



PSAI Statement on Compliance with the Americans with Disabilities Act

Approved September 13, 2021

The 1990 Americans with Disabilities Act (ADA) is the cornerstone of our nation's commitment to providing equal access and opportunities for all persons, regardless of their abilities or challenges. The portable sanitation industry fully supports this ideal. In our unique niche, we strive to provide expertise and guidance on meeting the sanitation needs of everyone. No one, however, can do it alone. We call upon all stakeholders to take an active role in ensuring that persons of differing abilities are accommodated in accordance with the ADA wherever nonsewered sanitation is provided.

Equipment Manufacturers

- Offer restroom and hand washing equipment that conforms to ADA standards for space and durability.
- When the ADA does not specify dimensions relevant to portable sanitation equipment, design, build, and sell items that can be accessed and used easily by people requiring wheelchairs and other adaptive devices as well as by able-bodied individuals.
- Clearly label and market equipment that conforms to the ADA, distinguishing it from other products that may be similar but do not conform to those requirements. For example, if you offer two oversized restroom units and only one is ADA-compliant, customers and the public should be easily able to distinguish which unit may be counted for ADA-related needs.
- Work with customers to help them better understand the types of equipment you offer and whether the equipment conforms to the ADA.
- Take measures to ensure that equipment being offered for compliance with the ADA will provide substantially the same user experience as the equipment being offered for able-bodied persons.

Portable Sanitation Operators

- Educate yourself and your team regarding what is required by the ADA on any site where you provide equipment or service. Also ensure that you are aware of any accessibility and accommodation requirements that may be contained in state or local statutes, policies, or ordinances.
- Build your fleet to ensure it contains the necessary ratio of ADA-compliant units to meet the needs of customers, remembering that if any ADA-covered site requires only one unit, it must be an ADA-compliant unit. Also ensure you have the necessary resources to transport and place these units when they are needed.
- Be prepared to educate your customers regarding ADA requirements when they are selecting equipment and planning their events. This includes ensuring customers receive information that states the need for (1) at least one ADA-compliant unit at any covered site or event, (2) no fewer than one ADA-compliant units in each group of twenty, i.e., 5% or a 1:20 ratio, and (3) if groupings or banks of units are dispersed, at least one ADA-compliant unit should be in each bank of units.

- Proactively plan for accessible paths of travel, ramping, and other accommodations that may be necessary to ensure the site conforms to the requirements of the ADA.
- Ensure that all equipment that is ADA-compliant is clearly labeled, and that any other equipment which may be similar is easily distinguished as non-ADA-compliant. Under no circumstances should a portable sanitation operator encourage the use of non-compliant equipment where compliant equipment is required.
- Take measures to ensure that equipment being offered for compliance with the ADA will provide substantially the same user experience as the equipment being offered for able bodied persons.

Governments

- Ensure local event permitting requirements specify—at a minimum—that ADA-compliant equipment must be provided at every covered site or event as follows: (1) at least one ADA-compliant unit on any covered site or event, (2) no fewer than one ADA-compliant units in each group of twenty, i.e., 5% or a 1:20 ratio, and (3) if groupings or banks of units are dispersed, at least one ADA-compliant unit should be in each bank of units.
- Respond promptly to inquiries, concerns, or complaints regarding the accessibility of events or the equipment placed there.
- Work with stakeholders to ensure public events and venues provide substantially the same user experience as the equipment being offered for able bodied persons.

Users and Interested Members of the Public

- Work with event planners or site personnel to ensure nonsewered equipment ordered, provided, and placed meets the needs of all participants.
- Hold event planners and other relevant decision makers accountable for complying with the ADA using appropriate and effective channels for raising issues.
- Communicate needs and feedback in a constructive manner so that action can be taken to improve conditions.
- Participate in activities that will help the portable sanitation industry better understand and meet the needs of all users.