

Domestic Travel Advisory Substantially Revised — More Testing, Fewer Quarantine Days

On October 31, Gov. Andrew Cuomo issued [Executive Order 205.2](#), which substantially revises the New York State Travel Advisory for domestic travel. The revisions take effect Wednesday, November 4 and do not apply to international travelers. For rules applicable to international travelers, [click here](#). These revisions also do not apply to essential workers. For rules applicable to essential workers, [click here](#).

What are the changes to the travel advisory?

To start, with one exception discussed below, the domestic Travel Advisory will not apply to travelers entering New York from the five states bordering New York which are Pennsylvania, New Jersey, Connecticut, Massachusetts and Vermont. Travelers from those states may enter without restriction. New York will also no longer designate “high risk” states as the basis for travel restrictions. Instead, travelers from all other states, the District of Columbia and U.S. territories, who traveled outside New York for more than 24 hours, are subject to the 14-day mandatory quarantine unless they satisfy a two-step negative test procedure. The “test-out” procedure provides that travelers must be tested for COVID-19 in the three days immediately preceding their entry into New York. Upon arrival in New York, those travelers must quarantine for three days. On the fourth day, they must be tested again. If the results of both tests are negative, the traveler is released from quarantine. If the second test is positive, the traveler will be subject to the New York rules regarding isolation.

The revised Travel Advisory does not discuss what occurs if the traveler’s first test, the test that must be taken before entering New York, is positive. Presumably, if the positive result is received prior to the travel into New York, the travel into New York will not occur as the individual will be subject to the quarantine and isolation rules of the state where the test result was received. If the individual nonetheless travels into New York, the individual will be subject to quarantine and the second test requirement, which should resolve the matter of the individual’s continued quarantine/isolation.

The rules are somewhat different for individuals who travel outside New York for less than 24 hours. Those travelers are not required to take a test prior to their return to New York or to quarantine for three days upon their return. They, however, will be required to take a COVID-19 test on the fourth day following their return to New York.

All travelers from one of the covered states, including those who were in a covered state for 24 hours or less, will be required to fill out a New York State Department of Health traveler (DOH) form. If the traveler arrives at an airport, the form must be completed prior to leaving the airport. All other travelers are required to complete the form online.

At this time, it is not clear whether travelers from any state into New York will be required to complete the DOH traveler form, or whether travelers from the five bordering states will be exempt from that requirement. Our best read at this time is that all but essential workers traveling from out-of-state must complete the traveler form. We expect that there will be further clarifications in the coming days. Until then, happy limited travel.

If you have questions, or want to effect the standards applicable to your industry, please contact [Hermes Fernandez](#), [Caitlin Anderson](#) or the attorney at the firm with whom you are regularly in contact.



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