



Date: February 26, 2021

Subject: AMENDED POLICY FOR TRANSIT RIDER FACE COVERINGS: Pursuant to Oregon Health Authority Mask and Face Covering Guidance for Business, Transit and the Public (OHA 2266k) and CDC Order and Transportation Security Administration Security Directive (1583/84-21-01)

In response to the COVID-19 pandemic, the Oregon Health Authority (“OHA”), in accordance with Executive Order 20-66 has issued a Mask and Face Covering Guidance For Business, Transit, and the Public (OHA 2266K) that directs that every transit agency must “require riders to wear face coverings and provide one for a rider that does not have one.” (“the Guidance”), The Guidance also requires that all transit agencies issue policies and procedures for transit riders for face coverings consistent with the Guidance.

Transportation Security Administration issued Security Directive 1583/84-21-01 (“TSA SD”) (effective February 1, 2021). The TSA SD enforces Centers for Disease Control and Prevention Order: *Requirement For Persons To Wear Masks While On Conveyances And At Transportation Hubs*.¹

I am amending the following policy for transit riders by the authority in the Guidance and ORS 267.140, and the TSA SD. This policy is in effect as long as the Oregon Health Authority and/or Federal Law is requiring transit riders to wear face coverings and is subject to change or modification based on changing conditions.

1.0 Purpose

To establish policy and procedures for the mandatory use of face coverings by TriMet riders.

¹ The CDC Order implements the Presidential Executive Order: *Promoting COVID-19 Safety in Domestic and International Travel* (“EO”). The EO promotes measures to prevent the spread of COVID-19 by travelers within the United States.

2.0 Scope

Applicable to any transit rider, whether on a bus, light rail vehicle, WES train, or LIFT vehicle.

3.0 Definitions

- Face covering –A cloth, polypropylene, paper, or disposable face covering that covers the nose and the mouth and that fits snugly above the nose, below the chin and on the sides of the face.
 - The following are not face coverings because they allow droplets to be released: a covering that incorporates a valve that is designed to facilitate easy exhalation, mesh masks, lace masks or other coverings with openings, holes, visible gaps in the design or material, or vents.
- Mask – A medical grade mask, or respirator.
- Face shield –a clear plastic shield that covers the forehead, extends below the chin, and wraps around the sides of the face.
- Transportation hub – hubs and facilities controlled exclusively by TriMet, such as rail platforms for boarding and disembarking and transit centers.

4.0 Acceptable types of face coverings

Regardless of which type of face covering is utilized, it must cover the nose and mouth. Examples include, homemade cloth face coverings, KN95 masks, surgical style face masks, etc.

5.0 Requirements and Exemptions

Use of a face covering is required by all riders when on a bus, light rail vehicle, WES train, or LIFT vehicle.

Face coverings are not required if an individual:

- Is under two years of age;
- Has a medical condition that makes it hard to breathe when wearing a face covering; and/or
- Has a disability that prevents the individual from wearing a face covering.

An individual is prohibited from wearing only a face shield on public transportation or in transportation hubs unless the person has a disability as is defined in the American's with Disabilities Act and has an approved Reasonable Modification Request from TriMet.

6.0 Distribution

Provided that TriMet is able to maintain adequate supplies, courtesy face coverings

will be distributed on all vehicles and at certain transit facilities. The availability of courtesy masks for all riders cannot be guaranteed. Riders are strongly encouraged to bring their own mask or face covering that meets the requirements of this policy and the OHA Guidance. If riders do not have a mask of their own, they should take and use a courtesy mask if one is available.

7.0 Reasonable Modification Request

If someone is unable to wear a mask due to a medical condition, they should submit a Reasonable Modification Request to be exempted from the mask requirement. The person should review TriMet's ADA Reasonable Modification Policy and complete an ADA Reasonable Modification Request form. That form can be accessed here: <https://trimet.org/access/ada.htm>. If a person has additional questions, call 503-962-8200 or e-mail ADARM@trimet.org.

8.0 Penalties

Riders without masks who do not meet the exemptions above are in violation of the Executive Order and subject to penalties, including arrest, citation, or exclusion. Riders without masks who do not meet the exemptions above are in violation of federal law and subject to penalties, including civil fines.

Dated: February 26, 2021



Doug Kelsey
General Manager