

**Alert | Health Emergency Preparedness Task Force:
Coronavirus Disease 2019**



March 31, 2020

Virginia, Maryland, and Washington, D.C. Issue Stay-at-Home Orders on March 30, 2020

On March 30, 2020, Virginia Gov. Ralph Northam (D), Maryland Gov. Larry Hogan (R), and Washington, D.C. Mayor Muriel Bowser (D) each issued executive orders imposing statewide stay-at-home restrictions prohibiting residents from leaving home for non-essential travel as detailed below. Virginia's Order was immediately effective, while Maryland's Order became effective at 8:00 P.M. on March 30, 2020, and D.C.'s Order becomes effective at 12:01 A.M. on April 1, 2020.

Virginia – Governor's Executive Order No. 55

Per the **Virginia Order**, individuals may only leave their homes for the purpose of:

- Obtaining food, beverages, goods, or essential services as previously permitted;
- Seeking medical attention, essential social services, governmental services, assistance from law enforcement, or emergency services;
- Taking care of other individuals, animals, or visiting the home of a family member;
- Traveling required by court order or to facilitate child custody, visitation, or child care;
- Engaging in outdoor activity, including exercise, provided individuals comply with social distancing requirements;

- Traveling to and from one's residence, place of worship, or work;
- Traveling to and from an educational institution;
- Volunteering with organizations that provide charitable or social services; and
- Leaving one's residence due to a reasonable fear for health or safety, at the direction of law enforcement, or at the direction of another government agency.

The Virginia Order also imposes the following restrictions:

- Universities and higher education institutions must cease all in-person classes and cancel all gatherings of more than ten individuals;
- Effective April 2, 2020, all reservations for overnight stays at privately-owned campgrounds of less than 14 nights must cease; and
- All Virginia public beaches are closed, except for exercising and fishing; and
- The prior restriction of public and private in person gatherings of more than ten individuals remains in effect.

In Virginia, the following businesses may remain open:

- Grocery stores, pharmacies, and other retailers that sell food and beverages or pharmacy products, including dollar stores, and department stores with grocery or pharmacy operations; medical, laboratory, and vision supply retailers;
- Electronic retailers that sell or service cell phones, computers, tablets, and other communications technology;
- Automotive parts, accessories, and tire retailers as well as automotive repair facilities;
- Home improvement, hardware, building material, and building supply retailers;
- Lawn and garden equipment retailers;
- Beer, wine, and liquor stores;
- Retail functions of gas stations and convenience stores;
- Retail located within health care facilities;
- Banks and other financial institutions with retail functions;
- Pet and feed stores;
- Printing and office supply stores;
- Laundromats and dry cleaners;
- Any brick and mortar retail business not listed above may continue to operate but must limit all in-person shopping to no more than 10 patrons per establishment; and
- Business operations offering professional rather than retail services. Where telework is not feasible, such businesses must adhere to social distancing recommendations, enhanced sanitizing practices on common surfaces, and apply the relevant workplace guidance from state and federal officials.

The Order specifies that it does not limit: (a) the provision of health care or medical services; (b) access to essential services for low-income residents, such as food banks; (c) the operations of the media; (d) the

operation of law enforcement agencies; or (e) the operation of the government. The Order is in effect until **June 10, 2020** unless amended or superseded by a subsequent Order.

Maryland – Order of the Governor No. 20-03-30-01

The **Maryland Order** is effective from 8:00 p.m., March 30, 2020 until after the termination of Maryland’s state of emergency declaration or the issuance of a superseding Order.

The Order closes, to the general public, all Non-Essential Businesses that are not part of the critical infrastructure sectors identified by **DHS CISA**. Critical Infrastructure Sectors include: (1) Communications; (2) Chemical; (3) Critical Manufacturing; (4) Commercial Facilities; (5) Dams; (6) Defense Industrial Base; (7) Emergency Services; (8) Energy; (9) Financial; (10) Food & Agriculture; (11) Government Facilities; (12) Nuclear Reactors, Materials & Waste; (13) Information Technology; (14) Water; (15) Healthcare & Public Health; and (16) Transportations Systems.

In addition, the Order does not require the closure of, or prohibit the movement of any staff or volunteer traveling to, from, or in connection with their duties at any:

- Federal, state, or local government unit, building, or facility;
- Newspaper, television, radio, or other media service; or
- Non-profit organization or facility providing essential services to low income persons, including, without limitation, homeless shelters, food banks, and soup kitchens.

In addition to generally closing “Non-Essential Businesses” generally, the Order specifically:

- Closes senior centers, theaters, recreational establishments (e.g., bowling alleys, amusement parks, golf courses, etc.), establishments that provide esthetic services (e.g., tattoo parlors, beauty salons, etc.), and fitness centers (except for purposes of providing child care services).
- Allows restaurants and bars to operate carry-out and delivery services, but not in-person dining services; and
- Permits enclosed malls to operate only to the extent permitted by local orders.

For any Non-Essential Businesses, staff and owners may continue “Minimal Operations,” such as facilitating remote working; maintaining essential property; preventing loss or damage to property; performing essential administrative functions; caring for live animals; and selling retail products on a delivery basis.

The Order further requires all persons living in the State of Maryland to stay in their homes except:

- To conduct or participate in “Essential Activities,” which include, but are not limited to, obtaining groceries and household supplies; seeking medical services or supplies; caring for family members, friends, and pets; engaging in outdoor exercise activities; and traveling to or from a federal, state, or local government building for a necessary purpose;
- Staff of businesses and organizations that are not required to close may travel between their homes and work; and to and from customers for the purpose of delivering goods or performing services; and
- Staff and owners of “Non-Essential Businesses” may travel between their homes and work for the purpose of engaging in “Minimal Operations” (defined above); and to and from customers for the purpose of delivering goods.

Any person who knowingly and willfully violates the Maryland Order is guilty of a misdemeanor and may be subject to imprisonment not exceeding one year or a fine not exceeding \$5,000, or both.

Washington, D.C. – Mayor’s Order 2020-054

In Washington D.C., all residents are ordered, effective April 1, 2020 at 12:01 am., to only leave their residences in order to:

- Engage in “Essential Activities,” including but not limited to obtaining medical care that cannot be provided through telehealth and obtaining food and essential household goods, caring for a family member or pet in another household or serving as a caregiver providing essential services to another;
- Perform or access essential governmental functions;
- Work at Essential Businesses or to conduct Minimum Business Operations at Non-Essential Businesses;
- Engage in Essential Travel, which is defined as:
 - Travel related to the provision of, or access to, Essential Activities, Essential Governmental Functions, Essential Businesses, or Minimum Basic Operations, including travel to and from work to operate Essential Businesses or maintain Essential Governmental Functions;
 - Travel to care for elderly, minors, dependents, persons with disabilities, or other vulnerable persons;
 - Travel required to visit a house of worship;
 - Travel to or from educational institutions for purposes of receiving materials for distance learning, for receiving meals, and any other related services;
 - Travel to return to a place of residence from outside Washington, DC;
 - Travel required by law enforcement or court order;
 - Travel required for non-residents to return to their place of residence outside Washington, DC; and
 - Travel within the Washington region to engage in allowable activities under that jurisdiction’s laws.
- Engage in Allowable Recreational Activities, which are defined as:
 - Any outdoor activity with household members that complies with Social Distancing Requirements and includes the sanitizing of any equipment used both before and after the activity. Outdoor activities should not be conducted with persons other than those from one’s own household.
 - Examples: Walking, hiking, running, dog-walking, biking, rollerblading, scootering, skateboarding, playing tennis, golfing, gardening, and other activities where all participants comply with Social Distancing Requirements and there is no person-to-person contact.

When engaging in Essential Travel, the following requirements and restrictions shall apply:

- Individuals using public transportation to engage in Essential Travel must comply with Social Distancing Requirements to the greatest extent feasible. Entry through the back door of any bus or van with a back door is encouraged for the protection of the drivers.

- Drivers of ride-sharing vehicles engaged in Essential Travel must have disinfecting wipes in their vehicles and must wipe down all surfaces potentially touched by a passenger after each ride. Drivers of ride-sharing vehicles may not have more than two (2) other persons in their vehicle at any time.
- Individuals using shared personal mobility devices such as scooters and bicycles are strongly encouraged to bring their own disinfecting wipes and wipe down the parts of the device they touch before and after riding.
- Public and private transit officials shall make provisions for frequently disinfecting buses, subway cars, and any other vehicles they operate, to the highest feasible standards.

Any individual who willfully violates the stay-at-home order may be guilty of a misdemeanor and, upon conviction, subject to a fine not exceeding \$5,000, imprisonment for not more than 90 days, or both.

The [D.C. Order](#) will remain in effect through April 24, 2020.

Greenberg Traurig is not licensed to practice law in Maryland and does not advise on Maryland law.

For more information and updates on the developing COVID-19 situation, visit [GT's Health Emergency Preparedness Task Force: Coronavirus Disease 2019](#).

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