

D.C. Act 25-172. Fiscal Year 2024 Budget Support Emergency Act of 2023.

SUBTITLE K. PUBLIC RESTROOMS PILOT PROGRAM

Sec. 6101. Short title.

This subtitle may be cited as the "Public Restrooms Pilot Program Emergency Amendment Act of 2023".

Sec. 6102. The Public Restroom Facilities Installation and Promotion Act of 2018, effective April 11, 2019, (D.C. Law 22-280; D.C. Official Code § 10-1051 *et seq.*), is amended as follows:

(a) Subsection 2(4) (D.C. Official Code § 10-1051(4)) is amended by striking the phrase "by the District" and inserting the phrase "by the District or an agent of the District" in its place.

(b) A new section 4a is added to read as follows:

"Sec. 4a. Establishment of Third-Party Public Restroom Facility Pilot Program."

"(a) The Department of Public Works ("DPW") shall establish a pilot program to provide public restroom facilities by contract with a company that provides those services.

"(b) Within 30 days after October 1, 2023, the Mayor shall solicit bids from companies to provide public restroom facilities in the District.

"(c) Pursuant to the solicitation provided for in subsection (b) of this section, DPW shall enter into a contract for 12 months with a company that is able to:

"(1) Place at least 5 public restroom facilities in the District of Columbia that:

"(A) Are compliant with the Americans with Disabilities Act of 1990, approved July 26, 1990 (104 Stat. 327; 42 U.S.C. § 12101 *et seq.*);

"(B) Have running water for flushing toilets and sinks, but do not require a municipal water connection;

"(C) Are portable; and

"(D) Have remote monitoring and the ability to program automated hours of operation;

"(2) Provide 24 hour per day full maintenance and service for each public restroom facility; and

"(3) Collect data and provide reports to DPW at least monthly on:

"(A) Public restroom facility usage by date and time;

"(B) Incidents of misuse or vandalism;

- "(C) How facilities were accessed;
- "(D) Cleanliness; and
- "(E) User experience.

"(d) The 5 public restroom facilities should initially be placed

"(1) Within 500 feet of the following locations:

- "(A) Dupont Circle;
- "(B) Columbia Heights Civic Plaza; and
- "(C) The intersection at H Street and 8th Street, NE; and

"(2) Within the boundaries of:

- "(A) Oxon Run Park; and
- "(B) The Downtown DC Business Improvement District.

"(e) The Director of DPW may change the location of a public restroom facility placed pursuant to subsection (d) of this section at his or her discretion.

"(f) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to implement the provisions of this section.

"(g) Within 1 month after the completion of the pilot program, DPW shall provide information to the Council and the Mayor that includes:

- "(1) Total cost of the program, and a breakdown of those costs;
- "(2) Monthly facility usage rates for each facility;
- "(3) Data related to how customers accessed the facilities;
- "(4) Any incidents of misuse or vandalism; and
- "(5) Data related to user experience."

(c) Section 5 is revived as of October 1, 2023, and amended to read as follows:

"**Sec. 5. Applicability.**

"(a) Sections 3(d), (e), (f), and (g) and 4 of this act shall apply upon the date of inclusion of their fiscal effect in an approved budget and financial plan.

"(b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in an approved budget and financial plan and provide notice to the Budget Director of the Council of the certification.

"(c)(1) The Budget Director shall cause the notice of the certification to be published in the District of Columbia Register.

"(2) The date of publication of the notice of the certification shall not affect the applicability of this act."