🕦 The latest general information on the Coronavirus Disease 2019 (COVID-19) is available on Coronavirus.gov. For USDOT specific COVID-19 resources, please visit our page.

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Frequently Asked Questions

Wearing of Face Masks While on Conveyances and at Transportation Hubs

The Centers for Disease Control and Prevention (CDC) issued an Order on January 29, 2021, requiring the wearing of masks by travelers to prevent spread of the virus that causes COVID-19. Conveyance operators must also require that all persons wear masks when boarding, disembarking, and for the duration of travel, with certain exemptions as described in the Questions below. The Order defines "conveyance" as including "aircraft, train, road vehicle (including rideshares), vessel...or other means of transport, including military transport." (42 CFR §§ 70.1, 71.1). Operators of transportation hubs must require all persons wear a mask when entering or on the premises of a transportation hub. A "transportation hub" means any airport, bus terminal, marina, seaport, or other port, subway station, terminal, train station, U.S. port of entry, or any other location that provides transportation". More information about this order can be found on the CDC's website, including CDC's FAQ's for this mask requirement, here.

The Transportation Security Administration (TSA) has issued an emergency amendment and three security directives in support of the CDC Order. They can be found here. SD 1582/84-21-01 pertains directly to owners and operators of ground transport. The other three pertain to the aviation industry. For more information about the TSA's COVID-19 prevention efforts visit their COVID-19 hub, or their COVID-19 FAQs.

To assist ground transportation operators in the implementation of the Order and the Directive, the U.S. Department of Transportation (USDOT) compiled a list of questions and answers, and will continue to update them as additional information becomes available.

The USDOT will also continue to engage stakeholders in conjunction with the CDC and other Federal agencies.

For air transportation operators, please see FAA's <u>Fly Healthy web page</u> for more information.

General

Federal Transit Administration (FTA)

Federal Railroad Administration (FRA)

Federal Motor Carrier Safety Administration (FMCSA)

Expand All

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General

What is the CDC's Order and who does it apply to?



The Centers for Disease Control and Prevention (CDC) issued an Order on January 29, 2021, requiring the wearing of masks by travelers to prevent spread of the virus that causes COVID-19. Conveyance operators must require all persons to wear masks when boarding, disembarking, and for the duration of travel. Operators of transportation hubs must require all persons to wear a mask when entering or on the premises of a transportation hub.

This Order must be followed by all passengers on public conveyances (e.g., airplanes, ships, ferries, trains, subways, buses, taxis, rideshares) traveling into, within, or out of the United States as well as conveyance operators (e.g., crew, drivers, conductors, and other workers involved in the operation of conveyances) and operators of transportation hubs (e.g., airports, bus or ferry

terminals, train or subway stations, seaports, ports of entry) or any other area that provides transportation in the United States.

People must wear masks that cover both the mouth and nose when awaiting, boarding, traveling on, or disembarking public conveyances. People must also wear masks when entering or on the premises of a transportation hub in the United States.

What does the CDC Order require?

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The CDC Order requires conveyance operators to use their best efforts to ensure that persons wear masks while boarding and disembarking a conveyance, for the duration of a trip, and within a transportation hub. Best efforts may include:

- Boarding and allowing entry to only those persons who wear masks;
- Instructing persons that Federal law requires wearing a mask on the conveyance and in the transportation hub and failure to comply constitutes a violation of Federal law;
- Monitoring persons onboard conveyances and in facilities 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; and
- Providing persons with prominent and adequate notice to facilitate awareness and compliance of the requirement to wear a
 mask, with best practices including, 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 tickets; and other methods as
 appropriate.

Best efforts should take into consideration the safety of conveyance operators when identifying roles and responsibilities for implementing the CDC Order.

What if we have a local mask mandate already in place?



The CDC Order does not apply within any state, locality, territory, or area under the jurisdiction of a tribe that: (1) requires a person to wear a mask on conveyances; (2) requires a person to wear a mask at transportation hubs; and (3) requires conveyances to transport only a person wearing a mask. Such state, local, territorial, or tribal requirements must provide the same level of public health protection as—or greater protection than—the requirements of the CDC Order. In addition, the CDC Order does not preclude operators from imposing additional requirements or conditions that provide greater public health protection and are more restrictive than the requirements of the CDC Order.

How does CDC define mask?



Mask means a material covering the nose and mouth of the wearer, excluding face shields. CDC guidance for acceptable masks in the context of this Order is available <u>here</u>.

Are there any exemptions to the CDC Order?



The CDC Order exempts the following categories of persons:

- A child under the age of 2 years;
- 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.); and
- 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.

The exemption for a person with a disability is a narrow exception that includes a person with a disability who cannot wear a mask for reasons related to the disability. CDC will issue additional guidance regarding persons who cannot wear a mask under this exemption here.

The CDC Order also states that 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; or
- When necessary to temporarily remove the mask to verify one's identity, such as when asked to do so by a ticket or gate agent or any law enforcement official.

In addition, persons who are experiencing difficulty breathing or shortness of breath or are feeling winded may remove the mask temporarily until able to resume normal breathing with the mask. Persons who are vomiting should remove the mask until vomiting ceases. Persons with acute illness may remove the mask if it interferes with necessary medical care such as supplemental oxygen administered via an oxygen mask.

Are conveyance operators permitted to impose additional requirements or conditions regarding masks?

Yes. The CDC Order does not preclude operators from imposing additional requirements or conditions that provide greater public health protection and are more restrictive than the requirements of the CDC Order. The Order also encourages, State, local, territorial, and tribal governmental entities that operate conveyances to implement additional measures to enforce the Order regarding persons utilizing their system. Additional requirements or conditions may be imposed that provide greater public health protection and are more restrictive than the requirements of the CDC Order, including requirements for persons requesting an exemption from the mask requirement, including medical consultation by a third party, medical documentation by a licensed medical provider, and/or other information as determined by the operator.

How long is the CDC Order in effect?

The effective date of the CDC Order is February 1, 2021, at 11:59 p.m. The Order will remain in effect for the duration of the COVID-19 public health emergency, and as determined by the CDC.

Federal Aviation Administration (FAA)

For air transportation operators, please see FAA's Fly Healthy web page for more information.

Federal Transit Administration (FTA)

Are transit operators considered a public conveyance?

Yes.

Is Federal funding available to support implementation of the CDC Order?

Yes. FTA recipients may use the \$39 billion in Coronavirus Aid, Relief, and Economic Security Act (CARES Act) and Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (CRRSAA) funds to implement the CDC Order. Operating expenses incurred beginning on January 20, 2020, for all rural, and small and large urban recipients, also are eligible to draw from FTA urbanized area and rural formula funds, including operating expenses to purchase and provide face masks to employees or

passengers, install additional cameras in transit vehicles, hire additional transit security personnel, and/or enter into additional contracts for security services to implement the CDC Order. Federal Emergency Management Agency funding also may be available.

Who should I contact if I have questions about the face mask requirement for transit?

Please submit your questions about the implementation of the CDC Order for public transit to TransitMaskUp@dot.gov.

What technical assistance will FTA provide to support implementation of the CDC Order?

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In coordination with Federal partners, FTA will support transit's implementation of the CDC Order, with a focus on leveraging its existing technical assistance and stakeholder engagement platforms, including the following:

• Coordinating and publishing FAQs with Federal partners to provide the transit industry with guidance on implementing requirements of E.O. 13998, the CDC Order, the TSA Security Directive, and applicable Federal guidance.

FTA will post responses to Frequently Asked Questions (FAQs) on the DOT FAQ page. Please submit your questions about the implementation of the CDC Order for public transit to TransitMaskUp@dot.gov.

Additionally, in accordance with Executive Order 13166, FTA will ensure that FAQs will be made available in languages other than English, to ensure access for individuals with limited English proficiency.

- Hosting industry-wide stakeholder calls, weekly during February and as needed, to deliver key messages on the mask requirement to a broad transit audience.
- Hosting listening sessions with transit stakeholders to provide an opportunity for transit agencies across the United States to share their experiences and lessons learned as they implement a mask requirement and respond to the COVID-19 public health emergency.
 - When necessary, FTA will ensure these sessions are accessible in languages other than English.
- Encouraging transit industry engagement in the FTA-sponsored <u>COVID-19 Recovery Discussion Forum</u> to facilitate peer-to-peer exchanges on ideas, practices, and other information related to implementation of a mask requirement.
- Continuing to work with the American Public Transportation Association and the Community Transportation Association of America to produce a <u>COVID-19 Recovery Vendor List for Transit</u>, which documents over 350 vendors providing critical materials for transit's COVID-19 recovery efforts.
- Publishing updates to the <u>COVID-19 Recovery Practices in Transit</u> resource, which provides web links to practices implemented by transit systems across the globe to respond to the COVID-19 public health emergency. In providing this resource, FTA also will remind transit agencies to ensure that publicly available information related to COVID-19 practices are made available in languages other than English.
- Publishing weekly updates to the <u>COVID-19 Resource Tool</u>, a one-stop-shop for Federal COVID-19 guidance and recommendations on transit-related topics. This tool includes information from CDC on face masks.

Does the mask requirement apply to Section 5310 operators?

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The CDC Order applies to all recipients and subrecipients of Federal funding under 49 U.S.C. Chapter 53 that own, operate, or maintain a public transportation system, including an entity that receives Federal financial assistance only under the formula grants for Enhanced Mobility of Seniors and Individuals with Disabilities (49 U.S.C. §5310).

<u>Does FTA have training on de-escalation for transit operators?</u>



Yes. FTA works with the <u>National Transit Institute</u> at Rutgers University to deliver a 3-hour training on <u>Assault Awareness and Prevention for Transit Operators</u>, which addresses de-escalation techniques. Virtual offerings of this training became available beginning in February 2021. The goal of the course is to give vehicle operators in the transit industry – with an emphasis on bus

operators—the knowledge and skills needed to reduce the likelihood of assault incidents from occurring. Prevention methods covered include discussing the types of incidents that could be considered assault and recognizing key vulnerability factors. Prevention strategies focus on communication and response skills, and the value of reporting incidents.

What Federal resources will be available to support enforcement of mask usage on transit systems and to reduce the risk of assault to employees who might enforce the CDC Order?

The primary goal of the CDC Order is compliance, not enforcement. The CDC Order requires transit operators to use their best efforts to ensure that persons wear masks while boarding and alighting a transit vehicle, for the duration of a trip, and within a transit facility. Best efforts should take into consideration the safety of transit employees when identifying roles and responsibilities for implementing the CDC Order.

FTA recipients may use the \$39 billion in Coronavirus Aid, Relief, and Economic Security Act (CARES Act) and Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (CRRSAA) funds to implement the CDC Order. Operating expenses incurred beginning on January 20, 2020, for all rural, and small and large urban recipients, also are eligible to draw from FTA urbanized area and rural formula funds, including operating expenses to purchase and provide face masks to employees or passengers, install additional cameras in transit vehicles, hire additional transit security personnel, and/or enter into additional contracts for security services to implement the CDC Order. Federal Emergency Management Agency funding also may be available.

<u>Do transit employees who work behind plexiglass barriers or shields on public transportation conveyances or in transportation hubs still need to wear a face mask?</u>

Yes. A transit employee is required to wear a mask unless covered under an exemption, even if the employee is separated from passengers or other employees by plexiglass or another protective barrier. While protective barriers help limit transmission, respiratory droplets that can spread the virus that causes COVID-19 still can enter shielded areas. Masks provide an additional and necessary layer of protection against transmission.

Does the mask requirement apply in administrative facilities?

The CDC Order applies to administrative facilities that are housed within transportation hubs. Administrative facilities include, for example, executive offices, training facilities, and construction field offices. Transit employees must wear masks while on public transportation conveyances, and on the premises of a transportation hub unless they are the only person in the work area, such as in a private office.

As applied to transit, public transportation conveyances are transit vehicles being used in revenue service. A transportation hub is any location where people gather to await, board, or disembark public transportation, such as bus and ferry terminals, train and subway stations, and ride-share pick-up locations. It also includes any facility directly involved in the provision of transit service, such as ticket sales offices, vehicle maintenance facilities, vehicle cleaning facilities, operations control centers, electric vehicle charging facilities, operator break areas, and fueling facilities.

Per the CDC Order, persons for whom a mask would create a risk to workplace health, safety, or job duty as determined by the relevant workplace safety guidelines or Federal regulations are not required to wear a mask. A narrow subset of employees with disabilities also are exempt from the mask requirement under CDC Order because it would be unsafe for them to wear a mask due to their disability. The CDC states it will issue additional guidance regarding persons who cannot wear a mask under this exemption.

<u>Does the mask requirement apply to employees in transit maintenance and operations facilities?</u>

Yes. Transit employees must wear masks while on public transportation conveyances and at transportation hubs. The starting point is that everyone should be wearing a mask and employees are broadly required to wear masks by the CDC Order. As applied to transit, public transportation conveyances are transit vehicles being used in revenue service. A transportation hub is any location where people gather to await, board, or disembark public transportation, such as bus and ferry terminals, train and subway stations, and ride-share pick-up locations. It also includes any facility directly involved in the provision of transit service, such as ticket sales offices, vehicle maintenance facilities, vehicle cleaning facilities, operations control centers, electric vehicle charging facilities, operator break areas, and fueling facilities. An employee is not required to wear a mask if he/she is the only person in the work area, such as in a private office.

The CDC Order broadly requires persons to wear masks whenever possible, particularly in any transit facility or location where persons are not alone. Employees must wear a mask while on the premises of a transportation hub unless they are the only person in the work area, such as in private offices.

The CDC Order exempts from the mask requirement persons for whom a mask would create a risk to workplace health, safety, or job duty as determined by the relevant workplace safety guidelines or Federal regulations; such persons are not required to wear a mask. A narrow subset of employees with disabilities are also exempted from the mask requirement under CDC's Order because it would be unsafe for them to wear a mask due to their disability. The CDC states it will issue additional guidance regarding persons who cannot wear a mask under this exemption.

FTA encourages transit agencies to implement mask polices in all areas of their organizations, including those areas where masks are not required to be worn under the CDC Order. The CDC has developed specific guides for <u>rail</u> and <u>bus</u> transit employers to protect transit workers in the workplace. In addition, the Occupational Safety and Health Administration (OSHA) issued guidance, <u>Protecting Workers: Guidance on Mitigating and Preventing the Spread of COVID-19 in the Workplace</u> (dated January 29, 2021), to help identify risks of being exposed to COVID-19 in workplace settings and to determine any appropriate control measures to implement, which could be informative to the use of masks in transit offices and facilities.

How will FTA enforce the CDC Order?

FTA has amended the Master Agreement to incorporate the requirements of the CDC Order. Pursuant to the terms and conditions of FTA Master Agreement FTA MA(28), FTA may take enforcement action against a recipient or subrecipient that fails to comply with this Order, including, but not limited to, actions authorized by 49 U.S.C. § 5329(g) and 2 CFR §§ 200.339-.340 when a recipient does not comply with Federal law with respect to the safety of its public transportation system.

<u>COVID-19 Employer Information for Transit Maintenance Workers - CDC Guidance</u>

CDC Guidance for Transit Maintenance Workers

What Rail Transit Operators Need to Know about COVID-19 - CDC Guidance

CDC Guidance for Rail Transit Operators

Federal Railroad Administration (FRA)

Are both passenger and freight train operators and rail employees covered by the mask mandates?

Yes, both passenger and freight train operators and rail employees are subject to Executive Order 13998 and the <u>CDC's Order</u> requiring masks during rail transportation.

Who should I contact if I have questions about the face mask requirement for railroads?

Federal Motor Carrier Safety Administration (FMCSA)

Do drivers still need a mask if they are behind plexiglass?

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A driver is required to wear a mask, even if a driver of a conveyance is segregated from passengers by plexiglass. Plexiglass shields and other fixed barriers on conveyances do not provide adequate protection to limit the spread of COVID-19.

Do passengers need to wear a double mask?

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No, two masks are not required under the CDC Order. "Mask" means a material covering the nose and mouth of the wearer and secured to the head, including with ties or ear loops. Masks do not include face shields. CDC guidance for acceptable masks is available <u>here</u>.

May passengers remove masks when they are in the restroom on a conveyance or at a transportation hub?

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No, there is no exception for passengers who are in a restroom. A passenger is required to wear a mask the entire time while they are on the conveyance or at a transportation hub, other than those exceptions specified in the CDC Order.

Are bus companies required to provide riders with masks?

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No, it is the responsibility of the passenger to have a mask prior to attempting to board a conveyance. Boarding or entry will be denied if a passenger is not wearing a mask. A bus company may provide masks for free, or for a charge.

What if a passenger loses their mask, or the mask gets damaged after the passenger is already on board?

All passengers and carriers are responsible for making their best efforts to comply. A good practice for all passengers would be to have a spare mask, and as specified above a bus company may have spare masks available, for free or for a charge, for such situations.

Who should I contact if I have questions about the face mask requirement for motor carriers?

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Please submit your questions about implementation for motor carriers to FMCSAMaskUp@dot.gov.

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U.S. DEPARTMENT OF TRANSPORTATION

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