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**DATE:** February 1, 2021 **No. 9**

**FROM:** Brian Funk, Deputy Chief Operating Officer - Bus

**TO:** All Operators (via individual distribution)

**SUBJECT:** New Federal Mask Requirement for COVID-19

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A new federal mask requirement issued by the Centers for Disease Control (CDC) and Transportation Security Administration (TSA) becomes effective at 11:59pm on Monday, February 1, 2021 and is in effect until at least May 11, 2021.

All transit systems in the United States including Metro Transit must require all persons on board buses and trains to wear a mask that covers both their nose and mouth for the duration of their travel.

**Transit systems must use their “best efforts” to ensure all persons wear a mask**

**Bus operators should use the following approach as a guide:**

1. Please continue to pull into bus stops with potential passengers waiting for the bus.
2. If a customer is not wearing a mask when boarding, start by reminding the customer that federal law requires wearing a mask onboard and that they will be denied a ride if they do not wear a mask. The canned message announcement can be used to help provide this notice.
3. If the customer puts on a mask, no further action is needed.
4. If the customer does not have a mask, please offer a mask to the customer. Masks are available to bring onto the bus at all garages.
5. If the customer refuses and boards the bus anyway, call TCC for assistance. TCC will evaluate the situation with you to help determine if the bus should continue for police to respond. Do not physically engage or attempt to eject the customer.

**If a customer takes off their mask while onboard, please follow a similar approach:**

1. Remind the customer that federal law requires that they wear a mask onboard. The canned message announcement can also be used to help provide this notice.
2. If the customer puts on a mask, no further action is needed.
3. If the customer refuses to put on a mask, ask the customer to exit at the next safe location.
4. If the customer refuses to put on a mask and is unwilling to exit, call TCC for assistance. TCC will evaluate the situation with you to help determine if the bus should continue for police to respond. Do not physically engage or attempt to eject the customer.

Transit Police Officers and Rail supervisors will monitor for compliance onboard the METRO Blue Line and METRO Green Line trains. Transit Police Officers will be responsible for enforcing compliance onboard trains and at Transit Centers/Stations.

The requirement to wear a mask does not apply in the following circumstances:

1. While eating, drinking, or taking medication for brief periods;
2. While communicating with a person who is hearing impaired when the ability to see the mouth is essential for communication;
3. if unconscious (for reasons other than sleeping), incapacitated, unable to be awakened, or otherwise unable to remove the mask without assistance (this includes (1) the ability to remove the mask if a person is having difficulty breathing until they can resume normal breathing; (2) remove the mask if a person is vomiting until the vomiting ceases; and (3) if the mask interferes with receiving medical assistance such as supplemental oxygen administered through an oxygen mask.); or
4. When necessary to temporarily remove the masks to verify one's identity such as during air travel screening or when asked to do by a ticket gate agent or any law enforcement official.
5. If the driver is the sole occupant of the vehicle.

**The following individuals are exempt from the Order:**

1. A child under the age of 2; and
2. A person with a disability who cannot wear a mask or cannot safely wear a mask because of a disability as defined by the ADA; and
3. A person for whom wearing a mask would create a risk to the workplace health, safety, or job duty as determined by the relevant workplace safety guideline or Federal regulations.

The CDC issues this Order under 42 U.S.C. 264(a) and 42 C.F.R. 70.2, 71.31(b) and 71.32(b), which applies to emergency actions. The Order also directs the TSA to enforce the Order under TSA's authority under 49 U.S.C. 106, 114, 44902, 44903, and 46301.

Customer communications are being updated to include this new information and will be available at [metrotransit.org](https://metrotransit.org), on our social media channels and via Rider Alerts.

**Thank you for all you're doing!**

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Brian Funk  
Deputy Chief Operating Officer – Bus