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CHARLES D. BAKER
GOVERNOR

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LIEUTENANT GOVERNOR

FURTHER REVISED ORDER REGARDING FACE COVERINGS

COVID-19 Order No. 67

WHEREAS, on March 10, 2020, I, Charles D. Baker, Governor of the Commonwealth of Massachusetts, acting pursuant to the powers provided by Chapter 639 of the Acts of 1950 and Section 2A of Chapter 17 of the General Laws, declared that there now exists in the Commonwealth of Massachusetts a state of emergency due to the outbreak of the 2019 novel Coronavirus ("COVID-19");

WHEREAS, on March 11, 2020, the COVID-19 outbreak was characterized as a pandemic by the World Health Organization;

WHEREAS, the Federal Centers for Disease Control (the "CDC") have determined that COVID-19 is spread mainly by person-to-person contact and that the best means of slowing the spread of the virus is through practicing social distancing and by minimizing personal contact with large groups and environments where the virus may be transmitted;

WHEREAS, the CDC and the Department of Public Health have advised individuals to wear face coverings when they are outside of the home in order to prevent transmission of this highly contagious virus and have found increasing evidence that face coverings help prevent people who have COVID-19 from spreading the virus to others;

WHEREAS, the CDC, the Department of Public Health, and other public health authorities continue to improve their understanding of how COVID-19 is spread, where the risk of spread is greatest, and how best to mitigate the risk of transmission, which permits periodic adjustments to safety measures;

WHEREAS, on May 1st, 2020, I issued COVID-19 Order No. 31, which required face coverings to be worn in public settings where social distancing was not possible, and at all times in retail stores and on public transportation;

WHEREAS, on November 2, 2020, in response to rising cases counts and hospitalizations, I issued COVID-19 Order No. 55, which required face coverings to be worn at all times in all public locations, whether indoors or outdoors;

WHEREAS, there have been significant improvements in the public health data, including a decline in the 7-day average of confirmed COVID-19 cases from 6,239 on January 8, 2021 to 920 on April 26, 2021 and a decline in the 7-day average of hospitalizations from 2,343 to 628 over the same period;

WHEREAS, at the same time, the Commonwealth has continued to administer vaccinations at a steady pace, and as of April 28, 2021, 5,912,233 vaccination doses have been administered, which has resulted in 2,436,087 persons being fully vaccinated; and

WHEREAS, as of April 19, 2021, all persons over the age of 16 in the Commonwealth are eligible to receive a vaccine;

WHEREAS, these continued positive trends in the public health data permit a phased relaxation of restrictions on persons, businesses, and other organizations, provided, however, that such adjustments can only be maintained or expanded on the basis of continuing favorable developments in the public health data; and

WHEREAS, sections 7, 8, and 8A of Chapter 639 of the Acts of 1950 authorize the Governor, during the effective period of a declared emergency, to exercise any and all authority over persons and property necessary or expedient for meeting a state of emergency, including but not limited to authority over assemblages and pedestrian travel in order to protect the health and safety of persons; transportation or travel; regulation of the sale of articles of food and household articles; and the policing, protection, and preservation of public and private property;

NOW, THEREFORE, I hereby Order the following:

1. Face Covering Requirements

Except as provided in Section 2, all persons in Massachusetts over the age of 5 years old are required to wear a mask or face covering over their mouth and nose in the following circumstances:

A. Public Locations

- Indoors. Face coverings are required at all times when indoors and in a public location.
- Outdoors. Face coverings are required when outdoors and in a public location if unable to maintain a distance of approximately six feet from every other non-

household member or if otherwise required by Sector-Specific COVID-19 Safety Rules.

B. Events and Gatherings

- Public Locations. Face coverings are required at all times at events and gatherings in public locations.
- Private Homes. Face coverings are encouraged but not required for events and gatherings at private homes.

If a customer, patron, or attendee refuses to wear a mask or face covering for non-medical reasons, the operator of a facility, business, or event may decline entry to the individual.

“Public locations” shall mean any place open to the public including, without limitation, grocery stores, pharmacies, and other retail stores; public transportation, taxis, livery, and other ride-sharing vehicles; public streets and ways; and any location, including hotels, event venues, and private clubs, that hosts indoor or outdoor events or performances.

2. **Exceptions**: The face coverings requirement in Section 1 shall not apply in the following circumstances:
 - (a) Where a person is unable to wear a mask or face covering due to a medical or disabling condition; provided that a person who declines to wear a mask or face covering because of a medical or disabling condition shall not be required to produce documentation verifying the condition, except as provided in Section 3;
 - (b) Where a face covering would impede communication by or with a person who has a hearing impairment or other disability;
 - (c) When a person is inside a personal vehicle, alone or with other household members only; provided that face coverings are required when carpooling with non-household members;
 - (d) Where applicable Sector-Specific COVID-19 Safety Rules issued by the Department of Public Health, the Department of Labor Standards, the Executive Office of Energy and Environmental Affairs, the Department of Elementary and Secondary Education, the Department of Early Education and Care, or by any other agency authorized by Executive Order to issue such rules, permit the removal of face coverings in specific circumstances, such as while eating and drinking in restaurants, receiving dental care, or swimming; and
 - (e) In circumstances or for other populations that the Commissioner of Public Health may exempt in writing from the terms of this Order.
3. **Places of Employment and Schools**: Where an employee or other worker who is required to wear a face covering pursuant to this Order or any other applicable rule requests an accommodation so as not to have to wear a face covering at the workplace due to a medical or disabling condition, an employer may require documentation to verify the condition. If a

student is unable to wear a face covering because of a medical or disabling condition and will be participating in in-person learning, the school may likewise require documentation to verify the condition.

4. **Guidance:** The Commissioner of Public Health may issue guidance, subject to my approval, to implement the terms of this Order.
5. **Effective Date:** This Order is effective at 12:01 AM on April 30, 2021, and shall remain in effect until rescinded or until the state of emergency is terminated, whichever happens first.

COVID-19 Order No. 55 and the second paragraph of section 4 of COVID-19 Order No. 63 are hereby rescinded effective 12:01 AM on April 30, 2021.

Given in Boston at 2:20 AM/PM this 29th day of April, two thousand and twenty-one



CHARLES D. BAKER
GOVERNOR
Commonwealth of Massachusetts