

Trans Recognition Maryland

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Silver Spring, Maryland

February 12, 2020

SB 401: Places of Public Accommodation and Public Buildings – Single-Occupancy Public Restrooms – Availability (The Accessible to All Act)

SUPPORT

To the Chair, Vice Chair, and esteemed members of the Judicial Proceedings Committee and the Education, Health, and Environmental Affairs Committee:

On behalf of Trans Recognition Maryland, a network of nonbinary and transgender individuals across Maryland, I strongly support SB 401 (The Accessible To All Act), which will require single-occupancy public restrooms in public buildings and places of public accommodation to have signage that does not restrict access on the basis of gender. This bill is a common sense solution to address some of the challenges of restroom access for transgender and gender non-conforming individuals as well as parents and guardians who need to assist their children, and people with disabilities who need assistance from their caretakers or loved ones.

There is no reason that single-occupancy restrooms ever need to be restricted to one gender. No one is even inconvenienced – indeed, by having more options for everyone, wait times will be diminished and efficiency improved. As noted in the Fiscal and Policy Note for SB 401, the costs of new restroom signage are minimal and can easily be absorbed into exist budgets.

The consequences of placing barriers to restroom access, however, can be quite severe and the need for change is urgent. According to the most recent comprehensive survey of Maryland transgender residents¹, “58% of respondents avoided using a public restroom in the past year because they were afraid of confrontations or other problems they might experience.” Moreover, “34% of respondents limited the amount that they ate or drank to avoid using the restroom.” According to the same

¹ 2015 U.S. Transgender Survey – Maryland State Report
<https://transequality.org/sites/default/files/USTS%20MD%20State%20Report.pdf>

survey, 9% reported being verbally harassed trying to access a restroom, and 7% reported being denied access. The Fairness for All Marylanders Act of 2014 sought to address these kinds of issues by prohibiting discrimination on the basis of gender identity and expression in places of public accommodation, and this bill will help bring public restrooms better into line with the intent of that act.

Nearby, Washington, DC has required single-occupancy public restrooms be gender neutral since 2006 and it's made a noticeable difference for those of us who spend time there. Having more options and less to fear contributes to increased freedom and peace of mind. This bill will help make sure the same is true across Maryland as well. Indeed, cities and states across the country have been following suit including Philadelphia, New York City, Austin, TX, Portland, OR, Vermont, Illinois, and California. Even here in Maryland, Baltimore implemented this requirement last year. The 2021 International Plumbing Code requires that single-occupancy restrooms have signage that does not limit access by gender², so this bill bring Maryland into line with these standards.

Because residents of Maryland who are transgender, gender non-conforming, or in need of caretaker assistance deserve the same access to public restrooms as other Maryland residents, I respectfully urge this committee to issue a **favorable report for Senate Bill 401**.

Thank you for your time and consideration.

Cass Caveney

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² Buildings. "All-Gender Restrooms Now Comply with Code" by Janelle Penny (April 2,2019)
<https://www.buildings.com/news/industry-news/articleid/21927/title/all-gender-restrooms-now-comply-with-code>