

**OFFICE OF THE MAYOR
CITY AND COUNTY OF HONOLULU**

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KIRK W. CALDWELL
MAYOR

ROY K. AMEMIYA, JR.
MANAGING DIRECTOR

GEORGETTE T. DEEMER
DEPUTY MANAGING DIRECTOR

April 2, 2020

**OFFICE OF THE MAYOR
CITY AND COUNTY OF HONOLULU
EMERGENCY ORDER NO. 2020-04
(COVID-19 [Novel Coronavirus])**

ON-LINE AUTOMOBILE SALES

By the authority vested in me as Mayor of the City and County of Honolulu (the “City”) pursuant to Revised Charter of the City and County of Honolulu 1973 (2017 Edition), as amended; the Revised Ordinances of the City and County of Honolulu 1990, as amended; the Hawai‘i Revised Statutes, as amended (“**Haw. Rev. Stat.**”); the Constitution; and laws of the State of Hawai‘i, I, KIRK W. CALDWELL, hereby issue this order (the “**Order**”) to address the emergency declared in the Proclamation COVID-19 [Novel Coronavirus] that I issued on March 4, 2020, and Supplemental Proclamation of Emergency or Disaster (COVID-19 [Novel Coronavirus]) that I issued on March 18, 2020.

Pursuant to Haw. Rev. Stat. § 127A-25 and the Rules of the Mayor City and County of Honolulu, dated March 20, 2020 (“**Mayor’s Rules**”) promulgated under that section, this Order shall have the force and effect of law. The Order is in accordance with and incorporates by reference the Proclamation COVID-19 [Novel Coronavirus] that I issued on March 4, 2020; the Supplemental Proclamation of Emergency or Disaster (COVID-19 [Novel Coronavirus]) that I issued on March 18, 2020; the Emergency Order No. 2020-02 (Covid-19 [Novel Coronavirus]) Stay At Home / Work From Home Order that I issued on March 22, 2020 (“**Stay at Home Order**”); Hawai‘i Governor David Y. Ige’s Proclamation dated March 4, 2020 (as supplemented); and the Order for Self-Quarantine dated March 21, 2020, issued by the Hawai‘i Emergency Management Agency.

This Order is effective at 4:30 p.m. on April 3, 2020, and will continue through 4:30 p.m. on Thursday April 30, 2020, under the terms and conditions more particularly set forth below.

Violation of the Order is punishable as a misdemeanor, with fines of up to \$5,000, up to a year in jail, or both. Haw. Rev. Stat. § 127A-29; Mayor’s Rules.

I. ORDER

For clarification, and consistent with Order 2 contained in the Stay at Home Order, on-line automobile leasing and sales is an “Essential Business” as defined in Section II in the Stay at Home Order, if the leasing or sales activities are conducted by licensed new and used car and truck dealerships and only if the activity is for one of the following purposes:

- To close a pending transaction that began before MAYOR’s Emergency Order 2020-02 was issued (March 22, 2020); or
- To replace a totaled vehicle, replace a damaged vehicle that is impractical to repair, extend a lease that expires, or provide transportation to essential workers in “Essential Businesses” or “Essential Infrastructure” if the essential worker has no other means of transportation.

Under no circumstances shall there be in-person test driving of any vehicle, and the buyer must certify that the purchase is essential for one of the reasons provided above.

All activities must continue to be conducted in a manner that complies with Social Distancing Requirements established in Emergency Order 2020-02 and upon completion of the leasing or sales transaction, receipt of the vehicle, if necessary, must be by delivery to the buyer’s residence.

II. GENERAL

- A. Supplementing Order.** The Office of the Mayor City and County of Honolulu Emergency Order No. 2020-02 (COVID-19 [Novel Coronavirus]) dated March 22, 2020, continues in full force and effect and is supplemented by this Order.
- B. Duration.** This Order shall take effect at 4:30 p.m. on April 3, 2020, and shall continue in force and effect until 4:30 p.m. on Thursday, April 30, 2020, or until it is extended, rescinded, superseded, or amended by a subsequent order, or as otherwise provided under Haw. Rev. Stat. ch. 127A.
- C. Enforcement.** All law enforcement of the State of Hawai‘i and City shall ensure compliance with and enforce these Orders in accordance with Haw. Rev. Stat. § 127A-29 and Mayor’s Rules.
- D. Promulgation/posting.** This Order shall be posted on the City website as soon as practicable in one or more appropriate places, and shall remain posted while in effect.

E. **Severability.** If any provision of this Order or its application to any person or circumstance is held to be invalid, the remainder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of the Order are severable.



KIRK W. CALDWELL
Mayor
City and County of Honolulu

Date: April 2, 2020

Time: 2:30 PM

APPROVED:



PAUL S. AOKI
Acting Corporation Counsel
City and County of Honolulu