

---

**BULLETIN: IDENTIFICATION OF SINGLE-USER TOILET FACILITIES AS ALL-GENDER**

**PURPOSE:** The Division of the State Architect (DSA) provides this bulletin for reference by schools, community colleges, and other entities under its jurisdiction, as an aid in complying with new state law requirements. Subject to approval by the local enforcing agency, this bulletin is also provided for reference by other interested parties as an aid in complying with new state law requirements.

**BACKGROUND:** Assembly Bill 1732 (Ting, Chapter 818, Statutes of 2016) was signed into law on September 29, 2016, to create Health and Safety Code Section 118600, relating to the identification of single-user toilet facilities as all-gender toilet facilities.

Health and Safety Code Section 118600 requires:

- (a) All single-user toilet facilities in any business establishment, place of public accommodation, or state or local government agency shall be identified as all-gender toilet facilities by signage that complies with Title 24 of the California Code of Regulations, and designated for use by no more than one occupant at a time or for family or assisted use.
- (b) During any inspection of a business or a place of public accommodation by an inspector, building official, or other local official responsible for code enforcement, the inspector or official may inspect for compliance with this section.
- (c) For the purposes of this section, "single-user toilet facility" means a toilet facility with no more than one water closet and one urinal with a locking mechanism controlled by the user.
- (d) This section shall become operative on March 1, 2017.

**DISCUSSION:** The following directive is provided for clarity, to address identification of single-user toilet facilities as all-gender, in compliance with the accessibility provisions of California Building Code (CBC) Chapter 11B. It is important to note that the clarification provided herein is not the result of a change in accessibility regulations, and is in accordance with existing accessibility requirements for symbols at entrances for toilet facilities, and wall-mounted designation signs if provided, as is already expressed in both the 2013 CBC and 2016 CBC.

1. The provisions of CBC Chapter 11B require that a sanitary facility that is not specifically identified as for "men" or "women" (referred to in Chapter 11B as a "unisex" facility) have a geometric symbol on the door that is an equilateral triangle superimposed onto a circle. The "unisex" symbol is the only specific indicator required to be provided by Chapter 11B for a toilet facility that is available for use by all

## **IDENTIFICATION OF SINGLE-USER TOILET FACILITIES AS ALL-GENDER**

individuals. No pictogram, text, or braille is required on the symbol. (See attachment, Exhibit A.)

**2.** CBC Chapter 11B does not require a wall-mounted designation sign identifying a permanent room or space to be provided for a toilet facility. CBC Chapter 11B provisions for designation signs are conditional and the technical requirements apply only when a designation sign is provided.

**2.1** According to CBC Chapter 11B, where a toilet facility is identified with a designation sign adjacent to the door, the sign is required to comply with the technical requirements for visual characters, raised characters, braille, and must also comply with other accessibility requirements for mounting height, clear floor space, and proximity to the door/entrance of the room. A pictogram is not required to be provided; however, where a facility owner elects to identify a toilet facility with a pictogram, a text descriptor consisting of visual characters, raised characters, and braille is required to accompany the pictogram.

**2.2** DSA does not have the authority to specify designation sign text, nor does DSA have the authority to regulate the image for a pictogram that is provided on a designation sign. The image of the pictogram and text descriptor is left to the discretion of the facility owner/operator. (See attachment, Exhibit B.)

The CBC requirements for use and application of designation signs are consistent with the 2010 Americans with Disabilities Act Standards (2010 ADAS).

## IDENTIFICATION OF SINGLE-USER TOILET FACILITIES AS ALL-GENDER

**The following information pertains to projects within DSA's enforcement jurisdiction, namely schools, community colleges, and state-funded facilities:**

**3. Addressing the enforcement provisions of the statute:** HSC §118600 states: "an inspector, building official, or other local official responsible for code enforcement, the inspector or official may inspect for compliance." For projects within DSA enforcement jurisdiction, DSA provides the following guidelines for enforcement:

**3.1 Projects under plan review as of March 1, 2017:** If a project is in plan review, DSA access staff will review that all single-user toilet facilities in new construction, or those undergoing alteration that are part of the project, have the required "unisex" symbols on the door (see attachment, Exhibit A), and indicate that the symbol be provided without text, braille, or use of a pictogram. If the designer has indicated a wall-mounted designation sign will be provided at the single-user toilet facility, DSA will require the sign to be specified in the construction documents, and to be indicated as a designation sign with raised text, corresponding braille, and no pictogram (see attachment, Exhibit B).

**3.2 Single-user toilet facilities in projects under construction, and existing single-user toilet facilities requiring a change of identification symbols:** In accordance with the guidelines provided herein, implementation of the statute for existing single-user toilet facilities and for single-user toilet facilities in projects under construction is to be effected by the school district. The effective date for compliance is March 1, 2017. When changing identification symbols of existing single-user toilet facilities from gender-specific to all-gender, DSA advises against providing a pictogram to represent an all-gender image on a designation sign or unisex symbol. The pictogram might be perceived as inappropriate, and in fact, DSA reminds facility owners that a pictogram is not required.

---

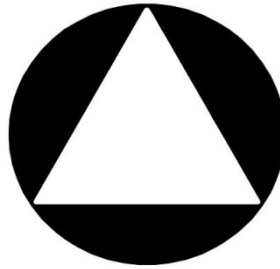
**IDENTIFICATION OF SINGLE-USER TOILET FACILITIES AS ALL-GENDER**

**ATTACHMENT**

**IDENTIFICATION OF ALL GENDER SINGLE-USER TOILET FACILITIES  
Compliant with the California Building Code (CBC) Chapter 11B**

**EXHIBIT A - Door Symbol (required by the CBC)**

This image represents the door symbol that is required by CBC 11B-216.8 to identify an all-gender/unisex single-user toilet facility. The symbol must comply with the requirements of CBC 11B-703.7.2.6.3. No pictogram, text, or braille is required on the symbol.



**EXHIBIT B - Designation sign on wall**

Designation signs are not required to be provided by the CBC or the 2010 ADAS. If provided, a designation sign adjacent to the door must comply with the scoping requirements of CBC 11B-216.2, and the technical requirements for raised characters (CBC 11B-703.2), braille (CBC 11B-703.3), visual characters (CBC 11B-703.5), and requirements for installation height and location (CBC 11B-703.4). No pictogram is required. The following signs illustrate acceptable examples for designation sign text:



Note: Braille translation not verified by DSA.

## **BULLETIN: IDENTIFICATION OF SINGLE-USER TOILET FACILITIES AS ALL-GENDER: FREQUENTLY ASKED QUESTIONS**

**PURPOSE:** This bulletin is a supplement to [BU 17-01](#) and is provided to assist facility operators and design professionals who design facilities under the jurisdiction of DSA in interpreting the requirements of HSC 118600.

**DISCUSSION:** Health and Safety Code Section 118600 requires:

- a) All single-user toilet facilities in any business establishment, place of public accommodation, or state or local government agency shall be identified as all-gender toilet facilities by signage that complies with Title 24 of the California Code of Regulations, and designated for use by no more than one occupant at a time or for family or assisted use.
- b) During any inspection of a business or a place of public accommodation by an inspector, building official, or other local official responsible for code enforcement, the inspector or official may inspect for compliance with this section.
- c) For the purposes of this section, “single-user toilet facility” means a toilet facility with no more than one water closet and one urinal with a locking mechanism controlled by the user.
- d) This section shall become operative on March 1, 2017.

### **FOLLOWING IS A LIST OF FREQUENTLY ASKED QUESTIONS:**

**In applying this statute to existing facilities, how does HSC section 118600 reconcile with the provisions in the California Building Standards Code (CBCS)?**

According to Assembly analysis:

*Assembly Bill 1732 does not change existing laws with respect to the number of, specifications for, or other facility requirements for restrooms that a business or entity must comply with under the existing CBC or current local ordinances, but changes the restroom identification and availability of use.*

*This bill does not require businesses to add or remove existing restroom facilities or alter current restroom structures; it simply requires a single-user toilet facility (meant for one single-user occupant at a time) to be made available to any person, regardless of a person's gender designation. Enforcement of this bill is delegated to a health officer or inspector, at the local level, but does not require those inspectors to do so.*

Statutory text indicates that this law applies to all single-user toilet facilities in any state or local government agency, and therefore applies to single-user toilet facilities in California public schools, community colleges, and state-owned facilities.

## **IDENTIFICATION OF SINGLE-USER TOILET FACILITIES AS ALL-GENDER: FREQUENTLY ASKED QUESTIONS**

### **In applying this statute to new facilities designed or submitted for permit after March 1, 2017, how does HSC 118600 reconcile with the provisions of the CBSC?**

The Assembly analysis expressly indicates that AB1732 only changes the restroom access designation. In designing facilities, DSA recommends that standard procedures in the application of all the requirements of the CBSC are followed, and that the requirements of HSC 118600 are applied last. There are many reasons for this:

1. Intent expressed in the Assembly analysis which indicates that compliance under the existing provisions of the CBSC is required.
2. Consistency for all facilities in the interpretation of the requirements.
3. Maintaining the required amount of accessible facilities, which could be reduced if single-user facilities are designated as available for all users prior to meeting the requirements of the California Plumbing Code for separate facilities.

### **Is a single-user toilet facility required to be provided by a business establishment, place of public accommodation, or state or local government agency?**

No. For existing facilities, the law states that a gender-specific single-user toilet facility, if provided, must be identified as available for all genders. The law does not require a single-user toilet facility available to all genders to be constructed if a gender-specific single-user facility does not already exist.

For new facilities, the Assembly Analysis is clear that the existing requirements of the CBSC should be followed prior to designating gender-specific single-user toilet facilities as available to all genders. If the CBSC does not require a single-user toilet facility to be constructed, then a single-user toilet facility does not need to be provided. However, in consideration of the need expressed in the statute for accommodating parents and caregivers of opposite genders, and for accommodating transgender individuals, facility owners may want to consider exceeding the minimum requirements of the CBSC when designing new facilities to provide a single-user toilet facility available to all genders where one is not required.

### **Is a single-user facility designated for use by all genders required to be made available for all user groups?**

No. A specific group of users can still be applied to single-user toilet facilities, provided the group is not specific to gender. For example, in a school setting, a staff single-user toilet facility can still be reserved for staff use only, provided its use is made available to staff of all genders.

### **The requirements identify a single-user facility as a toilet facility with no more than one water closet and one urinal with a locking mechanism controlled by the user. How does this requirement apply to a facility if the one toilet is provided in a toilet compartment and separated from the lavatory?**

There are two toilet room configurations to which this statute may apply:

1. A toilet facility with one toilet and one lavatory, with a locking mechanism on the door to the toilet facility controlled by the user.
2. A toilet facility with one toilet, one urinal, and one lavatory, with a locking mechanism on the door to the toilet facility controlled by the user.

## **IDENTIFICATION OF SINGLE-USER TOILET FACILITIES AS ALL-GENDER: FREQUENTLY ASKED QUESTIONS**

The statute text does not indicate that this law applies to the following configurations:

1. Any type of bathing facility.
2. A toilet facility with one toilet in a compartment with a latch, a lavatory not in the compartment, and no privacy lock on the door to the toilet room.
3. A toilet facility with one toilet in a compartment, a lavatory and a urinal not in the compartment, and no privacy lock on the door to the toilet room.

### **The statute identifies a single-user facility differently than Chapter 11B of the California Building Code (CBC). How do I determine the correct application of the requirements?**

This statute does not address an accessibility requirement for individuals with disabilities. The scoping provisions and definition of a single-user facility according to the accessibility provisions of Chapter 11B of the CBC are provided to address the technical requirements in Chapter 11B of the toilet facility for accessibility purposes. The definition of a single-user toilet facility in Chapter 11B of the CBC is not applicable to interpreting this law regarding the toilet room configuration for identification purposes.

### **If my toilet facility has the unisex geometric symbol on the door and wall signs with pictograms of a man and a woman, am I required to change the geometric symbols and wall sign?**

This statute requires single-user toilet facilities to be available for use by all genders. If an existing toilet facility bears the unisex door symbol, it is already identified for use by all genders, and likely requires no change in identification.

### **Does this statute apply only to accessible single-user toilet facilities?**

No. In California, all doorways and entryways to toilet facilities are required to have a door identification geometric symbol, compliant to the CBC, whether or not the facility is accessible to individuals with disabilities. The geometric symbols identify the facility use: a circle for women's facilities, a triangle for men's facilities, or a triangle superimposed on a circle, known as the "unisex" symbol, for facilities available to all users regardless of gender. An International Symbol of Accessibility (ISA) is not required to be provided if all restrooms at the facility are accessible. The CBC requires that where not all restroom facilities provided are accessible, an ISA is required to be provided to identify the accessible facilities. This ISA can be on the accompanying wall sign, if provided, or on the door geometric symbols.

### **How do I make sure the new signs and geometric symbols I purchase are compliant, and how do I install them correctly?**

The requirements for door geometric symbols and wall signs that identify toilet facilities are in the CBC. Please use this link to access the [2016 CBC, Part 2 Volume 1](#). On the page, please access the link for "Chapter 11B – Accessibility to Public Buildings, Public Accommodations, Commercial Buildings, and Public Housing."

The scoping provisions for door geometric symbols are in 11B-216.8, and the technical requirements for door geometric symbols are in 11B-703.7.2.6.

The scoping provisions for wall signs identifying permanent rooms and spaces, if provided, are in 11B-216.2. The technical requirements for wall signs include 11B-703.1, 11B-703.2, 11B-703.3, 11B-703.4, and 11B-703.5. If pictograms are included on wall signs, pictograms shall comply with 11B-703.6. An ISA, if required, shall comply with 11B-703.7.1 and 11B-703.7.2.1.

## Assembly Bill No. 1732

### CHAPTER 818

An act to add Article 5 (commencing with Section 118600) to Chapter 2 of Part 15 of Division 104 of the Health and Safety Code, relating to restrooms.

[Approved by Governor September 29, 2016. Filed with Secretary of State September 29, 2016.]

#### LEGISLATIVE COUNSEL'S DIGEST

AB 1732, Ting. Single-user restrooms.

Existing law requires a public agency, as defined, that serves the public or is open to the public and maintains toilet facilities to make those facilities available to the public free of charge. Existing law requires publicly and privately owned facilities where the public congregates, as defined, to maintain a sufficient number of temporary or permanent toilet facilities to meet the needs of the public at peak hours. Existing law also requires each business establishment to provide, within reasonable access, a sufficient number of toilet facilities for the use of the employees.

This bill would, commencing March 1, 2017, require all single-user toilet facilities in any business establishment, place of public accommodation, or government agency to be identified as all-gender toilet facilities, as specified. The bill would authorize inspectors, building officials, or other local officials responsible for code enforcement to inspect for compliance with these provisions during any inspection.

*The people of the State of California do enact as follows:*

SECTION 1. Article 5 (commencing with Section 118600) is added to Chapter 2 of Part 15 of Division 104 of the Health and Safety Code, to read:

#### Article 5. Single-User Restrooms

118600. (a) All single-user toilet facilities in any business establishment, place of public accommodation, or state or local government agency shall be identified as all-gender toilet facilities by signage that complies with Title 24 of the California Code of Regulations, and designated for use by no more than one occupant at a time or for family or assisted use.

(b) During any inspection of a business or a place of public accommodation by an inspector, building official, or other local official responsible for code enforcement, the inspector or official may inspect for compliance with this section.



(c) For the purposes of this section, “single-user toilet facility” means a toilet facility with no more than one water closet and one urinal with a locking mechanism controlled by the user.

(d) This section shall become operative on March 1, 2017.