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H.333

Introduced by Representatives Colburn of Burlington, Lippert of Hinesburg,
Botzow of Pownal, Buckholz of Hartford, Chesnut-Tangerman
of Middletown Springs, Christie of Hartford, Cina of
Burlington, Copeland-Hanzas of Bradford, Dakin of Colchester,
Donovan of Burlington, Dunn of Essex, Fields of Bennington,
Gonzalez of Winooski, Haas of Rochester, Hooper of
Brookfield, Houghton of Essex, Joseph of North Hero,
LaLonde of South Burlington, Lucke of Hartford, Masland of
Thetford, McCormack of Burlington, Mrowicki of Putney,
O’Sullivan of Burlington, Partridge of Windham, Pugh of
South Burlington, Rachelson of Burlington, Scheu of
Middlebury, Stevens of Waterbury, Sullivan of Dorset, Sullivan
of Burlington, Till of Jericho, Townsend of South Burlington,
Trieber of Rockingham, Troiano of Stannard, Walz of Barre
City, Weed of Enosburgh, and Young of Glover

Referred to Committee on

Date:

Subject: Public buildings; health; gender-free restroom

Statement of purpose of bill as introduced: This bill proposes to require that
any single-user toilet in any public building or place of public accommodation

1 be identified as gender-free.

2 An act relating to identification of gender-free restrooms in public buildings
3 and places of public accommodation

4 It is hereby enacted by the General Assembly of the State of Vermont:

5 ~~Sec. 1. 18 V.S.A. chapter 40 is added to read:~~

6 CHAPTER 40. RESTROOMS

7 § 1791. DEFINITIONS

8 As used in this chapter:

9 (1) “Place of public accommodation” has the same meaning as used in
10 9 V.S.A. § 4501.

11 (2) “Public building” has the same meaning as used in 20 V.S.A.
12 § 2730.

13 (3) “Single-user toilet facility” means a toilet facility with no more than
14 one water closet and one urinal with a locking mechanism controlled by the
15 user.

16 § 1792. SINGLE-USER RESTROOMS

17 ~~(a) Any single-user toilet facility in a public building or place of public~~
18 accommodation shall be identified by a sign as a gender-free toilet facility, and
19 shall be designated for use by no more than one occupant at a time or for
20 family or assisted use.

~~(a) Any single-user toilet facility in a public building or place of public accommodation shall be made available for use by persons of any gender, and designated for use by no more than one occupant at a time or for family or assisted use. A single-user toilet facility may be identified by a sign, provided that the sign marks the facility as a restroom and does not indicate any specific gender.~~

1 (b) The Commissioner of Public Safety may inspect for compliance under
2 subsection (a) of this section during any inspection conducted pursuant to
3 20 V.S.A. § 2731(b).

4 Sec. 2. EFFECTIVE DATE

~~This act shall take effect on July 1, 2017.~~

** * * Gender-Free Single Occupancy Restrooms * * **

Sec. 1. 18 V.S.A. chapter 40 is added to read:

CHAPTER 40. RESTROOMS

§ 1791. DEFINITIONS

As used in this chapter:

(1) "Place of public accommodation" has the same meaning as in 9 V.S.A. § 4501.

(2) "Public building" has the same meaning as in 20 V.S.A. § 2730.

(3) "Single-user toilet facility" means a single-occupancy restroom with at least one water closet and with an outer door that can be locked by the

occupant.

§ 1792. SINGLE-USER RESTROOMS

(a) Notwithstanding any other provision of law, any single-user toilet facility in a public building or place of public accommodation shall be made available for use by persons of any gender, and designated for use by not more than one occupant at a time or for family or assisted use. A single-user toilet facility may be identified by a sign, provided that the sign marks the facility as a restroom and does not indicate any specific gender.

(b) The Commissioner of Public Safety may inspect for compliance under subsection (a) of this section during any inspection conducted pursuant to 20 V.S.A. § 2731(b) or 26 V.S.A. § 2173 or 2174.

§ 1793. APPLICATION OF PLUMBING RULES

(a) Notwithstanding the requirements of any plumbing code adopted by the Plumber's Examining Board under 26 V.S.A. § 2173(a), a toilet facility may be designated for use by persons of any gender. No separate male or female facility is required if the total number of required plumbing fixtures is provided by toilet facilities designated for use by persons of any gender.

(b) When the total number of required plumbing fixtures in a plumbing code adopted by the Plumber's Examining Board under 26 V.S.A. § 2173(a) is fixed separately for women and men, the Plumber's Examining Board shall make rules consistent with this chapter to govern how plumbing fixtures in

toilet facilities designated for use by persons of any gender shall contribute to the total number of plumbing fixtures required by the plumbing code.

* * * *Conforming Changes* * * *

Sec. 2. 26 V.S.A. § 2173 is amended to read:

§ 2173. *RULES ADOPTED BY THE BOARD*

(a) *The ~~plumber's examining board~~ Plumber's Examining Board may, pursuant to the provisions of 3 V.S.A. chapter 25 (Administrative Procedure Act), make and revise such plumbing rules as necessary for protection of the public health, except that no rule of the ~~board~~ Board may require the installation or maintenance of a water heater at a minimum temperature. To the extent that a rule of the ~~board~~ Board conflicts with this subsection or with 18 V.S.A. chapter 40, that rule shall be invalid and unenforceable. The rules shall be in effect in every city, village, and town having a public water system or public sewerage system and apply to all premises connected to the systems and all public buildings containing plumbing or water treatment and heating specialties whether they are connected to a public water or sewerage system. The local board of health and the ~~commissioner of public safety~~ Commissioner of Public Safety shall each have authority to enforce these rules. The rules shall be limited to minimum performance standards reasonably necessary for the protection of the public against accepted health hazards. The ~~board~~ Board may, if it finds it practicable to do so, adopt the provisions of a nationally*

recognized plumbing code.

* * *

Sec. 3. 26 V.S.A. § 2174 is amended to read:

*§ 2174. MUNICIPAL RULES AND REGULATIONS; MUNICIPAL
INSPECTIONS*

(a) The legislative body may establish inspection procedures and appoint trained, qualified master plumbers to conduct municipal inspections. If the ~~board~~ Board determines that the inspection procedures, training, and qualifications of the municipal plumbing inspectors are sufficient, the ~~commissioner~~ Commissioner may assign the responsibility to inspect plumbing installations within the municipality to the municipality. Municipal inspection standards shall be, at a minimum, equal to ~~state~~ State standards. Municipal standards may exceed ~~state~~ State standards with approval of the ~~board~~ Board. Municipal standards shall not prohibit implementation of 18 V.S.A. chapter 40. An assignment of responsibility under this subsection shall not affect the authority of the ~~board~~ Board or the ~~commissioner~~ Commissioner under this subchapter.

* * *

** * * Effective Date * * **

Sec. 4. EFFECTIVE DATE

This act shall take effect on July 1, 2018.