

S.16: An act relating to infant changing stations in restrooms in public buildings and places of public accommodation

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Support for Baby Changing Stations in Public Libraries

As drafted, S.16 would require all places of public accommodation, including public libraries, to install a baby changing table in at least one restroom in any public building or place of public accommodation by July 1, 2025.

The Department of Libraries agrees that it is important to provide parents, caregivers, and children access to a baby changing table in public restrooms. The Department is supportive of gradually providing these resources in all public libraries, which are places of public accommodation.

Complexity of Installation

The installation of a baby changing station in a restroom often comes with installation costs—or even renovation costs. Installing a baby changing station in a restroom can be complex—particularly in small restrooms. Wall-mounted stations must be placed at an appropriate height to meet accessibility requirements. They must be positioned in a way that does not interfere with the use of the sink, toilet, urinal, and swinging doors. Baby changing furniture must be positioned such that it does not impinge upon access to the sink, toilet, urinal, and swinging doors. Due to the complexity of placing and installing baby changing stations, municipal and incorporated public libraries would be well-advised to engage an architect to determine the placement of this equipment. For public libraries with very small restrooms or multi-stall restrooms, appropriate placement can be even more complex.

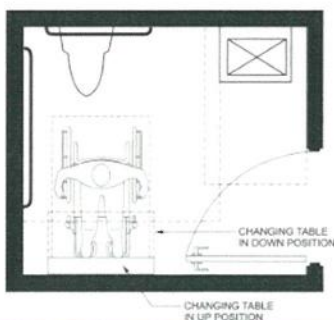
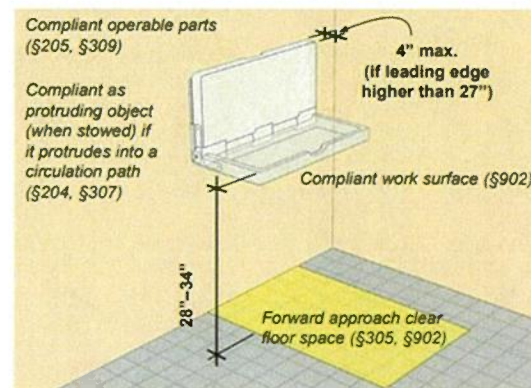


Figure 3 - Example of toilet room plan with diaper changing table.

Source:

<http://media.iccsafe.org/news/codes&standards-news/2014v4n2/0414Accessibility.pdf>



Source:

<https://adaaccessconsultants.com/ada-baby-changing-station>

Cost of Equipment and Installation

Depending on finish and features, a wall-mounted baby changing station alone can cost between \$280 and \$1,596. Due to the complexity of the installation requirements, and the potential need to renovate existing public restrooms, installing a baby changing station in a public restroom has the potential to require significant investment.

Most public libraries did not factor the one-time cost of procuring a baby changing station in one or more restrooms into their budget for the current year, so a requirement that public libraries install baby changing stations by July 1, 2025 would place a significant unexpected financial burden upon public libraries.

Existing Public Library Restrooms in Vermont

The median year of construction of public libraries in Vermont is 1912. Many public libraries in our state have not undergone significant renovations in many decades—if ever. Consequently, many public library restrooms in our state are small, cramped, and lack sufficient floor or wall space to incorporate a baby changing station.

Further, at least three public libraries in the state do not currently have a restroom for the public or for staff (the Wilder Memorial Library in Weston, Windsor County; the Salisbury Free Public Library, in Addison County; and the Stamford Community Library in Bennington County).

- Would the legislation, as written, trigger an immediate need for many libraries to expand the footprint of their public restroom significantly, which would require a capital improvement project?
- For the three libraries without any restroom, would the legislation, as written, trigger a need to build a restroom in just a few months to meet the requirement of the new baby changing station law?



Abbott Memorial Library
South Pomfret, Windsor County



Chittenden Public Library
Chittenden, Rutland County

Proposal: Expand Access to Adults of All Genders

All adults who care for children must change diapers, and diaper changing is not the responsibility of adults of a particular gender. For that reason, parents and caregivers of *all* genders should have access to an accessible safe, sanitary, and convenient changing station, deck, or table upon which to change a child's diaper. For that reason, the Department recommends that ideally *all* public restrooms include baby changing stations so that parents and caregivers of all genders have access to this resource. This recommendation aligns with the federal BABIES Act (Bathrooms Accessible in Every Situation Act) passed in 2016 related to baby changing stations in publicly accessible federal buildings.

Proposal: Align the Requirement with Newly Constructed and Newly Renovated Restrooms

In consideration of the complexity of retrofitting bathrooms with baby changing equipment in existing public libraries—all of which are places of public accommodation, many of which are well over 100 years of age, many of which have small restrooms, and most of which do not have baby changing stations in their restrooms currently—the Department respectfully asks the committee to consider modifying the text of the bill to require **newly constructed** or **renovated** buildings that contain places of public accommodation include diaper changing tables that are accessible to persons regardless of their gender in all public restrooms.

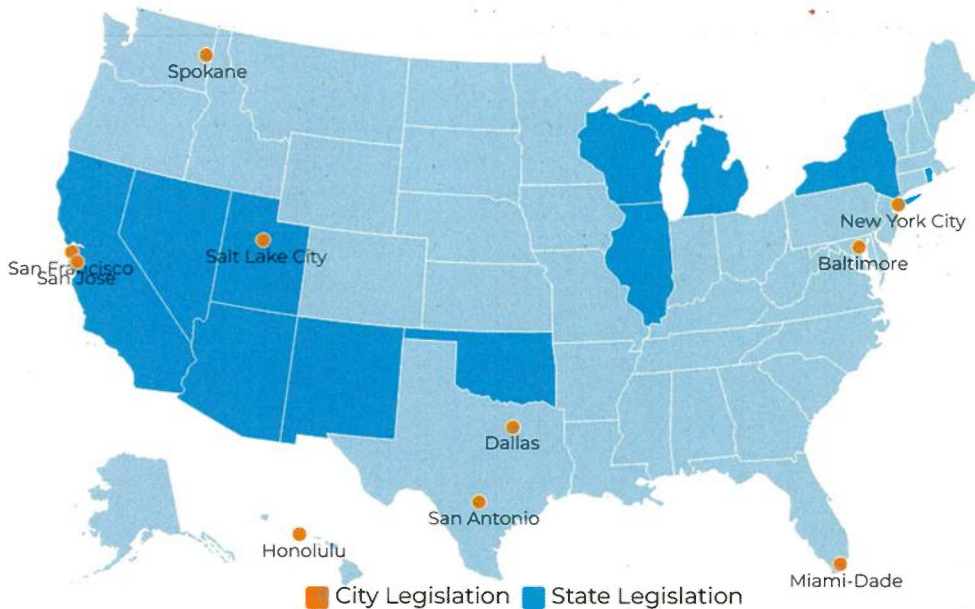
Proposal: Later Effective Date of Legislation

The Department respectfully requests that places of public accommodation be provided with an extended implementation date – for example July 1, 2026. Given the complexity of the installation and the potential costs, it would likely prove challenging for all 187 public libraries in the state to meet this requirement by July 1, 2025.

Resources: Other State and Federal Legislation Related to Baby Changing Stations

All states are under the Federal Legislation (BABIES Act)

Baby Changing Station Legislation Map



Source: <https://www.koalabear.com/product-resources/changing-station-resources-landing-page/compliance-homepage/legislation-map/>

Federal Law Public Law No: 114-235 (effective 10/07/2016)

<https://www.congress.gov/bill/114th-congress/house-bill/5147>

Bathrooms Accessible in Every Situation or BABIES Act

(Sec. 2) This bill requires restrooms in a public building to be equipped with baby changing facilities that the General Services Administration (GSA) determines are physically safe, sanitary, and appropriate. "Public building" means a public building controlled by the GSA's Public Building Service.

Such requirement shall be subject to any reasonable accommodations that may be made for individuals in accordance with the Americans with Disabilities Act.

Such requirement shall be inapplicable:

- to a restroom in a public building that is not available or accessible for public use,
- to a restroom that contains clear and conspicuous signage indicating where a restroom with a baby changing table is located on the same floor of such building,
- if new construction would be required to install a baby changing facility in the building and the cost of such construction is unfeasible, or

- to a building not subject to an alteration for which any appropriations must be approved by the Senate Committee on Environment and Public Works and the House Committee on Transportation and Infrastructure.

New York City Law, Int. No. 124 (effective 4/20/16)

<https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=2813480&GUID=7AE01032-D264-4060-9BB1-63931F654A5F>

A Local Law to amend the administrative code of the city of New York, in relation to diaper changing accommodations

Be it enacted by the Council as follows:

Section 1. Section BC 1109 of the New York city building code is amended by adding a new section 1109.2.4 to read as follows:

1109.2.4 Diaper changing accommodations. In assembly and mercantile occupancies, on each floor level containing a public toilet room, both male and female occupants shall have access to at least one safe, sanitary and convenient diaper changing station, deck, table or similar amenity.

§ 2. This local law takes effect 180 days after it becomes law, except that the commissioner of buildings may promulgate rules or take other actions for the implementation of this local law prior to such effective date.