



# GOVERNMENT OF PUERTO RICO

Puerto Rico Tourism Company

October 22, 2020

To all Tourism Stakeholders

A handwritten signature in black ink, appearing to read "Carla G. Campos Vidal".

Carla G. Campos Vidal  
Executive Director

**Re: Updated guidance for tourism businesses and travelers for the implementation of Executive Order 2020-077**

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Dear Industry Stakeholders,

On October 16, 2020, Hon. Wanda Vázquez-Garced, Governor of Puerto Rico, signed into effect Executive Order 2020-077, which outlines the mandates put into effect to continue implementing a phased reopening of Puerto Rico's economy, while safeguarding the health and safety of the population amidst the COVID-19 global pandemic. The Executive Order can be found in the Puerto Rico Department of State's website ([www.estado.pr.gov](http://www.estado.pr.gov)). What follows is a guide on the applicability of the Executive Order on specific tourism operations for the period of October 16 through November 13, 2020.

The government, the private sector and the population at large have a role to play in virus containment and the gradual business recovery. The key to secure a safer and stronger business recovery is to execute the business resumption in a gradual sustained method, as presented last September 2nd during the Industry Update and Outlook Webinar.

We are pleased that the Phased Recovery Strategy continues as planned and presented to the industry on said date. The objective of the delineated strategy is to turn the crises into an opportunity to build a long-term advantage for Puerto Rico as a premier destination through a coordinated public-private approach. Through the gradual reopening, we seek to ensure a safer and stronger recovery, restore jobs and wages and pursue to preserve the financial health (liquidity) and stability of the travel and tourism infrastructure. Your support to safeguard the proper implementation of this phase will be key to ensure upcoming phases are rolled out as planned.



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**Overall Guidance on Tourism Operations:** The tourism sector has demonstrated to be a step ahead with the design and implementation of protocols to minimize the risk of COVID-19 contagions in their facilities.

Puerto Rico is currently open for domestic tourism (internal tourism) only. The Executive Order does not authorize Discover Puerto Rico to generate demand for immediate travel among those living outside the island. Only essential travel is permitted, following with established point-of-entry protocols.

The Puerto Rico Tourism Company (PRTC) has been authorized to gradually resume internal tourism promotional efforts, highlighting the safety measures requirements for residents and the tourism businesses.

These updates are in accordance with the updated phased recovery plan that was presented to the tourism industry on September 2 on the Webinar that you can access by clicking HERE.

In the months ahead, and pending the virus containment efforts, marketing and demand generating efforts could get the approval to resume.

**Destination-Wide Health & Safety Program:** All tourism businesses are required to comply with all guidelines published by the Puerto Rico Tourism Company (PRTC) found HERE. In compliance with all Programs dispositions all hoteliers must complete the electronic acknowledgement and self-certification form. Owners, general managers or directors of operations must sign the electronic acknowledgement form. The PRTC could validate its complying by making random visits without previous notice. For inspection purposes, the PRTC has been authorized to make collaborative agreements to assign a compliance joint team with authority to inspect tourism facilities and demand the full compliance with the Executive Order. The PRTC's guidelines integrate all guidance published by the Center for Disease Control (CDC), the Department of Health and PROSHA to protect workforce and clients alike. Compliance with PRTC requirements does not liberate businesses from additional reporting or certification obligations required by PROSHA.



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**Pools:** Pool facilities may open within the hours of 5:00am and 10:00pm subject to strict compliance of the terms established in the PRTC Destination-Wide Health & Safety Program. Additionally, hoteliers must observe the following guidelines:

- Use of pool facilities is authorized for hotel guests. Day passes and use of hotel facilities by guests not staying overnight (such as club members) is permitted at this time. For guests not staying overnight, management must require each individual to complete and sign a declaration form containing information related to the date and time of use of facilities, primary contact, body temperature, a certification that the individual is not currently required to quarantine or experiencing common COVID-19 symptoms.
- Pool facilities are allowed to operate at up to 30% of the allowable facility's capacity as established by the PR Building Code 2018. Management must communicate to all staff members that serve the pool areas the allowable numerical limit of guests that may be in and around the pool area at any given time. All staff must be made aware of health & safety protocols and assume an active role in providing oversight and requiring compliance of measures for all guests. Additionally, management must ensure that equipment (like chairs, tables and cabanas) be laid out strictly based on the allowable capacity while observing a minimum of at least 6 feet of separation (ideally distanced at 9 feet or more considering guests will be actively moving throughout the facilities) between equipment provided for a single registered group. Excess equipment must be stored elsewhere or safeguarded so as to avoid discretionary use. Each property must establish a space distribution layout (with the calculation of the 30% allowable facility's capacity and corresponding service equipment). This information must be available for consultation should the PRTC or any other enforcement agency require it at any given time.
- Properties must establish a reservation system for guest use of pool facilities. All guests using pool facilities must notify management of requested time for use. Management must maintain control and oversight of the reservation system and capacity thresholds at all times. All guests must be informed of the health and safety protocols before being allowed to use the facilities.
- Guests must use face covering or masks at all times except when in the water or while sunbathing. Guests that move through pool premises (move from their designated lounging areas) must wear face coverings or masks to do so.
- Management is responsible for having personnel to supervise and ensure the compliance of the health protocols inside and around the pool area at all times.
- Pool water quality must be inspected and prepared before every reopening. This includes staff taking temperature samples and securing the effective water treatment.
- Management should take extraordinary measures to enforce compliance with health & safety standards and should any guest be deemed in rebellion to the established



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measures, management must immediately exercise its right to admission and ask the guest to vacate the pool premises.

**Beaches:** Beaches are open for recreation every day of the week from 5:00am to 10:00pm. Hotels that are located adjacent to beaches and hence have concessions to provide services (like availability of chairs, tables, umbrellas, food and beverage services, equipment rental, etc.) are responsible for ensuring compliance with health and safety protocols within beach premises.

- Management must ensure that equipment (like chairs, tables and cabanas) be laid out observing a minimum of 6 feet of separation (ideally 9 feet) between equipment provided for a single registered group. Excess equipment must be stored elsewhere.
- Beach goers are required to use a face covering or mask at all times, except when in the water and while sunbathing in their respective lounging areas.
- Management is responsible for having personnel to supervise compliance with health and safety protocols on site (at the beach) at all times.
- Management should take extraordinary measures to enforce compliance with health & safety standards and should any guest be deemed in rebellion to the established measures, management must immediately exercise its right to admission and ask the guest to cease use of equipment provided by the hotel. Should the hotel require support from government authority to enforce compliance, management must immediately contact its local police department.

**Restaurants:** Table seating at indoor spaces is allowed so long as the seating capacity remains at or below 55% of the total facility's capacity as per the PR Building Code 2018 and subject to strict compliance of the terms established in the [PRTC Destination-Wide Health & Safety Program](#). The establishment is responsible for ensuring that clients observe between 6 feet and 9 feet of distancing between guests, inclusive of outdoor spaces. If the number of guests inside a restaurant reach the 55% capacity but the space does not allow the physical distancing required in the Executive Order, the restaurant must minimize the occupation percentage to guarantee a physical distance of 6 feet to 9 feet between guests. Outdoor seating can operate at full capacity so long as the distancing parameters (between 6 to 9 feet between tables) is maintained. Restaurant bars must solely serve beverages at table seating. Bar counters and bar seating are not allowed to operate at this time. Bars are only allowed to serve restaurant guests seated at restaurant tables. Self-standing bars in hotel common areas are not allowed to operate at this time.



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**Gyms and Athletic Facilities:** As established by the Sports and Recreation Department's applicability and regulations for the performance of physical activities permitted, gyms and athletic facilities can resume its services limiting its capacity to no more than thirty percent (30%).

- Every gym should limit the number of machines that will be available for the public, guaranteeing distancing. In that sense, according to the provisions issued in the Administrative Bulletin OE-2020-066, the number of people cited may not exceed thirty percent (30%) of the number of machines and equipment that is available.
- Shower areas must remain closed to the public and patrons.
- Properties must establish a reservations system for guests to use the athletic facilities.

**Golf.** The use of shared golf carts will be allowed, as well as the opening of the golf practice areas or "ranges." However, those provisions of the Department of Sports and Recreation's Circular Letters related to the protection of the golfer, the management and use of the clubs, and the shower will remain in effect during the term of this Executive Order.

**Tennis.** The practice of singles and doubles (teams) is allowed. This is applicable to field tennis, beach tennis and paddle tennis. However, those provisions of the Department of Sports and Recreation's Circular Letters related to the protection of the tennis player and management and use of clubs, centers and other facilities will remain in effect for the duration of this Executive Order.

**Short-term rentals:** Legally registered properties are only approved to operate.

- Short-term rental properties, duly registered and identified by their Innkeepers at the PRTC as per Act 272-2003 are authorized to remain open. For information on registration and identification visit [HERE](#). If a listing is not duly registered, it's illegally operating and is subject to fines and penalties as outlined under Act 272-2003 and Executive Order 2020-077.
- The owner, manager, administrator or the short-term rental property responsible (independently commercialized, or through platforms like Airbnb, VRBO, Join a Join, among others) must prohibit the entrance of anyone who is not registered as guests of the property.
- Social activities, events and group meetings are strictly prohibited. This includes guests and administrators.
- Private properties with shared pool facilities (multiple listings or parties staying on premise at a time), must observe all requirements for pool use, as outlined in the protocols established above for hotel properties), including the provision of on-site staff to oversee compliance of measures.



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- Short term rental properties located within residential complexes (like condominiums, residential complexes, etc.) must ensure that the residential facility is in compliance with the guidelines established by the Puerto Rico Department of Consumer Affairs. Similarly, hosts are responsible for communicating to guests the health and safety protocol established by the complex for use of pool facilities before guest arrival.
- Strict compliance of the terms established in the PRTC Destination-Wide Health & Safety Program are required of all short-term rental properties

**Casinos:** May open within the hours of 5:00am and 10:00pm subject to strict compliance of the terms established in the PRTC Destination-Wide Health & Safety Program and the Gaming Division (Gaming Commission) and operate at up to 30% of the allowable facility's capacity as established by the PR Building Code 2018—maintaining a distance of at least between 6 feet and 9 feet between clients, utilizing physical distance mechanisms such as disabling slot machines between clients. Casino management must ensure the proper disinfection of any machine or space after a client use. All casinos must comply with the protocols established by the Game Commission and the PRTC.

**Recreational Activities:** Recreational activities are authorized, including nautical tourism, trekking, diving, snorkeling, guided excursions, watersports, among others, as long as they establish appointments and reservation mechanisms that guarantee social distancing between participants, establish a suitable cleaning of all recreational equipment and subject to strict compliance of the terms included in the PRTC Destination-Wide Health & Safety Program

- Nautical tourism – Is authorized, but anchorage in keys, islets and beaches is strictly prohibited. We recommend you consult guidance published by the Department of Natural and Environmental Resources for further details. Operations must be in full compliance with the PRTC Health & Safety Guidelines.
- Tour Operators & Tour Guides – Are authorized in compliance with physical distance requirements established in the Executive Order. Operations must be in full compliance with the PRTC Health & Safety Guidelines. All group tours may operate but must establish group size capacity for the specific operation based on safeguarding appropriate distancing between individuals.
- Attractions— Are authorized to open observing strict compliance with distance requirements established in the Executive Order and strictly using a reservation system to manage visitations. Capacity of 30%. Operations must be in full compliance with the PRTC Health & Safety Guidelines.
- Watersports – The practice is authorized in compliance with physical distance requirements established in the Executive Order. Competitions are strictly prohibited. We recommend you consult guidance published by the Department of Natural and



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Environmental Resources for further details. Operations must be in full compliance with the PRTC Health & Safety Guidelines.

- All adventure circuit operating companies (zip lines) can operate subject to prior submission of the protocols required in the Section IX of the Sports and Recreation Department's applicability and regulations for the performance of physical activities. To such ends, adventure companies, when operating their businesses, must comply with the operational requirements established by the Sports and Recreation Department including:
  - The continuous disinfection of the equipment after each use.
  - Use a seal or "sticker" of disinfection certification, so that the customer can verify that their equipment was properly disinfected prior to its use.
  - Lockers or spaces for clients to store their belongings must remain closed.
  - The adventure circuit business must limit the number of customers and visitors proportionately to the amount of square feet of the facility and securing always the minimum of 6 feet of social distancing.
  - Groups will be limited to no more than 6 participants per group and the owner or circuit operator shall ensure that there is reasonable time between each group.
  - Participants must put on their own equipment to avoid contact. For these purposes, instructors or staff in charge should offer an orientation about how the participant should put on the equipment. The staff in charge must ensure that the equipment is placed correctly.

**Events:** Proposals for concerts, theater activities and corporate activities could be submitted to the consideration of the Governor's Chief of Staff for approval and authorization. The proposals will be evaluated subject to the implementation of safety and health measures to mitigate the spread of the virus and to protect the health and safety of the workers, artist and everyone participating in the event planning.

All social events are prohibited, however the hoteliers are authorized to allow the use of their spaces for educational and corporate matters, meetings and workshops, as long as the utilized space distribution allows a physical distance of 6 feet to 9 feet between each person, and between chairs and tables. Social events like weddings, baptisms, and graduations require approval from the Governor's Chief of Staff.

All groups or mass activities are unauthorized, outdoor and indoor, including parades and any activities that promotes people crowding.

The use of party buses or the making of rolling parties are prohibited for any event during the validity of the Executive Order.