

MASKS AND HOODS FOR THE PROTECTION OF HEALTH

SECTION 1. G.S. 14-12.11 reads as rewritten:

§ 14-12.11. Exemptions from provisions of Article.

(a) Any of the following are exempted from the provisions of G.S. 14-12.7, 14-12.8, 14-12.9, 14-12.10 and 14-12.14:

- (1) Any person or persons wearing traditional holiday costumes in season.
- (2) Any person or persons engaged in ~~trades and employment where a mask is worn for the purpose of ensuring the physical safety of the wearer, or because of the nature of the occupation, trade or profession~~ an occupation, trade, or profession required to wear personal protective equipment, which includes protective equipment for eyes, face, head, and extremities, protective clothing, respiratory devices, and protective shields and barriers necessary by reason of hazards of processes or environment, chemical hazards, electrical hazards, radiological hazards, or mechanical irritants encountered in a manner capable of causing injury or impairment in the function of any part of the body through absorption, inhalation, or physical contact. A mask is not personal protective equipment.
- (3) Any person or persons using masks in theatrical productions including use in Mardi Gras celebrations and masquerade balls.
- (4) Persons wearing gas masks prescribed in civil defense drills and exercises or emergencies.
- (5) Any person or persons, as members or members elect of a society, order or organization, engaged in any parade, ritual, initiation, ceremony, celebration or requirement of such society, order or organization, and wearing or using any manner of costume, paraphernalia, disguise, facial makeup, hood, implement or device, whether the identity of such person or persons is concealed or not, on any public or private street, road, way or property, or in any public or private building, provided permission shall have been first obtained therefor by a representative of such society, order or organization from the governing body of the municipality in which the same takes place, or, if not in a municipality, from the board of county commissioners of the county in which the same takes place.
- ~~(6) Any person wearing a mask for the purpose of ensuring the physical health or safety of the wearer or others.~~

Provided, that the provisions of this Article shall not apply to any preliminary meetings held in good faith for the purpose of organizing, promoting or forming a labor union or a local organization or subdivision of any labor union nor shall the provisions of this Article apply to any meetings held by a labor union or organization already organized, operating and functioning and holding meetings for the purpose of transacting and carrying out functions, pursuits and affairs expressly pertaining to such labor union.

(b) Notwithstanding G.S. 14-12.7 and G.S. 14-12.8, a person may wear a mask for the purpose of protecting the person's head, face, or head and face, when operating a motorcycle, as defined in G.S. 20-4.01. A person wearing a mask when operating a motorcycle shall remove the mask during a traffic stop, including at a checkpoint or roadblock under G.S. 20-16.3A, or when approached by a law enforcement officer.

~~(c) A person wearing a mask for the purpose of ensuring the physical health or safety of the wearer or others shall remove the mask, upon request by a law enforcement officer, in any of the following circumstances:~~

~~(1) During a traffic stop, including a checkpoint or roadblock pursuant to G.S. 20-16.3A.~~

~~(2) When a law enforcement officer has reasonable suspicion or probable cause during a criminal investigation.~~

(c) Any person whose bona fide religious beliefs are contrary to a requirement to wear a mask or face-covering, that person shall be exempt from that requirement. No conditions, restrictions, or limitations shall be imposed on that person and that person's exemption.

SECTION 2. This act is effective when it becomes law.