



Frequently Asked Questions (“FAQ”) for Executive Order No. 215

May 14, 2021

This FAQ provides guidance for the implementation of Executive Order No. 215 (“Order”). The state has continued to make progress in its key COVID-19 metrics and has reduced risk of transmission of COVID-19. On May 13, 2021, the U.S. Centers for Disease Control and Prevention (“CDC”) acknowledged that the growing body of evidence suggests that fully vaccinated people are less likely to transmit COVID-19 to others. In addition, the CDC issued new CDC guidance indicating that the face covering requirement and social distancing requirements can be lifted for fully vaccinated people. In North Carolina, more than half of the population has received one vaccination dose, and North Carolina is on track to have more people be fully vaccinated and at low risk from the disease. Therefore, considering the totality of these circumstances, the Governor has determined that the capacity restrictions, social distancing requirements, should be lifted in all settings and the general face covering requirement should be lifted in most settings. The Order becomes effective on May 14, 2021 at 1:30 p.m and will remain in effect through June 11, 2021 at 5:00 p.m. Below are frequently asked questions (“FAQs”) and their answers. In addition, individuals should check with local governments to determine whether additional restrictions have been imposed in their local jurisdictions to limit the spread of COVID-19.

This information is subject to change in light of new Centers for Disease Control & Prevention guidance and additional Executive Orders, further agency guidance, or local government declarations.

FAQs related to the Order

When does this Order take effect?

This Order takes effect on May 14, 2021, at 1:30 p.m. and will remain in effect until June 11, 2021 at 5:00 p.m., unless repealed, replaced, or rescinded.

What are the major changes under this Order?

- Face covering requirements are lifted in most settings. (See details below addressing where these requirements are still applicable.)
- Capacity restrictions are lifted in all settings.
- Social distancing requirements have been lifted in all settings. (For example, there is no longer a requirement that tables in restaurants be spaced out.)

What remains the same under this Order?

Under this Order:

- Nothing prevents people from continuing to wear face coverings, which are recommended for unvaccinated people and for all people in large venues. Employers, business owners, and local governments may require face coverings and social distancing.
- Because children are still unvaccinated and can easily spread COVID-19, face coverings are still required in child care, children’s day camps, and children’s overnight camps. Nothing in today’s Executive Order changes the StrongSchoolsNC Toolkit requirement for face coverings in schools.
- The CDC has advised that face coverings should continue to be required in several health care settings, in transportation settings like airports and bus stations, in correctional and detention facilities, and at homeless service providers. This Order continues those face covering requirements.
- Local governments can implement stricter COVID-19 face covering, capacity, and social distancing requirements.

Why are changes to face covering requirements being made now.

The state has continued to show progress in its key COVID-19 metrics and has reduced the risk of transmission of COVID-19. The science and data demonstrate that vaccines are working and are effective against COVID-19 variants. In addition, on May 13, 2021 CDC Guidance for Fully Vaccinated People advises that the evidence suggests that fully vaccinated people are less likely to transmit COVID-19 to others. The CDC, in its May 13 Guidance therefore advises that in most settings, fully vaccinated people can resume activities without wearing face coverings or physically distancing.

Face covering Requirements Subject to NCDHHS Guidance

The following establishments, businesses, and institutions are required to follow NCDHHS Guidance with respect to indoor face covering requirements and all other COVID-19 related restrictions and recommendations:

- Schools
- Child care facilities
- Children’s day or overnight camps
- Certain health care settings like long term care centers
- Public or private transportation regulated by the State of North Carolina and North Carolina airports, bus and train stations or stops
- Prisons and establishments that are providing shelter to people experiencing homelessness
- Establishments that are providing shelter to people experiencing homelessness

Why are face coverings still required in these settings?

Individuals in these settings may be at a higher risk of contracting COVID-19, and therefore, are subject to specific NCDHHS guidelines.

I’m in a setting that still requires face coverings under the Order. Do any exceptions apply?

Yes. A face covering does not need to be worn by an individual who:

- a. Should not wear a face covering due to any medical or behavioral condition or disability (including, but not limited to, any person who has trouble breathing, or is unconscious or incapacitated, or is otherwise unable to put on or remove the face covering without assistance);
- b. Is under five (5) years of age;
- c. Is actively eating or drinking;
- d. Is seeking to communicate with someone who is hearing-impaired in a way that requires the mouth to be visible;
- e. Is giving a speech for a broadcast or to an audience;
- f. Is working at home or is in a personal vehicle;
- g. Is temporarily removing his or her face covering to secure government or medical services or for identification purposes;
- h. Would be at risk from wearing a face covering at work, as determined by local, state, or federal regulations or workplace safety guidelines;
- i. Has found that his or her face covering is impeding visibility to operate equipment or a vehicle; or is a child whose parent, guardian, or responsible person has been unable to place the Face Covering safely on the child's face.

Anyone who declines to wear a face covering for these reasons should not be required to produce documentation or any other proof of a condition. Children under two (2) years of age should not wear a face covering.

Businesses

Can businesses still require guests to wear face coverings despite the restrictions being removed?

Yes. Businesses can still require guests to wear face coverings in their establishments.

What are the capacity limits and social distancing requirements on businesses covered by this Executive Order?

There are no capacity or social distancing requirements put in place under this Order.

My home town implemented stricter face covering requirements. Do I have to follow my home town's requirements?

Yes. The Governor recognizes that the impact of COVID-19 has been and will likely continue to be different in different parts of North Carolina. This Order does not prohibit counties and cities in North Carolina from enacting ordinances and issuing state of emergency declarations which impose greater restrictions or prohibitions

I still want to wear a mask. What can I do to ensure my mask is as protective as possible?

NCDHHS has additional recommendations to improve mask wearing based on guidance from the CDC. To ensure masks are as protective as possible, NCDHHS recommends that you:

- Make sure your mask fits snugly against your face and covers your nose and mouth. To help with a snug fit, you can use a mask with a metal strip along the top of the mask.
- Use two or more layers for your face covering. You can do this by wearing a cloth face covering with two or more layers or by wearing one disposable mask (sometimes referred to as a surgical mask or a medical procedure mask) underneath a cloth mask.
- Do not wear two disposable masks.

- Make sure you can see and breathe easily.

For additional information on how to improve mask wearing, please see updated guidelines from the [CDC](#).

Are other health and safety requirements, sanitation standards, other public health restrictions still in place?

Yes. While social distancing and capacity restrictions have been removed and face covering requirements have been mostly removed, certain health and safety requirements, sanitation standards, other public health restrictions, and NCDHHS Guidance remain in effect.

Bars, Lounges, and Night Spots

May private bars open indoors and provide for the sale and service of alcoholic beverages? Are there face covering and social distancing requirements?

Yes, these establishments may open indoors and outdoors at full capacity. There are no social distancing or face covering requirements for patrons.

Are establishments authorized to sell mixed beverages “to-go” allowed to continue to sell mixed alcoholic beverages “to-go”?

Certain establishments specified in Executive Order No. 183, as extended by Executive Order Nos. 190, 205, and 210 may continue to sell mixed alcoholic beverages to-go until the expiration of Executive Order No. 210 or any subsequent extension, subject to the terms of that Order. Please see the FAQ for Executive Order No. 205, available [here](#), for additional information.

Must Guests at bars, lounges, night clubs, and other venues for live performances remain seated?

No. There are no longer seating requirements for guest bars, lounges, night clubs, and other venues. These venues may operate at full capacity.

Sports

Are spectators allowed at sporting events, including youth, high school, collegiate, and professional events?

Yes, spectators are allowed both indoors and outdoors at sporting events. At indoor and outdoor sporting events may operate a full capacity.

Are face coverings required for athletes participating in school athletic events?

Face Coverings are not required for those school athletes over age five (5) when exercising outdoors. School athletes over age five (5) should continue to wear a face covering when exercising indoors, unless an exception applies. Face coverings exceptions in sections 2.3 – 2.5 of Executive Order No. 209 apply under these circumstances.

Are face coverings required for athletes participating in non-school related youth and amateur athletic events?

No. There are no face covering requirements for these athletic events.

Are there still capacity limitations on larger venues?

No, large venues may operate at full capacity.

Outdoor events

Are there capacity limitations on outdoor festivals and concerts?

No.

Higher Capacity Exemptions for Large Venues

What are the capacity limitations for indoor facilities with seating capacity greater than five thousand (5,000) and outdoor facilities with seating capacity greater than ten thousand (10,000).

There are no capacity limitations for large facilities.

Are there reasons why a State of Emergency should remain in place?

Yes.

1. The State of Emergency maintains state's ability to receive federal funding to meet challenges presented by COVID-19.
2. The State of Emergency provides DHHS and health care facilities with increased regulatory flexibility allowing health care providers to expand their capacity to meet the state's COVID-19 needs. Today, although most adult North Carolinians have received at least one vaccination dose, more than nine hundred people in North Carolina are still hospitalized with COVID-19, and the state is still reporting more than a thousand new cases each day. Meanwhile, our state is vaccinating tens of thousands of people every day -- an effort that has required flexibility to allow vaccinations in many settings where they normally could not take place. The State of Emergency is required to keep our hospitals able to respond to this surge in patients and enable our state's surge in vaccination capacity.
3. The State of Emergency creates a pathway for continued face covering requirements in certain high risk settings like long term care centers and detention facilities.
4. The State of Emergency allows the state to be ready in case there is a spike in the disease among the non-vaccinated population.