

MAINE STATE LEGISLATURE

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1 (New Draft of H.P. 406, L.D. 559)
2 (New Title)
3 FIRST REGULAR SESSION
4

5 ONE HUNDRED AND TWELFTH LEGISLATURE
6

7 Legislative Document

No. 1411

9 H.P. 980

House of Representatives, April 29, 1985

10 Reported by Representative Brannigan from the Committee on Business
11 and Commerce and printed under Joint Rule 2. Original bill sponsored by
12 Representative Armstrong of Wilton. Cosponsored by Representative Davis of
Monmouth and Representative Michael of Auburn.

EDWIN H. PERT, Clerk

13
14 STATE OF MAINE
15

16 IN THE YEAR OF OUR LORD
17 NINETEEN HUNDRED AND EIGHTY-FIVE
18

19 AN ACT to Provide for Public Rest Rooms in
20 Eating Establishments.
21

22 Be it enacted by the People of the State of Maine as
23 follows:

24 Sec. 1. 22 MRSA c. 270-A is enacted to read:

25 CHAPTER 270-A

26 PUBLIC REST ROOM FACILITIES IN EATING PLACES

27 §1681. Definitions

28 As used in this chapter, unless the context oth-
29 erwise indicates, the following terms have the fol-
30 lowing meanings.

31 1. Eating establishment. "Eating establishment"
32 means an eating establishment licensed by the Depart-

1 ment of Human Services under chapter 562 which pre-
2 pares and serves food to the public for consumption
3 inside the premises. "Eating establishment" does not
4 include catering establishments, establishments dis-
5 pensing food solely from vending machines, pushcarts
6 and mobile eating places, roadside stands, retail
7 frozen dairy product establishments or any other such
8 places where customers do not consume food inside the
9 building where the food is prepared and served.

10 §1682. Rest room facilities required

11 An eating establishment shall provide at least
12 one toilet facility for the use of its customers. The
13 toilets provided shall be clearly marked, maintained
14 in a sanitary condition and in good repair. There
15 shall be no charge for their use. Lavatory facilities
16 shall be located within or immediately adjacent to
17 all toilet rooms or vestibules.

18 §1683. Rules

19 The Department of Human Services may adopt, in
20 accordance with the Maine Administrative Procedure
21 Act, Title 5, chapter 375, rules to administer this
22 chapter and thereby protect the public health.

23 §1684. Enforcement

24 This chapter shall be enforced by the Division of
25 Health Engineering. Anyone violating this chapter or
26 rules under this chapter commits a civil violation
27 for which a forfeiture of not more than \$200 may be
28 adjudged. Each day of violation shall be considered a
29 separate offense.

30 Sec. 2. Effective date. This Act shall take ef-
31 fect on January 1, 1987.

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STATEMENT OF FACT

2 This new draft requires eating establishments to
3 provide at least one toilet facility for the use of
4 its customers. An eating establishment is a facility
5 licensed by the Department of Human Services to serve
6 food for consumption inside the premises and does not
7 include establishments which are licensed by the De-
8 partment of Agriculture, Food and Rural Resources to
9 serve food as a minor part of a retail sales business
10 or establishments such as pushcarts or roadside
11 stands where customers do not consume food inside the
12 building where it is prepared and served.

13 The Department of Human Services is given power
14 to adopt rules to ensure privacy, cleanliness and
15 general compliance with this new draft.

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