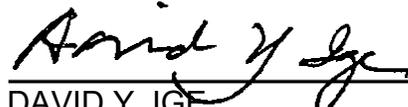


OFFICE OF THE GOVERNOR  
STATE OF HAWAI'I

**AMENDMENT**  
**EMERGENCY PROCLAMATION**  
**RELATED TO COVID-19 (OMICRON VARIANT)**

By the authority vested in me by the Constitution and laws of the State of Hawai'i, I, DAVID Y. IGE, Governor of the State of Hawai'i, hereby amend the Emergency Proclamation Related to COVID-19 (Omicron Variant) by specifically amending Exhibit B, Rules Relating to COVID-19 Screening Process and Travel Self-Quarantine (amended) and referred to as the "Travel Rules", to restore the Mandatory State of Hawaii Travel and Health Form and subsection (3) relating to Health Screening. The amended Exhibit B is attached hereto and the Emergency Proclamation Related to COVID-19 (Omicron Variant) otherwise remains as issued on January 26, 2022, and continues through March 25, 2022, unless terminated or superseded by a separate proclamation, whichever shall occur first.

Done at the State Capitol, this 5<sup>th</sup>  
day of February 2022.

  
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DAVID Y. IGE,  
Governor of Hawai'i

APPROVED:



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Holly T. Shikada  
Attorney General  
State of Hawai'i

Rules Relating to  
COVID-19 Screening Process and Travel Self-Quarantine  
(amended)

§1 Purpose and Authority  
§2 Definitions  
§3 Health Screening  
§4 Mandatory Self-Quarantine  
§5 Order of Self Quarantine  
§6 Falsified Vaccination Documents  
§7 Defenses  
§8 Costs to be Paid by Quarantined Person  
§9 Criminal Penalties

§1 Purpose and Authority. These rules are adopted pursuant to sections 127A-11, 12, 13, 25, 29, and 31, Hawaii Revised Statutes, to respond to the COVID-19 emergency declared by the Governor and have the force and effect of law.

§2 Definitions. “Health Screening” means a process used to detect the presence of a communicable or dangerous disease in an individual and may include the measuring of a person’s temperature through thermal temperature screening, and the administration of one or more questionnaires used to conduct surveillance of disease activity or to determine to whom a diagnostic tool is administered.

“Mandatory State of Hawaii Travel and Health Form” means a hard copy form, or an electronic form, as found on the State of Hawaii Safe Travels website developed by the State for travelers arriving from a domestic location within the United States or United States Territories. It may be amended from time to time by the Director of Emergency Management, and amendments shall be posted on the websites for the Governor and the Hawaii Emergency Management Agency.

“Order for Self-Quarantine” means an order from the Director of Emergency Management directing a mandatory self-quarantine. It may be amended from time to time by the Director of Emergency Management, and amendments shall be posted on the websites for the Governor and the Hawaii Emergency Management Agency.

“State approved COVID-19 test” means a test to determine the presence of active COVID-19 infection that has been approved for use under these rules by the Hawaii Department of Health (DOH) and is administered through a Trusted Testing Partner. Currently approved is the processing by laboratories that are licensed or certified by Clinical Laboratories Improvement Amendments (CLIA) of specimens for nucleic acid amplification testing approved or authorized by the United States Food and Drug Administration, pursuant to an Emergency Use Authorization or other authorization for COVID-19 testing.

“Thermal temperature screening” means a non-contact means of measuring a person’s temperature.

§3 Health Screening. All persons entering the State of Hawaii from a domestic location within the United States or United States Territories shall be subject

~~to all requirements in these Rules Relating to COVID-19 Screening Process and Travel Self-Quarantine, and must also comply with all applicable State and county rules, directives, and orders related to travelers.]~~

a health screening as determined by the Director of Emergency Management to be necessary to prevent the spread of COVID-19 to protect the public health and safety.

Any person violates this section if the person intentionally, knowingly or recklessly:

- (1) Refuses or fails to truthfully, accurately and fully complete a Mandatory State of Hawaii Travel and Health Form defined in Section 2; or
- (2) Refuses or fails to undergo thermal temperature screening conducted by state personnel.

§4 Mandatory Self-Quarantine. (a) As set forth in the Governor's Emergency Proclamation Related to COVID-19 (Omicron Variant), travelers shall be subject to mandatory self-quarantine, except:

- (1) those persons who have otherwise been exempted;
- (2) those persons who entered the State by boat into any harbor that had been at sea for at least 5 consecutive days before entering State waters and has no persons on board who are ill or are exhibiting symptoms of COVID-19; or
- (3) those persons who enter the State by aircraft or commercial cruise ship and comply with **all** the requirements of the State's Safe Travels program, including obtaining (a) a negative test result for a State approved COVID-19 test OR (b) validation that they have completed a vaccination regimen approved by the DOH; AND provide consent and authorization to access vaccination and testing information as set forth in the Safe Travels program, and comply with all other requirements of the Safe Travels program and travel rules.

(b) The period of self-quarantine shall begin from and include the day of entry into the State and shall last 5 full days or the duration of the person's presence in the State, whichever is shorter.

§5 Order of Self Quarantine.

(a) All persons subject to mandatory self-quarantine shall remain in self-quarantine for 5 full days, which shall begin and include the day of entry into the State, or the duration of the person's presence in the State of Hawaii, whichever is shorter.

(b) Any person subject to such quarantine violates this section if the person intentionally, knowingly or recklessly:

- (1) Refuses or fails to truthfully, accurately and fully complete the Order for Self-Quarantine;
- (2) Refuses or fails to enter or remain within the confines of the quarantine location designated by the person to the Director of Emergency Management or the Director's authorized representative for the period of self-quarantine;
- (3) Refuses or fails to follow any of the orders contained within the Order for Self-Quarantine; or

- (4) Refuses or fails to obey the orders of the Director of Emergency Management or the Director's authorized representative.

§6 Falsified COVID-19 Documents and Codes. The provisions of Exhibit C, Rules Relating to Falsified Documents or Codes Related to COVID-19 Health or Vaccination Status, apply to these rules and are incorporated herein.

§7 Defenses. It shall be an affirmative defense to a violation of Sections 4 and 5 of the Rules Relating to COVID-19 Screening Process and Travel Self-Quarantine if the person:

- (1) Entered the State by boat into any harbor that had been at sea for at least 5 consecutive days before entering State waters and has no persons on board who are ill or are exhibiting symptoms of COVID-19;
- (2) Entered the State by aircraft or commercial cruise ship and complied with all the requirements of the State's Safe Travels program, including obtaining (a) a negative test result ~~for~~from a State approved COVID-19 test OR (b) validation that the person has completed a vaccination regimen approved by DOH; AND provide consent and authorization to access vaccination and testing information as set forth in the Safe Travels program, and comply with all other requirements of the Safe Travels program and travel rules;
- (3) Applied for an exemption from mandatory self-quarantine through [travelexemption.hawaii.gov](http://travelexemption.hawaii.gov) and receives confirmation of the exemption from [covidexemption@hawaii.gov](mailto:covidexemption@hawaii.gov), and breaks self-quarantine for the sole purpose of performing the functions identified in the exemption, wears appropriate protective gear, and follows the safe practices identified in the Proclamation; or
- (4) Is otherwise exempt from the self-quarantine requirements.

§8 Costs to be Paid by Quarantined Person. Any person under the mandatory self-quarantine prescribed by these rules shall be responsible for all costs associated with that person's quarantine, including transport, lodging, food, medical care, and any other expenses to sustain the person during the self-quarantine period.

§9 Criminal Penalties. (a) Any person who intentionally, knowingly or recklessly engages in conduct that violates any of these rules shall be guilty of a misdemeanor and upon conviction, the person shall be fined not more than \$5,000, or imprisoned not more than one year, or both, unless noncompliance is designated as an emergency period infraction with penalties adopted as provided by section 127A-29, HRS.

(b) Penalties prescribed by these rules are in addition to any other lawful penalties established by law.