

# The State of Maryland

## Executive Department

### ORDER OF THE GOVERNOR OF THE STATE OF MARYLAND

No. 21-03-09-03

#### AMENDING AND RESTATING THE ORDER OF JUNE 19, 2020, EXTENDING CERTAIN LICENSES, PERMITS, REGISTRATIONS, AND OTHER GOVERNMENTAL AUTHORIZATIONS, AND AUTHORIZING SUSPENSION OF LEGAL TIME REQUIREMENTS

- WHEREAS, A state of emergency and catastrophic health emergency was proclaimed on March 5, 2020, and renewed on March 17, April 10, May 6, June 3, July 1, July 31, August 10, September 8, October 6, October 29, November 25, and December 23, 2020, and January 21 and February 19, 2021, to control and prevent the spread of COVID-19 within the state, and the state of emergency and catastrophic health emergency still exists;
- WHEREAS, COVID-19, a respiratory disease that spreads easily from person to person and may result in serious illness or death, is a public health catastrophe and has been confirmed throughout Maryland;
- WHEREAS, The U.S. Centers for Disease Control and Prevention (“CDC”) has advised employers, such as the State of Maryland, to prepare for increased employee absence and alternative working arrangements (such as teleworking) in response to an outbreak of COVID-19;
- WHEREAS, Increased employee absence and alternative working arrangements within the State of Maryland’s workforce may impact the State’s ability to timely process renewals of expiring permits, licenses, registrations, and other governmental authorizations;
- WHEREAS, The CDC and the Maryland Department of Health (“MDH”) recommend social distancing to reduce the spread of COVID-19;
- WHEREAS, Renewal of expiring permits, licenses, registrations, and other governmental authorizations often requires the public to enter public buildings and interact with State employees and other persons, which may be contrary to prudent social distancing; and

WHEREAS, To reduce the threat to human health caused by transmission of COVID-19 in Maryland, and to protect and save lives, it is necessary and reasonable that permits, licenses, registrations, and other governmental authorizations be extended until after the state of emergency and catastrophic health emergency has ended;

NOW, THEREFORE, I, LAWRENCE J. HOGAN, JR., GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, INCLUDING BUT NOT LIMITED TO TITLE 14 OF THE PUBLIC SAFETY ARTICLE, AND IN AN EFFORT TO CONTROL AND PREVENT THE SPREAD OF COVID-19 WITHIN THE STATE, DO HEREBY ORDER:

- I. Amendment and Restatement. The Order of the Governor of the State of Maryland, dated March 12, 2020, entitled “Extending Certain Licenses, Permits, Registrations, and Other Government Authorizations, and Authorizing Suspension of Legal Time Requirements” (the “Original Order”), as amended and restated on June 19, 2020 by Order Number 20-06-19-01 (together with the Original Order, the “Prior Versions”), is further amended and restated in its entirety as set forth herein.
- II. Extension of Certain Licenses, Permits, Registrations and Authorizations.
  - a. This Order applies to all licenses, permits, registrations, and other authorizations issued by the State of Maryland, any agency of the State of Maryland, or any political subdivision of the State of Maryland, including, without limitation, driver’s licenses, vehicle registrations, and professional licenses (collectively, the “Covered Authorizations”), that would otherwise:
    - i. expire prior to June 30, 2021 during the state of emergency and catastrophic health emergency; and
    - ii. be renewable during the state of emergency and catastrophic health emergency under applicable laws and regulations.
  - b. The expiration date of each Covered Authorization (other than Covered Authorizations excluded pursuant to paragraph II.c below) is hereby extended to June 30, 2021.
  - c. The head of each unit of State or local government may opt to exclude any Covered Authorization from paragraph II.b above; provided, that the unit head shall provide reasonable public notice of each exclusion pursuant to this paragraph II.c.

III. Suspension of Legal Time Requirements.

- a. Paragraph III.a of the Prior Versions of this Order, which authorized the head of each unit of State or local government to suspend the effect of any legal or procedural deadline, due date, time of default, time expiration, period of time, or other time of an act or event described within any State or local statute, rule, or regulation (each, a “Timeframe Suspension”), is no longer in effect.
- b. Notwithstanding anything herein to the contrary, each Timeframe Suspension in effect immediately prior to this Order shall continue in effect until the earlier of (i) the date the applicable unit head elects to end the Timeframe Suspension, or (ii) June 30, 2021. The applicable unit head shall provide reasonable public notice regarding the end of each Timeframe Suspension.
- c. For avoidance of doubt, no new Timeframe Suspensions may be made on or after the date of this Order.

IV. Virtual Hearings and Meetings.

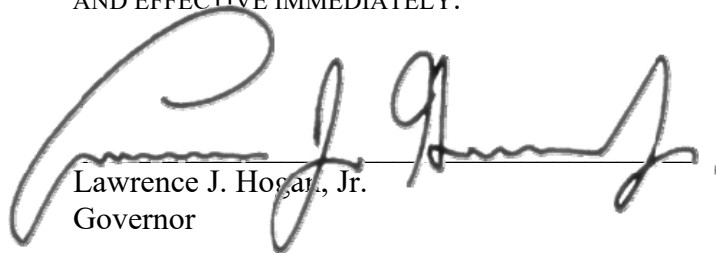
- a. To the extent any statute or rule or regulation of an executive branch agency of the State or a political subdivision requires a hearing or meeting to be conducted in-person or at a particular physical location, such statute, rule, or regulation is suspended to the extent necessary to permit the applicable unit of State or local government to elect to conduct such hearing or meeting, in whole or in part, using videoconferencing, teleconferencing, or other communication technology (“Virtual Meeting Technology”); *provided* that for each such hearing or meeting that is conducted, in whole or in part, using Virtual Meeting Technology, the applicable unit shall:
  - i. give notice of, and conduct such hearing or meeting in a manner that satisfies the due process requirements and/or other relevant constitutional requirements applicable to the hearing or meeting, if any; and
  - ii. conduct the hearing or meeting in a manner that allows for an exchange of information among the participants that is substantially equivalent to the exchange of information that would reasonably be expected to occur if the hearing or meeting was conducted in the manner prescribed by the applicable statute, rule, or regulation.
- b. For avoidance of doubt, nothing in this Order:

- i. requires any unit of State or local government to conduct a hearing or meeting using Virtual Meeting Technology; or
- ii. relieves any unit of State or local government of its obligations to comply with the Open Meetings Act.

V. General Provisions.

- a. The effect of any statute, rule, or regulation of an agency of the State or a political subdivision inconsistent with this Order is hereby suspended to the extent of the inconsistency.
- b. The underlined paragraph headings in this Order are for convenience of reference only and shall not affect the interpretation of this Order.
- c. If any provision of this Order or its application to any person, entity, or circumstance is held invalid by any court of competent jurisdiction, all other provisions or applications of the Order shall remain in effect to the extent possible without the invalid provision or application. To achieve this purpose, the provisions of this Order are severable.

ISSUED UNDER MY HAND THIS 9TH DAY OF MARCH, 2021,  
AND EFFECTIVE IMMEDIATELY.



Lawrence J. Hogan, Jr.  
Governor