



27 January, 2020

The Honorable Shane E. Pendergrass  
Health and Government Operations Committee  
Room 241, House Office Building  
Annapolis, Maryland 21401

Re: Letter of Recommendations for HB0010  
Public Buildings – Changing Facilities for Adult Diapers

Dear Chairwoman Pendergrass, and Members of the Health and Government Operations Committee:

We are writing to offer AIA Maryland's concerns for House bill 10. AIA Maryland represents nearly 2,000 Registered Architects in the State of Maryland. Since its inception, AIA Maryland has advocated for provisions of law that ensure accessibility and usability within and to sites, facilities and buildings by individuals with disabilities. Architects across the State of Maryland are required to provide design services and documentation in compliance with COMAR 09.12.53, the *Maryland Accessibility Code*, and by reference, the *American with Disabilities Act*, and the 2010 *ADA Standards for Accessible Design*. Architects are also required to provide design services and documentation in compliance with the *Maryland Building Performance Standards* which by reference has adopted the 2018 family of International Building Codes (IBC), including IBC, Chapter 11, Accessibility.

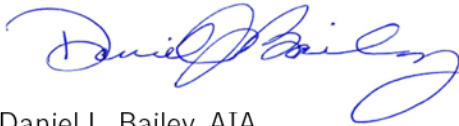
It is critically important to the services that Architects perform that there is consistency and clarity within and between the Maryland performance standards and its referenced and adopted codes. However, the provisions of this bill do not recognize the process that the State of Maryland takes to adopt or amend its performance standards and building codes. While we strongly support the intent of this bill, AIA Maryland is concerned that a precedent would be set that circumvents this process. Furthermore, by aligning the requirements of codes in force with the intent of this bill, more reasonable and effective solutions may be employed to accommodate changing facilities for adult diapers. For example, if the clearances allow, existing unisex toilet rooms may offer accommodation without exhaustive alterations.

Furthermore, AIA Maryland offers comment and proposed amendments for the following specific paragraphs:

- Paragraph 2-801 (e): the starting cost of "\$30,000" for substantial renovations is unreasonably too low. The construction costs for an adult diaper changing facility alone would likely exceed \$30,000. This estimated cost would place unreasonable burden on many projects. AIA Maryland recommends reconsideration of "\$30,000" as the base starting cost.
- Paragraph 2-802 (a) (1), (2) & (3): "Substantial renovation" or "constructed on or after October 1, 2020" provides too stringent and too costly a condition upon new or renovated facilities to comply with the requirements of this bill. It is likely that a building to be constructed on or after the defined date may have already started in construction, begun its permit process, or is well along in its design process. This would result in significant and unreasonable costs to make changes when the design, permit or construction process has proceeded too far along. AIA Maryland recommends changing the word "is constructed" to "has begun design" or "substantial renovation" to "renovation design".

AIA Maryland, and its membership, encourages steps to improve the quality of Maryland's built environment, including those steps that enhance public health, safety, and welfare. Therefore, AIA Maryland respectfully asks for the committee's thoughtful consideration of the above stated concerns, as well as, AIA Maryland's recommended bill amendments.

Sincerely



Daniel L. Bailey, AIA  
Past President, AIA Maryland

cc: Health and Government Operations Committee:

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