

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

Administrative Bulletin Number: OE-2020-033

EXECUTIVE ORDER OF THE GOVERNOR OF PUERTO RICO, HON. WANDA VÁZQUEZ-GARCED, FOR THE PURPOSE OF CONTINUING THE MEASURES IMPLEMENTED TO CONTROL THE RISK OF THE SPREAD OF THE CORONAVIRUS (COVID-19) IN PUERTO RICO.

WHEREAS: Government authorities have a constitutional responsibility to guarantee the right to life that all citizens have. Therefore, during the coronavirus (COVID-19) pandemic, the Government of Puerto Rico's primary focus is to make all necessary efforts to safeguard the health, lives, and safety of all residents of Puerto Rico. For this reason, and based on the declaration issued by the World Health Organization (WHO) which classified the respiratory disease caused by COVID-19 as a global health and social emergency at a pandemic level that required immediate and effective action from governments and jurisdictions throughout the world, Administrative Bulletin No. OE-2020-020 was issued on March 12, 2020, declaring a state of emergency throughout our archipelago due to the threat posed by COVID-19 (OE-2020-020).

WHEREAS: On March 13, 2020, the President of the United States of America, the honorable Donald J. Trump, issued a national emergency declaration due to the development and exponential spread of COVID-19 in the community being experienced throughout the United States.

WHEREAS: Following the emergency declaration, on March 15, 2020, Administrative Bulletin No. OE-2020-23 was issued, establishing additional measures in order to slow and contain the spread of COVID-19 in Puerto Rico (OE-2020-023), including, among other measures, the implementation of a lockdown which applies to all citizens, as well as making the necessary closures, both in the private sector and within the government.

WHEREAS: In light of the emergency situation that Puerto Rico is facing, Administrative Bulletin OE-2020-026 (OE-2020-026) was issued, which created an Executive Medical Advisory Task Force (Medical Task Force) in charge of developing and implementing studies, research, and strategic plans concerning how to best



manage the COVID-19 emergency, as well as advising the Governor of Puerto Rico and the Secretary of Health in the decision-making process regarding public health and other matters related to this emergency. Both the physicians that make up the Medical Task Force and the Department of Health recommended extending the measures taken by the Governor to contain the spread of COVID-19 for an additional period, along with some modifications, which were accepted.

WHEREAS: On March 30, 2020, Administrative Bulletin No. OE-2020-029 was issued in order to extend the lockdown, as well as government and business closures until April 12, 2020 (OE-2020-029), with specific exceptions.

WHEREAS: On April 9, 2020, the Governor of Puerto Rico held a meeting with various heads of agencies, members of the Medical Task Force, and members of the Economic Task Force in order to discuss the next steps to be taken.

WHEREAS: To date, 788 cases of COVID-19 and 42 deaths related to COVID-19 have been confirmed in Puerto Rico. All groups consulted agree that the preventive measures taken have made it possible to contain the spread. This has been confirmed by the percentage of positive results in the tests that have been carried out, as well as the small number of people going to the hospital and emergency rooms as compared to other jurisdictions. It has also been observed that even though more cases have been added to the total, the daily percentage of positive test results has declined in the last few days, from around 17% on April 1st to 13% as of today. In addition, we have been able to control the pace of the spread and maintain it at a manageable level, unlike many other affected jurisdictions.

WHEREAS: Article 6.10 of Act 20-2017, as amended, known as the *Puerto Rico Public Safety Department Act*, empowers the Governor to declare a state of emergency on our 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 rescind 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 81 of March 14, 1912, as amended, known as the Health Department 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:

Under Constitutional Law, the State may restrict the fundamental rights of individuals when there is a compelling interest and when it is the least expensive option. In this case, public health is the compelling interest in light of a pandemic for which there is still no vaccine, which makes it imperative to implement measures that may affect fundamental rights.

WHEREAS:

The severity of the situation presented by this epidemiological emergency and the ease with which COVID-19 is transmitted from person to person has led forty-two (42) states throughout the United States to issue "stay-at-home" orders, prohibiting people within their respective territories from going outside unless they are doing so for essential business, as well as closing all public and private establishments that are not essential to managing the emergency.

WHEREAS:

In order to prevent and control the spread of the virus in Puerto Rico, difficult but necessary measures must be implemented to guarantee the right to life of all citizens.

WHEREAS:

This Administration acknowledges that these measures must be accompanied by mechanisms that will allow for the operation of industries, services, and sectors of the economy that are necessary to adequately and effectively respond to this emergency.

WHEREAS:

The projections presented by the Medical Task Force and the Department of Health concerning the potential exponential spread of the virus that would result from suspending the implemented social isolation measures at this time make it imperative to extend the curfew and partial or total lockdowns of private and public operations, as applicable.



WHEREAS: On March 28, 2020, the U.S. Department of Homeland Security's Cybersecurity & Infrastructure Security Agency published a document titled, "Guidance on the Essential Critical Infrastructure Workforce: Ensuring Community and National Resilience in COVID-19 Response," whereby certain parameters were established for helping state and local governments determine which activities, businesses, jobs, and industries can be considered as essential within the context of the emergency created by COVID-19 ("The Guide").

WHEREAS: The Guide was issued in order to assist public officials in their role of protecting the community while ensuring the continuation of services that are critical to public health and safety and to economic security.

WHEREAS: The Guide provides that the decision over what constitutes an essential business or activity isn't definitive, but rather that public health considerations linked to concerns specifically related to COVID-19 in each jurisdiction should be taken into account.

WHEREAS: Although the spread of COVID-19 has been contained to some degree, the risk of contagion continues in Puerto Rico.

WHEREAS: Constitutional rights do not completely prevent the State from reasonably regulating how those rights are exercised as long as they are regulated based on a compelling interest, such as public health, and as long as it is the least expensive means.

WHEREAS: I, WANDA VÁZQUEZ-GARCED, 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: **LOCKDOWN.** A lockdown remains in effect in Puerto Rico. **EVERY CITIZEN ON THE ISLAND OF PUERTO RICO IS INSTRUCTED TO REMAIN AT THEIR PLACE OF RESIDENCE OR SHELTER 24 HOURS A DAY, 7 DAYS A WEEK DURING THE LOCKDOWN PERIOD, WHICH EXTENDS THROUGH MAY 3, 2020, INCLUSIVE.** Any citizen who does not qualify for any of the specific exemptions described below herein may leave their shelter between **5:00 a.m.** and **9:00 p.m. EXCLUSIVELY** under the following circumstances:

(a) to go to a medical appointment, hospitals, laboratories, or hospital medical service centers;

(b) to acquire food, pharmaceutical products, and essential supplies.

(c) to visit one of the exempted establishments for necessary or urgent business.

(d) to receive exempted services, which are specified in subsequent sections of this Order.

(e) to provide any of the exempted services specified to be in subsequent sections of this Order.

While this Order is in effect, any owner and/or person in charge of a residence who allows people other than cohabitants to congregate in order to hold meetings, gatherings, parties, or any activity not permitted under this order in said residence and its surroundings, shall be considered to be in violation of the executive order and shall be subject to the penalties established by law. Given that public health represents a compelling interest that the State is required to preserve, and even more so when scientific evidence shows that the main way in which the virus spreads between humans is through droplets produced and expelled when an infected person coughs, sneezes, or talks, the least expensive means to control the risk of spreading the virus is to regulate this type of activity. In addition, some recent studies suggest that COVID-19 can spread throughout asymptomatic people who are which makes it important to maintain proper social distancing to prevent the spread of this disease.

Section 2:

QUARANTINE ORDER. Under the authority granted by the Constitution of Puerto Rico, by Act 20-2017, as amended, *supra*, and by Act 81 of March 14, 1912, as amended, *supra*, we reiterate that **every person who is reasonably suspected to have been exposed to COVID-19, regardless of whether or not they show signs of infection, is hereby ordered to remain in quarantine for 14 days in order to prevent or limit the transmission and spread of the virus.** This means that the person must remain strictly at home and restrict their activities outside their home in order to prevent the risk of infection in the



community. It is further ordered that any person who has been diagnosed with COVID-19, or who is reasonably suspected to have been infected with COVID-19 must socially isolate for 14 days; the purpose of this confinement or restriction of movement, in conformance with medical instructions, is to prevent putting public health at risk and preventing the spread to people who are not infected.

Section 3:

GOVERNMENT CLOSURES AND EXCEPTIONS. Personnel shall continue to carry out their duties and provide any services that may be offered without compromising the health and safety of employees through telework. The government's decision to not open State facilities to the public remains in effect, thus protecting both public servants and the general public and promoting telework and/or social distancing. Teleworking shall be coordinated by each head of agency with the Office of Human Resources Administration and Transformation, which shall establish the corresponding guidelines. The head of each agency or nominating authority shall issue instructions and establish a work plan for their employees, which shall be notified by their supervisors. This applies to non-essential employees who can carry out their duties with the necessary precautions. Essential employees shall continue with the work plan already established by their Agency.

Section 4:

THE ESTABLISHMENT OF GUIDELINES BY THE AGENCIES. The provisions established herein may be defined and supplemented in detail through guidelines issued by any agency called upon to establish rules and regulations for the services discussed herein once approval has been received from the Governor, who shall be able to delegate this function to the Secretary of State. Similarly, any head of an agency who identifies essential or emergency services that are not covered under the exemptions must submit a request for this purpose to the Secretary of State, who may approve it at his discretion. Any agency that issues guidelines in order to explain in more detail the provisions established by this Order must publish them as widely as possible once they have been approved.

Section 5:

BUSINESSES EXEMPT FROM CLOSURE. With a lockdown established and in effect, and as long as they comply with the hours established in the lockdown, businesses dedicated to the



following activities are exempt from the provisions of this Order:

1. **Food:**

a. The sale of prepared food, **EXCLUSIVELY** through drive-throughs or delivery and carry-out services, without allowing the public to dine in at their establishments.

b. Wholesale or retail sale of food.

c. Businesses related to the food and drink supply chains (including farmers and the agricultural industry), including food for animals, including food and drink processors and preparers, businesses dedicated to the distribution of food and drinks, hydroponic farms, and general agricultural activity.

d. Supermarkets and small grocery stores (“colmados”), including businesses whose components include a supermarket or general store. Supermarkets may remain **OPEN TO THE PUBLIC** Monday to Saturday from **5:00 a.m.** to **8:00 p.m.** However, in the case of supermarkets exclusively, delivery services shall be allowed until **10:00 p.m.** in order to incentivize home delivery services and to reduce the number of citizens physically visiting said establishments. These establishments shall remain **CLOSED TO THE PUBLIC** on Sundays, and as an exception, they shall **LIMIT** their operations on Sundays to cleaning, disinfecting, and managing merchandise.

e. Concerning retail points of sale such as fresh produce kiosks (fruits, greens, and vegetables) established prior to March 15, 2020, they shall be allowed to open provided that they take preventive measures in order to safeguard the health of the public (e.g. through the use of masks, gloves, disinfectant, etc.) and that they serve the public without the need for gathering people together.

2. **Health:**

This includes businesses dedicated to the production, sale, or provision of services related to medications, medical supplies or equipment, or the provision of medical care services, in addition to those in their chain of supply,

including:

- i. Pharmaceutical companies
- ii. Medical devices (manufacturing and sale)
- iii. Biotechnology and agricultural biotechnology facilities
- iv. Manufacturing of hospital supplies
- v. Hospitals
- vi. Clinical laboratories
- vii. Emergency rooms
- viii. Medical services clinics
- ix. Medicinal cannabis dispensaries
- x. Medicinal cannabis cultivation and processing facilities
- xi. Healthcare centers
- xii. Blood banks
- xiii. Pharmacies. However, **on Sundays, pharmacies may ONLY operate their dispensary area and** sell medication and personal hygiene products.
- xiv. Elderly care centers
- xv. Companies and insurers that provide health insurance plans
- xvi. Veterinary clinics, by appointment
- xvii. Medical specialist offices. All elective medical procedures must be suspended. **All medical specialist offices must perform an evaluation and take measures in order to determine whether to close their offices or see patients, particularly in emergency cases, which they must do by appointment and implementing rigorous safety measures.** Gatherings of people are NOT permitted. Careful attention must be paid and measures must be taken in cases related to pregnant women. All specialized care offices, like dialysis centers, cancer treatment centers, and others are exempt and should therefore continue to offer their services to their patients.
- xviii. As recommended by the ADA and the Dental Board of Puerto Rico, all dental clinics shall remain closed. They may take measures to carry out emergency procedures, for

which they must provide a number that patients can call to coordinate their services.

3. **Gas stations and their supply chain**

- a. Fuel (processing, sale, and distribution)
- b. Refining: gasoline, diesel, jet fuel, AV-Gas, propane gas, butane gas, natural gas, liquified gas, kerosene, among others.
- c. Blending (blends, intermediate fuels)
- d. Production, distribution, wholesale, retail (gas stations)

From Monday to Saturday, gas stations shall operate as usual within the conditions established by the curfew. However, they may ONLY sell fuel or medications on Sundays.

4. **Financial Institutions**

- a. Institutions that offer banking services, such as banks and credit unions, for deposits, withdrawals, and payments.
- b. Pawnshops, only for receiving goods to be pawned and for debt repayment services (the sale of goods and/or merchandise is not allowed).

5. **Organizations or groups that provide services that address the basic needs of vulnerable people.**

- a. Homeless shelters
- b. Food banks
- c. Victim shelters
- d. Shelters
- e. Temporary housing

6. **Vehicle parts and repairs:** Businesses that offer vehicle parts and repair services, including automotive technicians, tire retailers, and parts distributors, may operate **in order to address emergencies on Wednesdays and Thursdays, from 9:00 a.m. to 5:00 p.m., by appointment, and shall establish a method to be contacted by phone or by email in order to coordinate said appointments.** They must ensure to manage the people whose appointments they are

handling so that they have no more than one (1) customer at a time and maintain appropriate safety measures in order to prevent the spread of the virus **while remaining closed to the general public.**

7. **Hardware stores:** Hardware stores **may open on Fridays and Saturdays between the hours of 9:00 a.m. and 5:00 p.m., exclusively by appointment, establishing some method for being contacted by phone or email in order to coordinate the sale and delivery of merchandise in an organized manner, but without being open to the general public.** The people in charge of said establishments must ensure to manage the people whose appointments they are handling so that they have no more than one (1) customer at a time. **However, as an exception, from Monday to Thursday,** they shall be authorized to dispatch orders received by phone or by any electronic communication method, orders placed by a government agency due to an emergency, or orders from businesses or service providers that are exempt under this Order.

8. **Textiles**

a. Any textile business that manufactures clothing/footwear or components/equipment for the Department of Defense may continue to operate, provided that it complies with the protocols and regulations of the Puerto Rico Occupational Safety and Health Administration (PROSHA) concerning the protection of employees from the spread of COVID-19. Accordingly, PROSHA issued a communication on March 31, 2020 establishing guidelines for the contingency plan to be implemented by employers and the mechanism for obtaining the corresponding authorization to operate.

b. All textile businesses that manufacture personal protection equipment (e.g. masks, surgical caps, gowns, gloves, and other items used to protect a person's health), may continue to operate as long as they comply with the protocols and regulations of the Puerto Rico Occupational Safety and Health Administration (PROSHA) concerning the protection of employees from the spread of COVID-19. Accordingly, businesses in this industry sector are encouraged to take notice of a communication issued by



PROSHA on March 31, 2020, establishing guidelines for the contingency plan to be implemented by employers and the mechanism for obtaining the corresponding authorization to operate.

Failure to comply with the Price Freeze Order or any other Order issued by the Department of Consumer Affairs (DACO) shall result in the fines and penalties mentioned in this Order and in DACO's enabling law.

Section 6:

SERVICES EXEMPT FROM CLOSURE: The following services **may continue to be provided** as long as they are offered **in an emergency situation**, a phone number or email is made available to be contacted **without opening their locations or establishments to the public**, the preventive measures described below to safeguard health, safety, and hygiene are taken into account, and the necessary controls are established in order to achieve social distancing and prevent the spread of COVID-19:

1. Plumbers, electricians, people who repair, maintain, or replace home appliances, exterminators and pest control services, pool cleaning services, businesses and independent contractors who provide landscaping services, elevator repair and maintenance, security gate maintenance and repair, and other services that are necessary to maintain health, safety, and essential operations at an individual, residential, commercial, industrial, or public level. When carrying out their work, they must wear masks to cover their mouths and gloves in order to guarantee their protection and that of the clients they are serving. An establishment that would normally be open to the public in connection with these services shall not be authorized to open and must remain closed.

Gated communities and their administrators must faithfully fulfill the directives of this Executive Order or be held liable.

2. Roadside assistance and locksmith service companies **may only continue to operate to address emergency cases, and they must provide a phone number or email address as contact information for making appointments.** Any establishment that is normally open to

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the public in connection with these services shall not be authorized to open and must remain closed.

3. Courier companies may continue to operate while following health, safety, and hygiene guidelines and implementing the necessary measures for maintaining social distancing and preventing the spread of COVID-19.

4. Regarding funeral services, body collection and transfers, embalming, cremation, and interments may continue to be performed, but not wakes where the public may gather are hereby prohibited.

5. Regarding critical telecommunications infrastructure, all installation, repair, maintenance, and facility restoration services shall be permitted. This includes:

a. Infrastructure related to the Puerto Rico Electric Power Authority, the Puerto Rico Aqueduct and Sewer Authority, telecommunications, road systems, solid and biomedical waste, seaports, and airports.

b. As part of the critical telecommunications infrastructure and after coordinating THROUGH THE CALL CENTERS AND WITH A PREVIOUSLY SCHEDULED APPOINTMENT, always preventing gatherings of people and maintaining the necessary safety measures, each provider shall be allowed to establish strategic points by region, in coordination with the Puerto Rico Telecommunications Bureau, in order to provide the repair, delivery, and equipment and technology replacement services necessary for maintaining phone landlines, cellphone services, internet, cable TV, or satellite service. The above is limited to existing customers, following all health, safety, and hygiene guidelines, and establishing the necessary control to achieve social distancing and prevent the spread of COVID-19 as a result of their physical presence. The Puerto Rico Telecommunications Bureau is therefore ordered to publish the list of service locations and establishments as widely as possible. The provisions in this section shall only apply to providers that are registered, certified, or franchised by the Telecommunications



Bureau. Any establishment related to these businesses that are normally open to the public shall not be authorized to open and must remain closed.

6. Garbage collection (public or private); recycling services; maintenance and cleaning services.

7. Services related to any federal agency, including the United States Department of Defense (DOD).

8. The export of non-essential merchandise, as long as it is part of the current inventory.

Section 7:

CORPORATIONS. Article 7.12(A) of Act 164 of December 16, 2009, as amended, known as the "General Corporations Act," hereinafter referred to as the Corporations Act, provides that when a corporation's shareholders are required or allowed to participate in a meeting, a written notice must be issued confirming the location where the meeting is to be held, if any, the date and time of the meeting, and the remote means of communications, if any, through which said corporation's shareholders and their representatives may attend the meeting and vote at said meeting.

Subsection (B) of the aforementioned article requires that said written notice be delivered to each shareholder with voting rights in said meeting no less than ten (10) days and no more than sixty (60) days before the date of the meeting. It further provides that, if said notice is sent by mail, it shall be considered to be delivered when placed in the U.S. mail, signed and addressed to the shareholder to the address shown in said corporation's records.

It is therefore provided that, if as a result of the COVID-19 pandemic and its effects on Puerto Rico, the board of directors of a corporation established under the laws of Puerto Rico wishes to change the date or location of a previously notified shareholders' meeting, said corporation may notify its shareholders of the change by email, press release, radio ads, ads in newspapers in general circulation in Puerto Rico, phone calls, and/or a combination of these, or, in the case of public corporations, through documents publicly filed by the corporation with the Securities and Exchange Commission, as required by law, and a press release that shall also be posted on said corporation's website immediately after its publication.



It is provided that the notification of changes to dates and locations shall be permitted until the end of the state of emergency is declared.

Section 8:

PREVENTIVE MEASURES. Every person who visits the establishments allowed to open to the public under this Executive Order during specific hours must comply with the following protective measures:

- a) Cover their mouth and nose with a mask or scarf made of fabric or other materials. Each person shall be responsible for utilizing this protective item in conformance with the recommendations issued by the Department of Health for its proper use.
- b) Every person who visits an establishment shall maintain a distance of six (6) feet from other people.
- c) In order to protect the public and avoid unnecessary gatherings, citizens should not visit establishments authorized to open in large numbers. In order to achieve this objective, the number of people who may visit a business is limited to one (1) per household. People who depend on another person's assistance to visit an establishment, either because of a physical disability or other health condition, are exempted from complying with the above.

Private establishments authorized to open to the public during specific hours in conformance with the exceptions established in this Executive Order must enforce and ensure compliance with these preventive measures. They must also safeguard the health and safety of their customers and employees. They are therefore instructed to comply with the following measures:

- a) ensure that people who visit their establishments wear masks, mouth coverings, or scarfs made of fabric or other forms of protection for the mouth and nose area. Businesses must implement measures to prevent people who are not complying with the aforementioned protective measures from entering their establishments. Employees working at these establishments must be protected in the same manner.
- b) provide stations or mechanisms at the establishment

for people to disinfect their hands while they are there.

c) ensure that people who visit the establishment maintain the recommended distance of six (6) or more feet from other people, both inside and outside of the establishment. The appropriate measures must, therefore, be implemented to ensure compliance with the recommended physical distancing in queues to enter the establishment and queues within the establishment.

d) In the case of supermarkets and pharmacies, consideration should be given to the establishment of special operating hours for customers over the age of 65.

Section 9: PREFERENTIAL SERVICE. It is hereby recommended that, to the extent possible, all businesses authorized to operate under this Executive Order provide preferential service to people who work in hospitals and medical laboratories, and law enforcement officers.

Section 10: EXEMPTED PERSONS. With the lockdown and its exceptions in place, all individuals authorized under this Order due to work and/or emergency reasons shall be exempt from this lockdown.

The provisions of this Order shall not apply to:

1. Individuals who provide assistance, care, food, and transportation to senior citizens, children, dependents, people with disabilities or particularly vulnerable persons who require some type of medical care, provided that proper precautions are taken to prevent infection.
2. Individuals duly identified as employees of public or private safety agencies at the state or federal level.
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 wholesale goods and food manufacturing and supply chain, including those necessary for agricultural activity, such as agricultural centers, from the source up to consumer retail establishments where products are sold to consumers,

including retail points of sale such as fresh produce (fruits, greens, vegetables) stands established prior to March 15, 2020.

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5. Personnel working with utilities or critical infrastructure.
6. Providers of exempted services (Section 6) while performing their official duties.
7. Call center personnel.
8. Ports and airports personnel.
9. Members of the press and the media.
10. Citizens who are addressing health or emergency situations.
11. Officials who are carrying out critical duties in the Executive, Legislative, and Judicial Branches. These employees shall be authorized to travel on public roads in order to go to work and return home on the days and times where it is necessary.
12. Municipal police officers.
13. Members of the DNER Ranger Corps.
14. Puerto Rico Department of Treasury's Internal Revenue Agents.
15. Legal representatives of citizens who have been charged with offenses with summons to appear before the court, bail reductions, or *habeas corpus*.
16. People with autism spectrum disorders are authorized to conduct therapeutic outings consisting of short walks in the area near their homes, accompanied by only one person and taking all social distancing precautionary measures.

As previously stated, the rest of the population may leave their homes **EXCLUSIVELY** to visit any of the exempted establishments or businesses in order to meet a specific need, or to receive any of the exempted services, provided that the required hygiene and social distancing measures are taken. **EXCEPT IN CASES OF EMERGENCY, THE REST OF THE TIME EVERYONE MUST STAY AT HOME.**

Section 11: TEMPORARY PROVISIONS RELATED TO THE

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LOCKDOWN. In the interest of ensuring that Puerto Rico's workers are paid in accordance with their contracts and the applicable laws, up to five (5) employees per employer shall be exempt from the lockdown provisions **EXCLUSIVELY on Tuesday April 14, 2020, between 5:00 a.m. and 2:00 p.m. to process** payments for the payroll periods or cycles payable during the month of April 2020. Employers must identify the necessary personnel, who shall be able to visit their workplace exclusively for this purpose and any related tasks. Also, employers must take all necessary preventive measures to safeguard the health and safety of said employees at their workplace. Any employer who uses this provision as a subterfuge to carry out work not related to the processing and payment of wages shall be subject to penalties in accordance with this Order.

Additionally, in order to promote teleworking so that Puerto Rico's workforce can continue to generate an income during the emergency created by COVID-19, employers may visit their workplace **EXCLUSIVELY on Thursday, April 16, 2020, between 5:00 a.m. and 2:00 p.m.** to gather the necessary materials and equipment, as well as to deliver them to the corresponding employees. Employers must identify the necessary personnel, who shall be allowed to visit their workplace exclusively for this purpose and any tasks related to it. In addition, employers must implement preventive measures in order to safeguard the health and safety of said employees at the workplace. Employers who use this provision as a subterfuge to carry out work not related to the collection and delivery of the materials and equipment necessary for telework shall be subject to penalties in accordance with this Order.

Section 11:

TOLLWAYS. Tolls will continue to be collected at tollways on the roads of the Government of Puerto Rico. However, no fines shall be imposed for passing through a tollway without having sufficient balance in an Autoexpreso account while this Order is in effect due to recharging centers being closed. The Secretary of Transportation and Public Works and/or the Executive Director of the Puerto Rico Highway and Transportation Authority is hereby ordered to issue the necessary guidelines to grant a moratorium on the recharging of cards, thus complying



with what has been established herein.

Section 13:

THE HOSTING OF RELIGIOUS EVENTS ELECTRONICALLY.

Priests, pastors, reverends, bishops, imams, rabbis, and/or any leader of a religious entity who does not show flu-like symptoms or symptoms associated with COVID-19 may leave their residence outside of the limitations imposed in this Order exclusively in emergency or crisis situations in order to carry out their ministerial duties when said duties cannot be fulfilled by phone or other communication methods. They shall be responsible for using protective equipment (e.g. masks, gloves, disinfectants, etc.) and shall take all necessary measures to maintain social distancing and prevent the spread of COVID-19. Any church, temple, mosque, and/or synagogue that can communicate by radio, television, or digital methods may, without the participation of its congregation, hold services, masses, cults, or any of its religion's primary events at said places, in order to broadcast it live or in a recorded format. **The number of necessary staff (e.g. sound technicians, camera operators, or assisting personnel) may not exceed 10 people and they must not have flu-like symptoms or symptoms associated with COVID-19.** In addition, proper social distancing (4 to 6 feet apart) must be maintained and the entity shall be responsible for implementing all cleaning and disinfection measures necessary to prevent infection. This activity shall be authorized to the extent that it is strictly necessary.

Section 14:

THE CLOSING OF PRIVATE BUSINESSES AND ENTITIES.

This total closure order shall apply 24 hours a day to movie theaters, clubs, concert halls, theaters, gaming halls, casinos, theme parks, gyms, bars, and any other similar establishment or event that promotes the gathering of citizens in one place.

Section 16:

CONSTRUCTION SECTOR. Subject to the implementation of strict safety measures to safeguard the health and safety of all of our workers from COVID-19, and based on the Guidelines from the CDC, the Federal Department of Labor, and OSHA, the construction sector is hereby authorized as an essential sector in the COVID-19 emergency, **as long as it is to provide critical maintenance and repair services related to hospitals, drinking water, electricity, and communications.**



Section 16:

MARITIME TRAFFIC OF RECREATIONAL VESSELS. The Department of Natural and Environmental Resources (DNER) is hereby ordered to:

- a) Issue orders, guidelines, and circular letters, among others, for the **closure of all marinas** in Puerto Rico in order to discourage the maritime traffic of recreational vessels in our territorial waters and establish exceptions to the above based on emergency, commercial fishing, residents in vessels, and federal regulations criteria.
- b) in coordination with the Puerto Rico Police Bureau and any Municipal Police Department, establish a costal surveillance plan to ensure that all vessels comply with this Executive Order and/or all DNER orders, guidelines, and circular letters, among others.

The DNER Ranger Corps, the Puerto Rico Police Bureau, and any Municipal Police force in Puerto Rico are authorized to intervene with any person who disembarks from any type of vessel and enters and/or attempts to enter our shores in violation of the Executive Order established herein and/or in violation of the DNER's orders, guidelines, and circular letters, among others.

Mayors of coastal municipalities who can receive boats or any other means of maritime transportation shall be authorized to prevent the entry of any person to Puerto Rico through these methods. They may coordinate their efforts with their Municipal Police, the DNERs, and the Puerto Rico Police Department.

Section 17:

NONCOMPLIANCE. Failure to comply with the provisions of this Executive Order by any person or business shall result in the imposition of the criminal penalties and fines established by the provisions of any applicable law and of Act 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/or any applicable law. Furthermore, in accordance with the provisions of Art. 33 of the Health Department Act, "Any 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, at the discretion of the court.” Lastly, failure to comply with the Price Freeze Orders issued by the DACO shall result in the sanctions and fines imposed by that agency, as well as the ones mentioned in this section.

The Puerto Rico Police Bureau of the Puerto Rico Department of Public Safety is hereby ordered to take all necessary measures to enforce compliance with the provisions of this Executive Order.

Section 18: **DEFINITION OF “AGENCY”**. For the purposes of this Executive Order, the term “Agency” refers to any agency, instrumentality, office, or department of the Executive Branch of the Government of Puerto Rico, including public corporations, regardless of its name.

Section 19: **MODIFICATIONS**. While this Executive Order is in effect, meetings shall continue to be held with the Medical Task Force, the Economic Task Force, and the Social Task Force that shall be created shortly, in order to assess the results of the measures taken and to implement any modifications that may be necessary on a timely manner.

Section 20: **DEROGATION**. This Executive Order supersedes any other executive order that may be inconsistent with the provisions herein, to the extent of such inconsistency.

Section 21: **VALIDITY**. This Executive Order shall enter into force on April 13, 2020, and shall remain in force until May 3, 2020, and/or until further notice.

Section 22: **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 23: **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 23:

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 in San Juan, Puerto Rico, on this 12th day of April of 2020.



WANDA VÁZQUEZ-GARCED
GOVERNOR

Enacted in accordance with the law on this 12 day of April of 2020.



ELMER L. ROMÁN-GONZÁLEZ
SECRETARY OF STATE

CERTIFIED TRANSLATION



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.