ARA Provides Guidance on “Essential Business” Definition:

Many ARA members are seeking guidance on how to interpret the various shelter-in-place and stay-at-home orders that have been issued by state and local authorities in response to the COVID-19 pandemic and whether their equipment event rental business qualifies as "Essential Businesses" under these orders.

Most of these orders prohibit individuals from leaving their residences except to perform “Essential Activities” and require all businesses to cease in-person operations (even non-Essential Businesses may continue with employees working from their residences). The orders generally allow Essential Businesses to continue in-person operations, subject to adhering to social distancing requirements.

These orders are not identical, although most include within the list of Essential Businesses healthcare operations and essential infrastructure (including construction, water, sewer, gas, electrical, waste collection and removal, and telecommunications). You should review the state and local orders to which you are subject to the full list of Essential Businesses. Importantly, most orders also include businesses that supply Essential Businesses with the support or supplies necessary to operate.

Thus, if your business is providing services to a business or activity deemed essential in the orders to which you are subject, your business is itself an Essential Business under most orders.

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