

FREQUENTLY ASKED QUESTIONS

Phase Two Filming on Public Property in New York City During the COVID-19 New York State Emergency

Note: This FAQ is current as of June 24, 2020. This is a rapidly changing situation and the Mayor’s Office of Media and Entertainment (MOME) will be updating this FAQ to reflect the latest information available. Please check MOME’s website frequently for updates.

Q1 What film and television production activity is allowed in NYC under Phase Two?

A1 The following is allowed under Phase Two:

- Principal photography that congregates no more than 10 people together for one shoot (the news media may film any number of people)
- Office-based pre- and post-production work
- Scouting
- Construction activity (allowed since Phase One)

Q2 When may I start filming, scouting, and rigging in NYC?

- A2
- Beginning on June 22, 2020, the Office of Film, Theatre, and Broadcasting (OFTB) of the Mayor’s Office of Media and Entertainment (MOME) will accept Film Permit applications for production activity occurring after June 30.
 - Filming by the news media and film/TV production construction activity are allowed before and after June 22, 2020.
 - If your filming, scouting, or rigging activity does not require a permit under 43 RCNY Chapter 9 (“Film Permit Rules”), you may begin as soon as June 22, 2020.

Q3 What kind of filming activity does not require a Film Permit?

A3 [OFTB issues permits for some activity on public property.](#) Productions using a hand-held camera, camera on tripod, hand-held props and/or hand-held equipment, not asserting exclusive use of City property, not using prop weapons, prop vehicles, stunts, actors in police uniform and not requesting parking privileges for production vehicles do not need a permit. Standing on a City sidewalk, walkway of a City bridge or within a City park while using a hand-held camera and not otherwise asserting exclusive use of City property is not an activity that requires a Film Permit.

Q4 Are there special rules for Film Permits during Phase Two?

A4 Yes, those rules are in MOME Commissioner’s Directive No. 6 and summarized below:

- No more than 10 cast and crew.
- No reserved parking.
- Up to five of the following vehicles in any combination allowed: passenger vans holding no more than 15 people, cube-style trucks, and cargo vans.
- No street closures or intermittent holding of vehicles.
- No pyrotechnics or potentially dangerous activity (e.g., stunts, use of police uniforms, real or simulated firearms).
- The maximum equipment allowed is (1) up to two cameras (handheld or affixed to a tripod) and (2) three lights on stands. In addition, sound equipment and other equipment that is handheld (besides cameras) for the duration of the Film Permit may also be used.
- No locations that may interfere with COVID-19 response, such as hospitals, mobile COVID-19 testing centers, and makeshift morgues. (This limitation does not apply to news media.
- No locations within 16 feet of an establishment participating in the NYC Open Restaurants program without written consent of the establishment. (This limitation does not apply to news media.
- Film Permit applicants must submit the New York Forward Safety Affirmation before they submit a permit application.
- Film Permittees must conspicuously post their [COVID-19 Reopening Safety Plan](#) on the location and make it available to authorities, including NYPD and MOME Field Representatives. If it is not practicable to conspicuously post the Plan on location, the Film Permittee must provide the Plan to all cast and crew by email or in hard copy in advance of the permit date and make a hard copy of the Plan available to authorities on demand at the location.

Q5 What activity does the 10-person limit apply to?

- A5
- For all filming activity, whether or not it requires a Film Permit, the 10-person limit applies.
 - For all activity covered by a Film Permit, the 10-person limit applies.
 - If the activity involves office-based pre- and post-production work, scouting, and construction activity, but does not require a Film Permit:
 - Motor vehicle occupancy is limited to 50% of the maximum capacity, unless the vehicle is designed for one person; the driver and passengers must wear face coverings (unless unable to tolerate due to a medical condition).
 - For indoor spaces occupancy is limited to 50% of the maximum capacity (as set by the certificate of occupancy, if applicable).

Q6 Will Film Permits restrict production vehicle parking during Phase Two?

A6 Yes, the following restrictions apply:

- No reserved parking.
- Up to five of the following vehicles in any combination allowed: passenger vans holding no more than 15 people, cube-style trucks, and cargo vans.
- Review [NYC Health Department guidance on vehicle use](#).

Q7 May crew members park personal vehicles on public property at the Film Permit location to avoid public transportation?

A7 No.

Q8 Will Film Permits restrict production equipment during Phase Two?

A8 The maximum equipment allowed is (1) up to two cameras (handheld or affixed to a tripod) and (2) three lights on stands. In addition, sound equipment and other equipment that is handheld (besides cameras) for the duration of the Film Permit may also be used.

Q9 Will Film Permits restrict filming in certain public locations?

A9 OFTB will not issue Film Permits for:

- Locations that may interfere with COVID-19 response, such as hospitals, mobile COVID-19 testing centers, and makeshift morgues.
- Locations within 16 feet of an establishment participating in the NYC Open Restaurants program without written consent of the establishment.

These limitations do not apply to news media.

Q10 Are there special requirements for filming in parks?

Q10 Yes. The NYC Department of Parks and Recreation requires at least 10 days for review of applications for filming activity in parks that requires a Film Permit. Permission is subject to restrictions due to COVID-19.

Q11 Can I get a permit to film inside of a City-government owned building or a NYC Housing Authority (NYCHA) location?

A11 During Phase Two, the Department of Citywide Administrative Services (DCAS) is not allowing filming inside of City-government owned buildings. NYCHA is permitting production on its properties.

Q12 Can my production stage a car crash with an explosion followed by a police chase scene on public property during Phase Two?

A12 No. Potentially dangerous activity is not allowed during Phase Two. That means no stunts, prop weapons, actors in police uniform, pyrotechnics that require an FDNY permit or other dangerous activity that would require an NYPD presence.



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- Q13 Will my production be able to serve a catered meal on public property?**
A13 No outdoor buffet-style catering or craft services is allowed on public property. OFTB encourages productions to order packaged meals from local restaurants and caterers affected by the pandemic.
- Q14 Which NYS safety guidance applies to scouting activity?**
A14 The [New York State Department of Health Interim Guidance for Real Estate Services during the COVID-19 Public Health Emergency](#) applies to scouting.
- Q15 Which NYS safety guidance applies to film/TV production construction activity, such as set construction?**
A15 The [New York State Department of Health Interim Guidance for Construction Activities during the COVID-19 Public Health Emergency](#) applies to film/TV production construction activity. Also, please review the NYC Department of Buildings FAQ, here: https://www1.nyc.gov/assets/buildings/pdf/phase1_faqs.pdf.
- Q16 Which NYS safety guidance applies to pre- and post-production work performed in an office?**
A16 The [New York State Department of Health Interim Guidance for Office-Based Activities during the COVID-19 Public Health Emergency](#) applies to pre- and post-production work performed in an office.
- Q17 Which NYS safety guidance applies to filming?**
A17 The New York State Department of Health has not issued specific guidance for filming yet. In the meantime, please refer to the [NY Forward Safety Plan template](#).
- Q18 On the [New York Forward Safety Affirmation](#), what category should productions select?**
A18
- If you are engaged in filming, the affirmation form does not indicate a category.
 - If you are predominantly engaged in pre- and post-production office-based work, select “Offices.”
 - If you are predominantly engaged in scouting work, select “Real Estate.”
 - If you are predominantly engaged in construction work, select “Construction.”
- Q19 Where can I find more information about creating a [COVID-19 Reopening Safety Plan](#)?**
A19 On the State’s website, here: <https://ocfs.ny.gov/main/news/2020/COVID-2020Jun08-Guidance-Reopening-Plan-Template.pdf>.



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- Q20** **Where can I find additional health and safety guidance about reopening my business?**
- A20 The NYC Department of Health and Mental Hygiene has general guidance available here: <https://www1.nyc.gov/assets/doh/downloads/pdf/imm/covid-19-reopening-nyc-faq.pdf>.
- Q21** **Where can I find samples of safety signage to be posted at my location?**
- A21 Samples of signage provided by the NYC Department of Health & Mental Hygiene can be found at <https://www1.nyc.gov/site/doh/covid/covid-19-posters-and-flyers.page>.
- Q22** **When filming on location, can I perform health screenings on public property?**
- A22 No. Health screenings must not be performed in the open on public property.
- Q23** **As part of the COVID-19 Safety Plan, what should my screening log include?**
- A23 Screening logs must include a list of each cast, crew member, and visitor that visits the worksite, their contact information, and a record that they have responded to a health screening, and their answers have been reviewed. Keeping records of health data (e.g., temperature, symptoms) is prohibited.
- Q24** **Are productions required to provide cast and crew members with face coverings?**
- A24 Yes, productions must provide cast and crew with face coverings. This requirement applies even if the cast or crew member is a freelance worker.
- Q25** **Are face coverings required when filming on public property?**
- A25 Yes, except when (1) people are able to maintain a distance of at least six feet apart or (2) a person is unable to tolerate a face covering due to a medical condition.
- Q26** **Are face coverings required for cast members who are acting and must be within six feet of each other for the scene?**
- A26 At present, cast members are required to wear face coverings, because there is no exception in state law for cast members who must be within less than six feet of each other.
- Q27** **When filming on location, may I create a zone where the public cannot enter for the duration of the Film Permit?**
- A27 No. You cannot prevent the public from entering public spaces for the entire length of the Film Permit.



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Q28 When filming in a public location, are hand washing facilities required or are hand sanitizing stations sufficient?

A28 Hand washing facilities should be used where available and practical. If not, hand sanitizing stations can be used.

Q29 Are all production tools and equipment required to be disinfected or only shared tools and equipment?

A29 All production tools and equipment must be regularly disinfected using registered disinfectants, including at least as often as crew change workstations or move to a new set of tools or equipment.

Q30 My production would like to disinfect the street and sidewalk where we are filming. May I do that?

A30 No.

Q31 To whom should cast and crew direct concerns about COVID-19 safety violations on set?

A31 A worker may contact one or more of the following local, state, and federal agencies.

- Call the NYC Worker Protection Hotline at 311 or 1-212-436-0381.
- Workers may file complaints with the New York State Department of Labor here: <https://forms.ny.gov/s3/Department-of-Labor-COVID-19-Complaint-Form>
- Workers may file complaints about safety violations with OSHA: https://www.osha.gov/workers/file_complaint.html

Q32 Should employers notify public health officials if an employee tests positive for COVID-19?

A32 Yes. State guidance requires employers to notify public health officials if they learn of an employee who is a confirmed or suspected case. If employers wish to report directly to public health authorities, they can email the New York City Test and Trace Corps at CovidEmployerReport@nychhc.org. Please note that the NYC Test and Trace program will only follow up on confirmed cases and will not reply to reports received through this email. New York City is performing contact tracing based on confirmed cases reported through a robust electronic laboratory reporting system.

Q33 Where do I go to get information about COVID-19 Testing?

A33 There are over 100 sites across New York City, with more added every week. Find information for how to access this service and locate a testing site near you by calling 311 or going online to <https://www1.nyc.gov/site/coronavirus/get-tested/covid-19-testing.page>. Testing is provided at no cost and regardless of immigration status.



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Q34 Who can get tested?

A34 All New Yorkers should get tested now, whether or not you have symptoms or are at increased risk. Testing is free, easy, and quick.

Q35 Are OFTB Field Representatives and NYPD Officers subject to screening at filming locations on public property in the manner required in the guidance for employees and visitors?

A35 As city employees performing essential regulatory duties, all OFTB Field Representatives and NYPD Officers are required to wear face coverings when visiting sites. OFTB Field Representatives and NYPD Officers self-monitor for any COVID-19 symptoms. As such, OFTB Field Representatives and NYPD Officers are not subject to screening and must be permitted access to a filming location. Failure to provide access will result in the suspension of a Film Permit.

Q36 Do I need to submit any documentation or notification before reopening? Do I need to notify OFTB?

A36 Before reopening you need to create a [COVID-19 Reopening Safety Plan](#) and submit an [affirmation to the State](#). You do not need permission from OFTB to resume filming, rigging, or scouting unless your work requires a Film Permit.

Q37 If I have questions about this FAQ, who may I contact for help?

A37 Please call the Film Office at (212) 489-6710.