



Marine Safety Information Bulletin

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COVID-19 Safety Requirements in the Maritime Transportation System: Change-1

The President issued Executive Order (13998), Promoting COVID-19 Safety in Domestic and International Travel requiring masks be worn on all “public maritime vessels, including ferries” to mitigate the risk of spreading COVID-19. The Centers for Disease Control and Prevention (CDC) issued a Federal order, [*Requirement for Persons to Wear Masks while on Conveyances and at Transportation Hubs, 29JAN2021*](#) (the Order) requiring all persons travelling on all commercial vessels to wear a mask. Additionally, Executive Order 13998 directs the Coast Guard to implement public health measures consistent with CDC guidelines at sea ports (e.g., passenger terminals, cargo handling facilities, and other shoreside facilities that provide transportation of persons or cargo). Change-1 to this MSIB reflects the inclusion of sea ports, provides additional information on applicability for mask wear in the marine transportation system and includes links to Coast Guard and CDC Frequently Asked Questions (FAQ) pages.

Vessel and sea port operators are encouraged to monitor the CDC website at <https://www.cdc.gov/> for the most up to date guidance. The CDC has published an updated list of frequently asked questions (FAQs) that can be found at [Public Transportation](#). The Coast Guard has also published additional guidance that can be found at the [FAQ](#) web page.

The Order requires conveyance operators and transportation hub operators to take steps to reduce the spread of COVID-19.

Vessels (Conveyances): Vessel operators must use best efforts to ensure that any person on the conveyance wears a mask when boarding, disembarking, and for the duration of travel. Depending on the circumstances, best efforts include:

- boarding only those persons who wear masks;
- instructing persons that Federal law requires wearing a mask on the conveyance and failure to comply constitutes a violation of Federal law;
- monitoring persons on board the conveyance for anyone who is not wearing a mask and seeking compliance from such persons;
- at the earliest opportunity, disembarking any person who refuses to comply;
- providing persons with prominent and adequate notice to facilitate awareness and compliance of the requirement of this Order to wear a mask; best practices may include, if feasible, advanced notifications on digital platforms, such as on apps, websites, or email; posted signage in multiple languages with illustrations; printing the requirement on transit tickets; or other methods as appropriate.

Sea Ports (Maritime Transportation Hubs): Operators of sea ports must use best efforts to ensure that any person entering or on the premises of the port wears a mask. Best efforts include:

- allowing entry only to those persons who wear masks;

- instructing persons that Federal law requires wearing a mask in the transportation hub and failure to comply constitutes a violation of Federal law;
- monitoring persons on the premises of the transportation hub for anyone who is not wearing a mask and seeking compliance from such persons;
- at the earliest opportunity, removing any person who refuses to comply from the premises of the transportation hub; and
- providing persons with prominent and adequate notice to facilitate awareness and compliance with the requirement of this Order to wear a mask; best practices may include, if feasible, advance notifications on digital platforms, such as on apps, websites, or email; posted signage in multiple languages with illustrations; printing the requirement on transit tickets; or other methods as appropriate.

The CDC Mask Order exempts the following categories of persons:

- A child under the age of 2 year;
- A person with a disability who cannot wear a mask, or cannot safely wear a mask, because of the disability as defined by the Americans with Disabilities Act (42 U.S.C. 12101 et seq.);
- A person for whom wearing a mask would create a risk to workplace health, safety, or job duty as determined by the relevant workplace safety guidelines or federal regulations.

Vessel or facility operators, owners, or companies should provide clear guidance as to when wearing a mask would create a risk to workplace, health, safety or job duty for crew members and facility personnel. The company guidance should address specific tasks that cannot be accomplished safely while wearing a mask. A blanket policy cannot be issued to exempt all persons from wearing a mask at all times. Crew members and facility personnel may be exempt from wearing a mask only when actively performing the task and should immediately wear a mask when the task is complete. Since passengers should refrain from instances where wearing a mask may present a risk, this exemption does not extend to passengers.

The requirement to wear a mask shall not apply under the following circumstances:

- While eating, drinking, or taking medication, for brief periods;
- While communicating with a person who is hearing impaired when the ability to see the mouth is essential for communication;
- If, unconscious (for reasons other than sleeping), incapacitated, unable to be awakened, or otherwise unable to remove the mask without assistance, experiencing difficulty breathing or shortness of breath or feeling winded may temporarily remove the mask until able to resume normal breathing with the mask. Vomiting or other illness, may also require removal of the mask. Other medical conditions and equipment may interfere with the ability to wear a mask;
- When necessary to temporarily remove the mask to verify one's identity such as during Transportation Security Administration screening or when asked to do so by a ticket or gate agent or any law enforcement official.

Under Title 42 of the United States Code section 268, the Coast Guard is charged with assisting in enforcement of CDC quarantine orders. Operators of vessels and sea ports that fail to implement appropriate public health measures, including the mask wearing order above, may be subject to civil or criminal penalties. Furthermore, based on the scientific determination of the CDC, the Coast Guard finds that failure to implement appropriate health measures creates an undue safety risk by increasing the risk of transmission of COVID-19 between passengers, the crew of the vessel, and port workers.

The Coast Guard has broad authority to control the movement and operations of a vessel based on a hazardous condition (see 33 CFR § 160.111). Vessels that have not implemented the mask requirement may be issued a

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Captain of the Port (COTP) order directing the vessel's movement and operations; repeated failure to impose the mask mandate could result in civil and/or criminal enforcement action. Additionally, after taking into account operational considerations, the COTP may issue orders prohibiting vessels from mooring at a sea port that fails to implement the CDC guidelines or refer non-compliance with CDC's guidelines for further civil or criminal enforcement action.

Persons that wish to report vessels or sea ports not operating in accordance with the Executive Order or CDC Order may email the Coast Guard at wearamask@uscg.mil. This shared email inbox is not monitored on a continuous basis. If there is an emergency, it should be reported through proper emergency channels to local authorities not this inbox.

State, local, Tribal, and territorial laws or rules imposing public health measures that are more protective of public health than, or equal to those required by the CDC are an acceptable equivalency for these requirements. Operators of vessels and sea ports who believe local mask wearing requirements fit this exemption should contact the local COTP.

Questions concerning this notice may be forwarded to Coast Guard Office of Commercial Vessel Compliance, at wearamask@uscg.mil.

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