

Fact Sheet: CDC Transit Mask Mandate Compliance for Greater MN Public Transit Systems



Effective: 2.01.2021

Resources

- Centers for Disease Control and Prevention ([CDC](#)) Order
- U.S. Presidential [Executive Order 13998](#)
- [CDC How to Wear Masks](#)
- MN Governor's Emergency Executive [Order 20 - 81](#)
- MN DHS [FAQ](#) About the Requirement to Wear Face Coverings
- [MN Stay Safe Guidance](#)

Applicability to Federal Order

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.

The following individuals are exempt from the Order:

- (1) A child under the age of 2;
- (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.

CDC Order

The Centers for Disease Control and Prevention (CDC) issued an Order on January 29, 2021, requiring the public to wear face masks while on conveyances and in transportation hubs. The Order emphasizes that the virus that causes COVID-19 spreads easily via respiratory droplets and that wearing masks prevent infected individuals from spreading the disease. The CDC's Order focuses on transit because it brings people in close contact with one another. Furthermore, the CDC believes that any state or territory without sufficient mask wearing requirements for transportation systems within its jurisdiction has not taken adequate measures to prevent the spread of COVID-19. To that end, the CDC is exercising its statutory and regulatory authority to require wearing masks on transit. (This Order was effective on February 1, 2021 and will stay in effect until further notice)

Summary of the CDC Order

All conveyance operators (transit system) transporting persons into and within the United States must require all persons onboard or at transportation hubs where passengers are picked up or discharged to wear masks over the mouth and nose when traveling or waiting. Operators must use best efforts to ensure that any person on the conveyance wears a mask when boarding, disembarking, and for the duration of travel, which include:

- Boarding only those persons who wear masks;
- Instructing persons that Federal law requires wearing a mask on the conveyance and failure to comply constitutes a violation of Federal law;
- Monitoring persons onboard the conveyance for anyone who is not wearing a mask and seek compliance from such persons;
- At the earliest opportunity, disembarking any person who refuses to comply; and
- Providing persons with prominent and adequate notice to facilitate awareness and compliance of the requires of this Order to wear a mask; best practices may include, if feasible, advance notifications on digital platforms, such as on apps, websites, or email; posted signage in multiple languages with illustrations; printing the requirement on transit tickets; or other methods as appropriate.

Similar best efforts must be used to ensure that any person entering or on the premises of transportation hubs or transit facilities are followed.