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FAQ for the 15th Modification to State of Emergency

Q: What does the 15th update to the State of Emergency do?

A: The 15th update to the State of Emergency made changes to the way some businesses can operate during this time. The changes include allowing certain nonessential retail businesses to begin offering curbside pickup to customers and to allow hair care services for workers at essential businesses to resume under certain guidelines. These changes go into effect at 8 am on Friday, May 8th.

Q: What sorts of retailers are covered by the update?

A: Certain nonessential retailers are now permitted to transact via curbside delivery. This includes clothing stores, shoe stores, book and music stores, department stores, tobacco and vape stores, office supply stores, stationery and gift stores, used merchandise stores, consumer goods rental stores, electronics retailers, video game stores, and other general merchandise and retail stores. Furthermore, certain retailers are now also able to transact with customers in their store by appointment only. This includes jewelry stores, musical instrument stores, and sporting goods stores (though the status may be different if you are a store in the interior of a mall without a dedicated entranceway to the outside within your store). If you are a business owner and have any questions about your status, please reach out to the Division of Small Business at covid19faq@delaware.gov. Any retailers already permitted to operate by appointment only are not permitted to transact in this way also.

Q: Can these retailers bring back staff to allow them to provide curbside pickup?

A: All businesses are still requested to have staff work from home as much as possible. However, if a retailer needs some in-person staffing to be able to provide curbside pickup, it is permitted to do so using best judgement for health and safety of workers and customers.

Q: Are social distancing and face mask requirements still in place for these retailers?

A: Yes, they are. Retailers must continue to follow safe social distancing (six feet apart) and face mask rules. This applies while staff is inside the store and while meeting customers at their vehicles.

Q: What does curbside pickup mean? Where do customers go?

A: Customers must park their cars and remain inside. They must receive the product through their window or trunk. At no time should they leave their cars. Parking should be done safely – either in a lot outside the store or in appropriate street parking. Store staff should bring any purchases directly to them.

Q: Are there any other things retailers that fall under this allowance need to be aware of?

A: Retailers must make every effort to help prevent the spread of COVID-19. This means maintaining safe social distancing from customers in their cars and making the transactions as contactless as possible (credit cards or digital payments are best). Staff should also thoroughly wash their hands regularly.

Q: What are the new guidelines around hair care services?

A: The new guidelines permit hair care services to take place for workers of essential businesses (find full list at delbiz.com/coronavirus, it includes those in the manufacturing field, in construction, healthcare, financial services, and other industries). These hair care services include only hair cutting, coloring, and certain styling.



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Hair care service providers can reopen by appointment only, no more than two appointments at any one time, and with at least fifteen minutes between appointments to allow the service provider to properly clean. This is accompanied by other specific safety guidelines.

Q: What are the additional safety guidelines for hair care services?

A: Safe social distancing must be maintained whenever possible. Additionally, staff and customers must wear cloth face masks. A customer's cloth face covering may be removed as necessary to complete the service, but customers should attempt to maintain covering (such as by holding the covering to their face) whenever possible. Furthermore, staff is encouraged to make attempts to obtain and wear surgical face masks and face shields while performing services if possible (and staff that is over the age of 65 or who have certain underlying health conditions must wear a surgical mask while performing services). All equipment must be properly sanitized between uses, and staff needs to wash hands with warm water and soap. Any other material a customer touches that cannot be sanitized (such as a magazine) must leave the store with the customer. Customers must also cancel an appointment if they have any reason to believe they may be ill or may have been exposed to COVID-19. All staff must report their temperatures daily and must be sent home if their temperature is above 99.5 degrees. Finally, notice must be posted on the outside door that walk-ins are not permitted.

Q: How are providers supposed to check if a customer is an employee of an essential business?

A: The providers responsibility is to ask the customer if they qualify for services. Customers are responsible for being honest, and unless the provider has prior knowledge of the person's employment that would cause them to doubt the customer's honesty, they can act on that customers response.

Q: What other changes are in this update?

A: The update allows a few other activities to take place with appropriate safety measure. This includes allowing golf carts to be offered at open courses, with a restriction to one person per cart. The cart must be cleaned with disinfectant or soap after each use. It also permits drive-in theaters to occur as long as individuals remain in their cars at all times and social distancing is strictly observed. Finally, it allows drive-in graduation ceremonies to occur as long as graduates and families remain in their cars at all times and social distancing is strictly observed. In addition to the changes in this order, a few other industries, including jewelry stores and other high-ticket-low-volume retailers, will be allowed to operate via appointments.

Q: Will childcare services be available for employees who may be called back to work?

A: The update clarifies that any staff called back to work as a result of these changes can utilize childcare services as prescribed by the 8th Modification to the State of Emergency. That being said, some providers may still choose themselves to remain closed at this time.

Q: How should I report a violation of this modification or any previous business-related element of the State of Emergency order?

A: Send all reports to covid.doj@delaware.gov to allow the state Department of Justice to follow up.