- Section 5 – Guidance Established by Agencies
- Section 8 – Definitions
- Section 9 – Authorized Services
- Section 10 – Corporations
- Section 16 – Safety Measures to be followed by the Public and Exempted Businesses
- Section 17 – Preferential Services
- Section 18 – Excluded Persons
- Section 19 – Road Tolls
- Section 20 – Celebration of Religious Events
- Section 21 – Closure of Businesses and Private Entities
- Section 22 – Construction Services
- Section 23 – Manufacturing
- Section 24 – Recreational Maritime Traffic
- Section 25 – Workplace Risk Management Plans
- Section 26 – Modifications
- Section 27 – Penalties
- Section 28 – Interagency Oversight Group

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