



**GOVERNMENT OF
THE VIRGIN ISLANDS OF THE UNITED STATES**

**VIRGIN ISLANDS DEPARTMENT OF HEALTH
OFFICE OF THE COMMISSIONER**

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PUBLIC HEALTH ORDER NO. XII
(APPLICABLE TERRITORY-WIDE)

AMENDED DECEMBER 15, 2020
(with technical revisions dated December 12, 2020)

Explanation of December 12, 2020 Technical Revisions

On December 12, 2020, Commissioner of Health Justa E. Encarnacion approved several technical revisions to Public Health Order No. XII, requiring mask wearing and social distancing policy clear for marine vessels.

This Amendment modifies wording of charter crew, passengers, and occupants to vessel occupants.

Further, it removes the paragraph on United States Coast Guard.

WHEREAS Coronavirus Disease 2019 (COVID-19) is a severe acute respiratory illness that can spread among humans through respiratory transmission and presents itself with symptoms similar to those of influenza; and

WHEREAS, the President of the United States has declared a National Disaster related to the COVID-19 pandemic in the U.S., including the US Virgin Islands; and

WHEREAS individuals in the Territory of the Virgin Islands have been pre-emptively isolated and tested for COVID-19, and the CDC currently recommends mitigation measures in communities with potential COVID-19 cases, including staying at home when sick, keeping away from others who are sick and staying at home when a household member is sick with respiratory disease symptoms or if instructed to do so by public health officials or a health care provider; and

WHEREAS it is necessary and appropriate to take action to ensure that COVID-19 remains controlled and that residents and visitors in the U.S. Virgin Islands remain safe and secure; and

WHEREAS, Governor Albert Bryan, Jr. on March 13, 2020, declared a State of Emergency in the Virgin Islands due to COVID-19 and appointed the Commissioner of Health as the incident commander and the Department of Health as the lead agency in the territorial response to the pandemic and such Declaration remains in effect; and

WHEREAS it is necessary to impose guidelines and restrictions to protect the health, safety, and welfare of the residents of the Territory from the potentially dangerous effects of the COVID-19 – Coronavirus Pandemic; and


WHEREAS the Virgin Islands remains in the Safer at Home Phase by the Governor's September 8, 2020 Executive Order, et seq.: and

WHEREAS there has been anecdotal evidence of noncompliance in the boating community.

NOW THEREFORE, I, Justa E. Encarnacion, Commissioner of Health and Incident Commander, do hereby ORDER:

- Masking is required at all times when two or more persons not from the same household are within 6 feet of each other.
- Vessel occupants must wear masks except when engaged in watersports, swimming, eating, or drinking.
- Where possible, vessel occupants shall exercise social distancing by remaining 6 feet or more apart.
- Vessel occupants, when solely from the same household, are not required to wear masks.
- Private vessels and live-aboards are to be excluded.
- For all vessels up to 36' in length, the maximum number of occupants onboard a vessel is 12; for vessels 37' or longer, the maximum number of occupants is 12 or half capacity of the vessel manufacture listed, whichever is greater.
- The Captain, or his designee, of all applicable vessels shall ensure that all passengers are notified of the masking requirement prior to boarding the vessel and reminded of the obligation upon embarkation. Once so notified the obligation for compliance shall be borne by the individual passenger who may be penalized in accordance with all applicable provisions of law or Executive Orders.

SO ORDERED this 12th Day of December 2020, pursuant to 23 V.I.C. Section 1033(b) and the authority vested in me by the Governor of the Virgin Islands in Declaration of State of Health Emergency on March 13, 2020, and as amended and continued.



JUSTA E. ENCARNACION, RN
Commissioner of Health/Incident Commander

12/15/2020
Date