



Maryland Governor Issues Stay-At-Home Order

Insights

3.30.20

Maryland Governor Larry Hogan announced a statewide stay-at-home order effective at 8:00pm Monday, March 30, 2020. Hogan had previously issued an order on March 23, 2020 requiring the shutdown of non-essential businesses and encouraging citizens to stay home. With this new order, Hogan is directing citizens to stay home except for certain essential reasons, such as obtaining medical services for self or family, buying food or essential home goods, caring for pets, or running, walking, hiking or biking. Gatherings of more than 10 people remain prohibited.

The March 30 Order, like the March 23 Order, defines non-essential businesses as those businesses, organizations, establishments and facilities that are not part of the critical infrastructure sectors identified by the U.S. Department of Homeland Security's Cybersecurity and Infrastructure Security Agency. Non-essential businesses must remain closed to the public.

The Governor's Office of Legal Counsel has also issued interpretive guidance regarding the shutdown order.

Key Changes For Businesses

For businesses, there are several key changes in the March 30 order:

- Staff and owners of businesses and organizations that are not required to close may now travel between their homes and those businesses and organizations; and to and from customers for the purpose of delivering goods and performing services;
- Staff and owners of non-essential businesses may travel between their homes and those non-essential businesses for the purposes of engaging in Minimal Operations, including facilitating remote work by other staff, maintaining essential property and preventing loss of or damage to property or perishable inventory, performing essential administrative functions such as picking up mail and processing payroll, or caring for live animals;
- Staff and owners of non-essential businesses may also travel to and from customers for the purpose of delivering goods, including selling retail products on a delivery basis; and
- Curbside pickup at non-essential businesses is no longer permitted. Non-essential businesses may continue to sell products on a delivery basis, so long as this can be accomplished consistent with federal and state guidelines regarding social distancing and environmental cleanliness and disinfection. Restaurants, however, may continue to sell food and drink on a carry-out, drive-

through, or delivery basis, also so long as accomplished consistent with applicable law and social distancing guidelines.

Knowing and willful violations of the March 30, 2020 Order are misdemeanors and subject to a fine of up to \$5,000 or imprisonment of up to one year or both. Police have increased their enforcement on the restrictions on large gatherings over the past week. It is likely that enforcement measures will continue with the issuance of the stay-at-home order.

Conclusion

Fisher & Phillips will continue to monitor the rapidly developing COVID-19 situation and provide updates as appropriate. Make sure you are subscribed to [Fisher Phillips' Alert System](#) to get the most up-to-date information. For further information, contact your Fisher Phillips attorney, or [any member of our Essential Business or COVID-19 Taskforce](#). You can also review our nationwide [Comprehensive and Updated FAQs for Employers on the COVID-19 Coronavirus](#) and our [FP Resource Center For Employers](#), maintained by our Taskforce.

This Legal Alert provides an overview of a specific state law. It is not intended to be, and should not be construed as, legal advice for any particular fact situation.

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