



# GOVERNMENT OF PUERTO RICO

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## Puerto Rico Tourism Company

December 11, 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 2020-087**

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Dear Industry Stakeholders,

On December 4, 2020, the Governor of Puerto Rico, Hon. Wanda Vázquez Garced signed the Executive Order 2020-087, which outlines the mandates put into effect to control and decrease the contagions and mortalities of the population in Puerto Rico

As we are gradually crossing over to the other side of the health crisis with promising news about a vaccine in a nearby sight, science and the recent record-breaking figures are evidence of our critical reality. The COVID-19 virus continues to affect our society and economy in unprecedented ways.

Controlling the virus is critical to restoring tourism and the economy. We cannot aspire to secure economic recovery without a healthy population and infrastructure. The tourism sector continues to pave the way and demonstrate to be sharp with the implementation of protocols to minimize the risk of COVID-19 contagions in their facilities.

The Executive Order can be found in the 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 beginning December 7, 2020 through January 7, 2021.

## **Overall Guidance on Tourism Operations:**

Puerto Rico is currently open for domestic tourism (internal tourism) and for essential travel for those living overseas. Only crucial travel is permitted, and specific [Travel Requirements and Protocols](#) continue to be in effect.

The Executive Order does not authorize Discover Puerto Rico to stimulate demand for immediate travel among those living outside the island. However, efforts by Discover Puerto Rico and industry partners to promote planning of future travel are permitted.

The Puerto Rico Tourism Company (PRTC) has been authorized to gradually resume internal tourism promotional efforts as long as responsible tourism is advocated. The efforts must highlight the safety measures requirements for residents and the tourism businesses.

**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 PRTC Health & Safety Program 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 may validate compliance of all protocols through random visits and inspections that do not require prior notifications. 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.

## **Hotels and Lodging Properties:**

**Pools:** Pool facilities may remain open within the hours of 5:00am and 9:00pm every day of the week 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 limited exclusively for registered guests (staying at least 1 night). Day passes must not be issued and club members are not permitted at the facilities at this time. All hotel or resort guests must be identified with a hotel identification which should be expedited upon checking in, such as wristbands, in order to safeguard that only hotel guests make use of pool and hotel facilities.
- 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.
- 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 between equipment provided for a single registered group. Excess equipment must be stored elsewhere. Each property must establish a space distribution layout (with the calculation of the 30% allowable facility's capacity, distancing requirements and corresponding service equipment). This information must be available for consultation

should the PRTC, Health Department 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.
- Management is responsible for having personnel to supervise and secure the compliance of the health protocols inside and around the pool area at all times.
- 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.
- As indicated in the [Health and Safety Program](#), 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 sunbathing.
- Management should take extraordinary measures to enforce compliance with health & safety standards. Should any guest be deemed in rebellion to the established measures, management must immediately exercise its right to admission and use of facilities, and ask the guest to vacate the pool premises.

**Beaches:** Beaches are open for specific, individual activities from Monday to Saturday from 5:00am to 8:30pm. Sundays beaches remain closed for all activities. Social beach gatherings are not authorized at this time.

- Permissible individual activities include, recreational fishing, kayaking, paddle boarding, surfing, body boarding, jet skiing, kitesurfing, snorkeling, diving, and other similar activities.
- Equipment (like chairs, tables and cabanas) are not allowed to be laid out by hotel management on beach premises.
- Beach goers for specific authorized activities are required to use a face covering or mask at all times, except when in the water.

**Common Areas:** High contact common public areas, such as children's playgrounds, must remain closed for the duration of this Executive Order.

### **Restaurants and Food Service:**

#### **Dining Rooms**

- Strict compliance of the terms established in the PRTC Destination-Wide Health & Safety Program.
- Table seating capacity limit remains at or below 30% of the total facility's capacity as per the PR Building Code 2018 for indoor dining spaces. Outdoor dining spaces may operate at full capacity, so long as distancing requirements are observed.
- The establishment is responsible for ensuring that tables and chairs are laid out observing the required 6 feet to 9 feet of distancing between party, inclusive of outdoor spaces. If the number of guests inside a restaurant reach the 30% 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.

- Restaurant dining rooms can operate within the hours of 5:00am and 8:30pm from Monday through Saturday for all patrons.
- On Sundays, dining rooms are allowed to operate **only** for registered guests of the hotel, resort or lodging facility from 5:00 AM to 8:30 PM.

**Take Out and Delivery:** is allowed 7 days a week (Monday through Sunday) until 11:00 PM. The hotel may provide 24 hour Room Service for registered guests.

#### **Sale and consumption of alcohol:**

- The EO 2020-087 calls for a general restriction on the sale and consumption of alcohol from Fridays at 9:00 PM through Mondays at 5:00 AM. Hotel exemptions of these rules are made available strictly to cater to registered overnight guests and are specifically outlined below. Hotels must take extraordinary measures to oversee guest behavior is in compliance with the safe distancing and protection measures that are outlined in EO 2020-087:
  - Hotel Restaurants
    - Sale and consumption is allowed Monday through Friday during the operational hours of 5:00 AM to 8:30 PM at hotel restaurants that are open to the general public. Hotel restaurants open to the general public on Saturdays are not allowed to sell or serve alcoholic beverages to patrons.
    - On Sundays, restaurant dining rooms are allowed to operate **only** for registered guests of the hotel, resort or lodging facility from 5:00 AM to 8:30 PM. These restaurants exclusively open for hotel guests on Sundays are allowed to sell and serve alcoholic beverages from 5:00 AM to 8:30 PM.
  - Hotel Common Areas (including pool facilities)
    - Hotel facilities that are strictly available for registered guests (staying at least 1 night and properly identified with wristbands) are allowed to sell and serve alcoholic beverages in areas exclusively available to guests every day of the week from 5:00 AM to 8:30 PM (such as pool areas).
  - Room Service
    - In the case of Room Service only, the sale of alcohol is allowed every day of the week through 9:00 PM. Although room service can operate at all times, the sale of alcohol cannot take place after 9:00 PM.

**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 2020-044.

- 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 at all times to oversee compliance of measures around pool facilities.**
- Short term rental properties located within residential complexes (like condominiums, residential complexes, etc.) must ensure that the residential facility complies with the guidelines established by the Puerto Rico Department of Consumer Affairs. At this time, pool use at residential properties is not allowed. 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 8:30pm from Monday through Saturday 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.

**Spas:** Wellness centers and spa services can operate Monday through Saturday from 5:00 AM to 8:30 PM. The use of reservation system is required and facilities must be in compliance with the established measures in the [PRTC Destination-Side Health and Safety Program](#).

**Gyms and Fitness Centers:** Fitness centers can operate Monday through Saturday from 5:00 AM to 8:30 PM for all patrons. The use of a reservation system is required.

- On Sundays, fitness centers are only allowed for registered guests of the hotel or lodging property from 5:00 AM to 9:00 PM.
- Capacity must remain at or below 30% of the total facility's capacity as per the PR Building Code 2018 at all times.
- Management must secure that facilities are under strict compliance of the terms established in the PRTC Destination-Wide Health & Safety Program and that there is personnel to supervise compliance with health and safety protocols at all times.

**Recreational Activities:** Recreational activities are authorized Monday through Saturday from 5:00 AM to 8:30 PM. All commercial operations to facilitate individual recreational activities like tourism attractions, nautical tourism operators, trekking, diving, snorkeling, guided excursions, watersports businesses, among others are allowed to operate, considering limitations outlined below.

- Individual recreation is allowed and group reservations are permissible so long as the operator takes extraordinary measures to enforce safe distancing, favor groups of the same family circle and ensure use of personal protection equipment at all times.
  - Advanced reservations are required for adequate group planning.
  - Businesses must remain closed on Sundays due to the enforced “lockdown” measure.
  - Businesses must 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](#).
  - The sale and consumption of alcohol is strictly prohibited in the weekends. The restricted period for sale and consumption of alcohol starts on Fridays 9:00 PM and is in effect through Mondays 5:00 AM.
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- Nautical tourism – commercial operations (organized excursions and tour operators) are authorized but marinas and anchorage in keys, islets and beaches for personal or chartered embarkations are strictly prohibited.
  - Tour Operators – Are authorized in compliance with physical distance requirements established in the Executive Order and summarized above.
  - Tour Guides – Are authorized in compliance with physical distance requirements established in the Executive Order and summarized above.
  - Watersports – Are authorized in compliance with physical distance requirements established in the Executive Order and summarized above. Competitions are strictly prohibited.

**Events and Social Activities:** Proposals for concerts, theater activities and corporate meetings and/or 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 hostilities are authorized to allow the use of their spaces for educational matters 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, Monday through Saturday 5:00 AM to 8:30 PM

All social, groups or mass events taking place indoor or outdoor are prohibited.

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