To: Colorado Automobile Dealers

From: Matthew Groves, CADA

Date: November 18, 2020

Re: NEW Public Health Order 20-36

If you have been attentive to Colorado’s public news lately, you’ve undoubtedly heard that Governor Jared Polis was amending the recently created COVID dial to create a level purple. At the same time, it was mentioned that approximately 15 counties would be transitioned to a re-defined level Red, or “severe” on Friday, November 19, 2020.

Following a phone call between CADA and administration officials last night, the Colorado Department of Public Health and Environment (CDPHE) released Public Health Order 20-36 to replace Public Health Order 20-35. While similar, it’s time to throw away your copies of PHO 20-35.

What is Level Red?

Until last night, Level Red would have been synonymous with a Stay at Home, or lockdown, order. This is no longer the case. The level was created to give the governor an alternative to lockdowns that still strengthen COVID restrictions. However, it’s impact on retail is unorthodox in the sense it contradicts where we were under the old order.

If you are moving to Level Red on Friday: “Critical and non-critical Retail may operate at 50% of the posted occupancy limit, and should offer enhanced options for curbside pickup, delivery, and dedicated service hours for senior and at-risk individuals.”

You will notice that this doubles our capacity under the old PHO. However, this verbiage about dedicated hours for at-risk individuals is new. Though only a suggestion, dealers should think about holding an hour in the morning, or one morning a week, for senior citizens, as grocery stores and retail shops currently do.

What is Level Purple?

The new level purple denotes an “extreme” risk and is the final step on the new COVID dial and is an indication that hospital capacity risks being breached or that we have critical shortages of Personal Protective Equipment.

When a county reaches this level, we will again begin distinguishing between critical and non-critical retail – which we don’t do at orange or red. Non-critical retail (as car sales are) will close for in-person work, but may operate and provide curbside, pick up, or delivery services, may provide on-line services, and may continue to carry out Minimum Basic Operations to keep the dealership operational.

Critical services (as parts and service are) will continue to operate under the strictest of mitigation measures, including masking, distancing, and sanitizing.

Who is going to Level Red?

While no county is yet being reassigned to level purple, the Governor noted that several were headed to level Red this week. It is reported that Adams, Arapahoe, Boulder, Broomfield, Clear Creek, Denver, Douglas, Jefferson, La Plata, Logan, Mesa, Morgan, Routt, Summit, and Washington counties will be the first to make the transition. But, undoubtedly, the rest of us are not far behind.

Why the change?

It is no secret that our numbers are going the wrong way. The state has shared with us that while daily cases are creeping north of 4,000, Colorado actually had a day with 6,400 positive cases in one day. In Adams County 1 in 58 are positive; in Denver 1 in 64; in Arapahoe 1 in 83. Not only are 1,300 hospitalized at this moment in time, but 86% of ICU beds are full. Compounding this trouble, at least 27 hospitals are struggling with short staff because first responders are increasingly testing positive and quarantining as well.

Conclusion

We have attached a visualization provide to members of the press attending yesterday’s conference. This should help dealers see what is on their horizon, regardless of which level their county has been placed. Hopefully, it will also allow for some foresight as to what may be coming.

If you have any questions, please contact Matthew Groves at 303-282-1449 or [matthew.groves@colorado.auto](mailto:matthew.groves@colorado.auto).