

OFFICE OF THE MAYOR

DEREK S.K. KAWAKAMI, MAYOR

MICHAEL A. DAHLIG, MANAGING DIRECTOR



Mayor's Emergency Rule #23 Amendment 1

Purpose

Governor David Y. Ige's (Sixteenth) **Seventeenth** Proclamation (hereinafter the "Governor's Proclamation") allows negative test exceptions to mandatory self-quarantine for persons entering the state and for inter-county travel, including the Safe Travels pre-travel testing program.

The County had originally described in Mayor's Emergency Rules #19 and #20 that it would submit a rule to revoke the pre-travel testing program for Kaua'i if the seven-day average number of daily new COVID-19 cases reported reached five or more for one week.

Kaua'i's recent experience has presented the County with a different situation in regard to the spread of COVID-19. The County's cumulative total COVID-19 case count has doubled in the six weeks since October 15, 2020, when travel restrictions were eased. In this recent escalation of cases, approximately 80 percent have been from individuals who traveled outside Kaua'i. The County developed the tier system in Mayor's Emergency Rule #19 to mitigate the community transmission of COVID-19 on Kaua'i by addressing indoor and outdoor social gatherings, businesses, operations, and activities. However, the County finds that these interventions do not directly affect rising COVID-19 case counts related to travel.

As travel-related cases continue to rise sharply on Kaua'i, the County is at risk for greater spread through resulting community transmission. Without addressing travel, the County is unable to mitigate the community spread of disease on the island. Thus, to add an additional targeted layer of protection for the County, the mandatory (~~14~~)**10** day self-quarantine for travelers is reinstated as a measure to combat the spread of COVID-19.

Rule

This rule is in accordance with the Governor's Proclamation, and adopted pursuant to HRS § 127A-25. This rule has the force and effect of law.

The negative test exception described in the Section IV.B.2 and Exhibit B of the Governor's Proclamation shall not be in effect for any travelers entering the County of Kaua'i. Travelers to the State entering into the County of Kaua'i, without a valid exemption from the State, shall be required to enter into mandatory (~~14~~)**10**-day self-quarantine pursuant to the Governor's Proclamation. This rule supersedes Section IV.B.2 and Exhibit B of the Governor's Proclamation to the limited extent necessary to ensure the operation of this rule.

The County of Kaua'i shall (~~not~~) have a negative test exception to the Intercounty Travel Quarantine pursuant to Section V of Governor's Proclamation. (~~Intercounty travelers to the County of Kaua'i, without a valid exemption from the State or the County, shall be required to enter into mandatory 14-day self-quarantine pursuant to the Governor's Proclamation. This rule supersedes~~

Mayor's Emergency Rule #19 to the limited extent necessary to ensure the operation of this rule, and supersedes and repeals Mayor's Emergency Rule #20.)

Intercounty travelers five and older are exempt from quarantine if the travelers receive a negative test result from a test taken after they have been physically present in the State of Hawai'i for at least 72 hours. Upon entry into the County of Kaua'i, the traveler must upload into the State's Safe Travels program or otherwise provide written hard copy confirmation from a State Department of Health ("DOH") approved COVID-19 testing facility of a negative test result, using a DOH-approved form, from an observed test administered to the traveler within 72 hours from departure. Persons under the age of five accompanied by a traveler who meets the negative test exception are not required to obtain a test prior to arrival.

If a traveler has made one or more trips traveling between counties after a test is administered, then that test shall not meet the requirement of an approved COVID-19 test for purposes of the negative test exception to enter the County of Kaua'i.

Tests administered within the County of Kaua'i shall not meet the requirement of an approved COVID-19 test for purposes of the negative test exception.

Test results must be uploaded into the State's Safe Travels system and clearance upon arrival at a County of Kaua'i port-of-entry shall be conducted in accordance with the State's Safe Travels program. A traveler must be able to demonstrate that the traveler has been physically present in the State of Hawai'i for at least 72 hours.

Term

Effective January 5, 2021, subject to modification.

APPROVED FOR FORM & LEGALITY:



Derek S.K. Kawakami
Mayor



Matthew M. Bracken
County Attorney

CONCURRENCE:



David Y. Ige
Governor of Hawai'i
or
Major General Kenneth Hara
Director, HI-EMA