

Governor Phil Murphy

# Governor Murphy Signs Executive Order to Implement Additional Mitigation Requirements on NJ TRANSIT, Private Carriers, and Restaurants to Limit the Spread of COVID-19

04/11/2020

**TRENTON** -- Governor Phil Murphy today signed Executive Order No. 125 (<https://nj.gov/infobank/eo/056murphy/pdf/EO-125.pdf>), imposing additional mitigation requirements on NJ TRANSIT and all private carriers to limit the spread of COVID-19. The order also outlines specific policies on restaurants that have remained open for takeout orders.

"We must continue our commitment to do everything we can to flatten the curve and defeat this virus," **said Governor Murphy**. "With these additional requirements, we are aggressively reducing the spread of the virus to protect New Jersey residents."

"We are grateful Governor Murphy is adding extra authority and enforcement to the personal protective equipment policies NJ TRANSIT has implemented in recent weeks for the protection of our employees and customers," **said NJ TRANSIT President and CEO Kevin Corbett**. "Our bus, train, light rail and Access Link paratransit service is vital to ensuring essential personnel can continue to get to their jobs and back home again, and Governor Murphy's executive order strengthens the tools we have to do this as safely as possible during the COVID-19 pandemic."

Governor Murphy's executive order directs the following, effective on Monday, April 13th at 8:00 p.m.:

1. NJ TRANSIT must adopt the following policies:

- NJ TRANSIT workers may limit occupancy by passengers at 50% of the stated maximum vehicle capacity on all trains, buses and light rail lines in accordance with any guidelines instituted by NJ TRANSIT operational divisions;
- Require infection control practices, such as coughing and sneezing etiquette, and proper tissue usage and disposal;
- Arrange for contactless pay options across all modes of transportation wherever feasible. Such policies shall, wherever possible, consider populations that do not have access to internet service;
- Arrange for back door entry on buses wherever feasible, and take seats out of service near the bus operator to allow for proper social distancing from the bus operator wherever feasible;

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- Require frequent sanitization of high-touch areas in stations, like restrooms, waiting areas, credit card machines, and keypads;
- Place conspicuous signage at stations and throughout train cars, buses and light rail vehicles alerting workers and customers to the required six feet of physical distance;
- Require workers and customers to wear cloth face coverings while on trains, buses and light rail vehicles except where doing so would inhibit that individual's health or where the individual is under two years of age, and require workers to wear gloves when in contact with customers. NJ TRANSIT must provide, at its expense, such face coverings and gloves for their workers, to the extent supplies are available. If a customer refuses to wear a cloth face covering for non-medical reasons, then NJ TRANSIT workers may decline entry to the individual, and NJ TRANSIT operational divisions will institute guidelines to operators on this issue. Nothing in the stated policy should prevent workers or customers from wearing a surgical-grade mask or other more protective face covering if the individual is already in possession of such equipment, or if NJ TRANSIT is otherwise required to provide such worker with more protective equipment due to the nature of the work involved. Where an individual declines to wear a face covering due to a medical condition that inhibits such usage, neither NJ TRANSIT nor any of its workers shall require the individual to produce medical documentation verifying the stated condition.

2. There are three different categories of private carrier companies covered by the Order: (i) Private Carriers, who NJ TRANSIT has entered into contracts with for the provision of bus and light rail service, (ii) Unaffiliated Private Carriers, who run their own lines of bus service, and (iii) Paratransit Private Carriers, who NJ TRANSIT has entered into contracts with for the provision of Access Link paratransit service. These carriers must adopt the following policies, although there are slight variations for each category of carrier in the Order and carriers should review the text of the Order to ensure they are in compliance:

- Workers may limit occupancy by passengers at 50% of the stated maximum vehicle capacity on all bus and light rail lines and Access Link vehicles that these carriers operate in accordance with any guidelines instituted by the carriers, and where applicable, in consultation with NJ TRANSIT operational divisions;
- Require infection control practices, such as coughing and sneezing etiquette, and proper tissue usage and disposal;
- Arrange for contactless pay options across all modes of transportation that the carriers operate wherever feasible. Such policies shall, wherever possible, consider populations that do not have access to internet service;
- Arrange for back door entry on buses wherever feasible, and take seats out of service near the bus operator to allow for proper social distancing from the bus operator wherever feasible;
- Place conspicuous signage throughout buses, light rail and Access Link vehicles, if applicable, alerting workers and customers to the required six feet of physical distance;
- Require workers and customers to wear cloth face coverings while on buses, light rail and Access Link vehicles except where doing so would inhibit that individual's health or where the individual is under two years of age, and require workers to wear gloves when in contact with customers. These carriers must provide, at their expense, such face coverings and gloves for their workers, to the extent supplies are available. If a customer refuses to wear a cloth face covering for non-medical reasons, then workers for these carriers may decline entry to the individual, and where applicable, the carriers will consult with NJ TRANSIT operational divisions to institute guidelines to operators on this issue. Nothing in the stated policy should prevent workers or customers from wearing a surgical-grade mask or other more protective face covering if the individual is already in possession of such equipment, or if the carriers are otherwise required to provide such worker with more protective equipment due to the

nature of the work involved. Where an individual declines to wear a face covering due to a medical condition that inhibits such usage, neither the carriers nor any of their workers shall require the individual to produce medical documentation verifying the stated condition.

3. Restaurants, cafeterias, food courts, bars, etc. that are still permitted to operate must adopt policies that contain the following provisions:

- Limit occupancy at 10% of the stated maximum capacity, wherever feasible, at one time;
- Ensure six feet of distance between workers and customers, except at the moment of payment and/or exchange of goods;
- Require infection control practices, such as regular hand washing, coughing and sneezing etiquette, and proper tissue usage and disposal;
- Provide employees break time for repeated handwashing throughout the workday;
- Arrange for contactless pay, pickup, and/or delivery options wherever feasible;
- Provide sanitization materials, such as hand sanitizer and sanitizing wipes, to staff;
- Require frequent sanitization of high-touch areas like credit card machines, keypads, and counters;
- Place conspicuous signage at entrances and throughout the food business, if applicable, alerting staff and customers to the required six feet of physical distance;
- Require workers to wear cloth face coverings and gloves while on the premises, except where doing so would inhibit that worker's health, and require workers to wear gloves when in contact with customers or goods. Businesses must provide, at their expense, such face coverings and gloves for their employees. Customers that enter the food business will similarly be required to wear cloth face coverings, except where doing so would inhibit that individual's health or where the individual is under the age of two, but will not be required to wear such covering when receiving a delivery or when picking up goods outside of the food business. If a worker or customer refuses to wear a cloth face covering for non-medical reasons and if such covering cannot be provided to the individual by the food business at the point of entry, then the food business must decline entry to the individual. Such food business should, however, arrange for delivery, curbside pick-up or alternative arrangements wherever possible. Nothing in the stated policy should prevent workers or customers from wearing a surgical-grade mask or other more protective face covering if the individual is already in possession of such equipment, or if the business is otherwise required to provide such worker with more protective equipment due to the nature of the work involved. Where an individual declines to wear a face covering inside the food business due to a medical condition that inhibits such usage, neither the food business nor its staff shall require the individual to produce medical documentation verifying the stated condition.

A copy of the Executive Order No. 125 can be found here (<https://nj.gov/infobank/eo/056murphy/pdf/EO-125.pdf>).

## Governor Phil Murphy

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