

Department of Legislative Services
Maryland General Assembly
2006 Session

FISCAL AND POLICY NOTE

House Bill 425 (Delegate Trueschler, *et al.*)
Health and Government Operations

**Department of Health and Mental Hygiene - Portable Restrooms - Waterless
Soap Dispensers**

This bill requires a “portable restroom” available for use to individuals other than the owner to have a waterless soap dispenser or other device for hand sanitation. The Department of Health and Mental Hygiene (DHMH) must adopt regulations to implement the bill.

Fiscal Summary

State Effect: The bill’s requirements could be handled with existing resources.

Local Effect: None.

Small Business Effect: Potentially meaningful depending on the cost of installing waterless soap dispensers or other devices for hand sanitation in portable restrooms.

Analysis

Current Law: Statute does not require a portable restroom to be equipped with a waterless soap dispenser or other device for hand sanitation.

Background: The Maryland Department of the Environment (MDE) regulates portable restroom use, including waste disposal. MDE does not issue permits for portable restrooms. The number of portable restrooms in the State is unknown.

State Expenditures: The bill's requirements could be handled with existing resources. The bill does not require the regulations to provide for a visual inspection of each restroom. The Department of Legislative Services (DLS) assumes there would be an inspection only after DHMH received a complaint.

DHMH advises that the bill requires hiring 24 part-time sanitarians to conduct the investigations (one for each jurisdiction) and one contractual sanitarian for six months to write the regulations at a cost of \$366,316 in fiscal 2007. DLS disagrees with this estimate. DHMH could require portable restrooms to include waterless soap dispensers or other devices for hand sanitation in its regulations. A sanitarian already employed by DHMH could respond to any public complaints. Further, existing DHMH staff could write the regulations required to implement this bill.

Additional Information

Prior Introductions: A similar bill, HB 1593 of 2005, had a hearing in the Health and Government Operations Committee but no further action was taken.

Cross File: None.

Information Source(s): Maryland Department of the Environment, Department of Health and Mental Hygiene, Department of Legislative Services

Fiscal Note History: First Reader - February 3, 2006
ncs/jr

Analysis by: Lisa A. Daigle

Direct Inquiries to:
(410) 946-5510
(301) 970-5510