


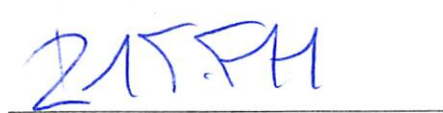


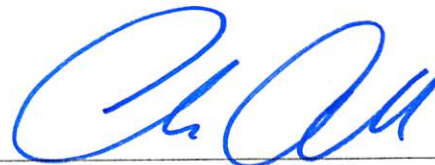
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2 Chairman Phil Mendelson

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6 Councilmember Kenyan R. McDuffie

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10 Councilmember Robert C. White, Jr.

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13 Councilmember David Grosso

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18 Councilmember Brandon T. Todd



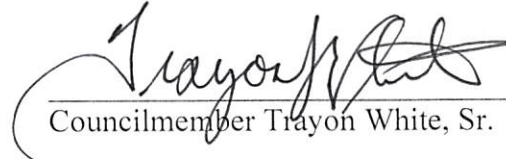
Councilmember Charles Allen



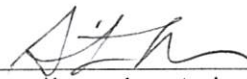
Councilmember Mary M. Cheh



Councilmember Brianne K. Nadeau



Councilmember Trayon White, Sr.



Councilmember Anita Bonds

24 A BILL

29 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

34 To amend the Department of Transportation Establishment Act of 2002 to establish the District  
35 Resident Transit Subsidy Program.

36  
37 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this  
38 act may be cited as the "Metro for D.C. Amendment Act of 2020".

39 Sec. 2. The Department of Transportation Establishment Act of 2002, effective May 21,  
40 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.01, *et seq.*) is amended as follows:

41 (a) A new Title VI is added to read as follows:

42 "TITLE VI. TRANSIT SUBSIDIES FOR DISTRICT RESIDENTS.

43 "Sec. 11t. Transit Subsidy Program established, eligibility and application.

44 "(a) The District Resident Transit Subsidy Program ("Program") is established to provide  
45 subsidies to District residents, as authorized by this title, for travel on any transportation that  
46 accepts payment through a SmarTrip card issued by the Washington Metropolitan Area Transit  
47 Authority ("WMATA"). The Department shall administer the Program and may issue rules for  
48 its administration. Assistance provided pursuant to this title shall not constitute an entitlement.

49 "(b) The Mayor shall enter into an agreement or agreements with WMATA to implement  
50 the Program, including:

51 "(1) To make payments to WMATA for the transportation of District residents  
52 who are eligible for a subsidy pursuant to this title; and

53 "(2) To create a segregated purse on a SmarTrip card, registered to a District  
54 resident eligible for a subsidy pursuant to this title, or a similar transit card utilized by any other  
55 agency with which the Mayor has entered into an agreement pursuant to this subsection, such  
56 that:

57 "(A) Subsidies provided pursuant to this title may be deposited in the  
58 segregated purse;

59 "(B) The funds in the purse are segregated from funds deposited on the  
60 same SmarTrip card, or a similar transit card utilized by any other agency with which the Mayor  
61 has entered in to an agreement pursuant to this subsection, by the District resident or another  
62 third-party on behalf of the District resident; and

63 "(C) Funds deposited in the segregated purse shall not be used for parking.

64 “(c) A District resident, 18 years of age or older, shall be eligible to receive a subsidy  
65 pursuant to this title if the resident is not eligible to receive:

66 “(1) A subsidy pursuant to the Student, Foster Youth, Summer Youth Employee,  
67 and Adult Learner Transit Subsidies Act of 2019, effective September 11, 2019 (D.C. Law 23-  
68 16; D.C. Official Code § 35-241, *et seq.*); or

69 “(2) Another payment or subsidy paid by the federal government, or a state or  
70 local government, and deposited on a SmarTrip card issued by WMATA.

71 “(d) The Department shall establish a process for District residents to apply to receive  
72 payments pursuant to section 11u of this title. The application shall be made easily available to  
73 District residents and shall allow applicants to:

74 “(1) Provide proof of residency, pursuant to section 11v of this title;

75 “(2) Register the applicant’s SmarTrip card to receive payments pursuant to  
76 section 11u; and

77 “(3) Provide any additional information needed to receive a subsidy pursuant to  
78 this title.

79 “(e)(1) The Department shall maintain a list of nonprofit organizations certified by the  
80 Department to assist District residents, whose income does not exceed 200% of the federal  
81 poverty level and who are eligible for a subsidy pursuant to this subtitle, with the application  
82 process developed pursuant to subsection (d) of this section.

83 “(2) The Department may provide grants to nonprofit organizations certified  
84 pursuant to paragraph (1), including for the purpose of:

85 “(A) Providing case management services, related to the subsidy

86 provided pursuant to this title, for District residents whose income does not exceed 200% of the  
87 federal poverty level; and

88 “(B) Purchasing SmarTrip cards for District residents whose income  
89 does not exceed 200% of the federal poverty level.

90 “Sec. 11u. Transit subsidy payments.

91 “(a) Based on the availability of funds identified pursuant to section 11z of this act, and  
92 pursuant to the requirements of subsection (b) of this section, the Department shall make  
93 payments to an eligible applicant as follows:

94 “(1) Upon a determination that the applicant is eligible, pursuant to section 11t(c),  
95 to receive a subsidy pursuant to this title, the Department shall deposit \$100 in a segregated  
96 purse, pursuant subsection (c) of this section.

97 “(2) On the first day of the month after the Department makes a deposit pursuant  
98 to paragraph (1) of subsection (a) of this section, and monthly thereafter, the Department shall  
99 deposit, in the available balance of the District resident’s segregated purse, an amount that causes  
100 the total available balance of the District resident’s segregated purse to equal \$100.

101 “(3) The balance of the District resident’s segregated purse shall not exceed \$100.

102 “(b) The Department shall allocate funds set aside for the Program in the Transit Subsidy  
103 Fund, established pursuant to section 11y of this act, to eligible District residents in the following  
104 priority:

105 “(1) First, to District residents with an income of 300% of the federal poverty  
106 level or less;

107 “(2) Second, to District residents with an income more than 300% of the federal  
108 poverty level and less than 100% of the Area Median Income;

109                   “(3) Third, to District residents with an income of at least 100% of the Area  
110 Median Income and less than \$155,000; and

111                   “(4) Fourth, to District residents with an income of \$155,000 or more.

112                   “(c) Payments made to the Washington Metropolitan Area Transit Authority for travel on  
113 public transportation by an eligible applicant pursuant to this section shall be deposited on a  
114 SmarTrip card, registered in the eligible applicant’s name, in a segregated purse, as described in  
115 section 11t(b)(2).

116                   “Sec. 11v. Proof of residency.

117                   “(a)(1) When first applying to receive payments pursuant to this title, an applicant shall  
118 provide, in a form determined by the Department, proof that the applicant is a District resident.

119                   “(2)(A) Twelve months after being determined eligible to receive payments  
120 pursuant to this title, and yearly thereafter, an eligible applicant shall recertify, in a form  
121 determined by the Department, that the eligible applicant is a District resident.

122                   “(B) The Department shall establish a process for a nonprofit certified  
123 pursuant to section 11t(e) of this act to complete the recertification process required pursuant to  
124 paragraph (2)(A) of this subsection.

125                   “(b) An applicant making an initial application for a subsidy pursuant to this title, or an  
126 eligible applicant recertifying pursuant to subsection (a)(2) of this section, shall be presumed to  
127 be a District resident if:

128                   “(1) During the previous year, the applicant filed an income tax return, pursuant  
129 to subchapter VI of chapter 18 of Title 47 of the D.C. Official Code, as a resident of the District;

130                   “(2) The applicant is currently having District income tax withheld from their  
131 wages;

132                   “(3) The applicant receives a public benefit, as that term is defined in section  
133 101(6) of the District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C.  
134 Law 4-101; D.C. Official Code § 4-201.01(6)), administered by a District agency; or

135                   “(4) An organization certified by the Department of Human Services to document  
136 the homeless status of an individual has completed a social service proof of residency form,  
137 certifying that the applicant is a District resident.

138                   “(c) The Department may by rule identify additional documents that indicates an  
139 applicant for a subsidy pursuant to this title, who is not otherwise presumed to be a District  
140 resident pursuant to subsection (b) of this section, currently lives in and intends to remain in the  
141 District.

142                   “(d) The Department may enter into agreements with a District agency or an agency of  
143 the federal government to share information necessary to satisfy the presumption of residency  
144 pursuant to subsection (b) of this section.

145                   “Sec. 11w. Authorization to negotiate fares.

146                   “The Mayor is authorized to enter into negotiations with the Washington Metropolitan  
147 Area Transit Authority for reduced transit fares for District residents.

148                   “Sec. 11x. Transit Equity Fund established.

149                   “(a) There is established as a special fund the Transit Equity Fund (“Fund”), which shall  
150 be administered by the Department in accordance with subsections (c) and (d) of this section.

151                   “(b) In each Fiscal Year, at least \$10 million shall be deposited in the Fund.

152                   “(c) Money in the Fund may be used to:

153                   “(1) Make payments to the Washington Metropolitan Area Transit Authority to  
154 create a non-regional bus line that was not in operation before the effective date of the Metro for

155 D.C. Amendment Act of 2020, as introduced on March 3, 2020 (Bill 23-XXX), and that would  
156 improve access to transit in an area identified in the Department’s Multimodal Long-Range  
157 Transportation Plan as a transit priority need area;

158           “(2) Operate a D.C. Circulator line that was not in operation before the effective  
159 date of the Metro for D.C. Amendment Act of 2020, as introduced on March 3, 2020 (Bill 23-  
160 XXX), and that would improve access to transit in an area identified in the Department’s  
161 Multimodal Long-Range Transportation Plan as a transit priority need area

162           “(3) Make payments to the Washington Metropolitan Area Transit Authority  
163 to extend service hours or shorten headways for a non-regional bus line in an area identified in  
164 the Department’s Multimodal Long-Range Transportation Plan as a transit priority need area;

165           “(4) Provide grants pursuant to section 11t(e) of this title;

166           “(5) Fund studies to identify transit priority need areas in the District; or

167           “(6) Install infrastructure that the Department determines will increase ridership  
168 on non-regional bus or D.C. Circulator line that serves an area identified in the Department’s  
169 Multimodal Long-Range Transportation Plan as a transit priority need area, including dedicated  
170 bus lanes, bus shelters, and payment kiosks.

171           “(d)(1) The money deposited into the Fund but not expended in a fiscal year shall not  
172 revert to the unassigned fund balance of the General Fund of the District of Columbia at the end  
173 of a fiscal year, or at any other time.

174           “(2) Subject to authorization in an approved budget and financial plan, any funds  
175 appropriated in the Fund shall be continually available without regard to fiscal year limitation.

176           “Sec. 11y. Transit Subsidy Fund.

177 “(a) There is established as a special fund the Transit Subsidy Fund (“Fund”), which shall  
178 be administered by the Department in accordance with subsections (c) and (d) of this section.

179 “(b) Money shall be deposited in the Fund when set aside pursuant to section 11z of this  
180 act.

181 “(c) Money in the Fund shall be used to:

182 “(1) Provide transit subsidies to District residents, pursuant to section 11u(b) of  
183 this act; and

184 “(2) Operate the District Resident Transit Subsidy Program;

185 “(d)(1) The money deposited into the Fund but not expended in a fiscal year shall not  
186 revert to the unassigned fund balance of the General Fund of the District of Columbia at the end  
187 of a fiscal year, or at any other time.

188 “(2) Subject to authorization in an approved budget and financial plan, any funds  
189 appropriated in the Fund shall be continually available without regard to fiscal year limitation.

190 “Sec. 11z. Funding.

191 “(a) The fiscal impact of the Metro for D.C. Amendment Act of 2020, as introduced on  
192 March 3, 2020 (Bill 23-XXX) (“the Metro for D.C. Act”) act shall be funded, according to the  
193 priority set forth in subsection (c) of this section, by local fiscal year recurring revenues included  
194 in the Chief Financial Officer’s June 2020 revenue estimate and all subsequent revenue estimates  
195 that exceed the annual revenue estimate incorporated in the approved budget and financial plan  
196 for Fiscal Year 2021 through Fiscal Year 2024, until the act is fully funded as certified by the  
197 Chief Financial Officer.

198 “(b) In the June 2020 revenue estimate and each of the subsequent revenue estimates, the  
199 Chief Financial Officer shall certify:



200                   “(1) Whether and by what amount local fiscal year revenues included in the  
201 revenue estimate exceed the annual revenue estimate for Fiscal Year 2021 through Fiscal Year  
202 2024, as incorporated in the approved budget and financial plan for Fiscal Year 2021;

203                   “(2) Whether such excess revenues, together with the excess revenues identified  
204 pursuant to this subsection in prior revenue estimates, are:

205                                 “(A) At least \$10 million dollars;

206                                 “(B) In an amount sufficient to fund the fiscal impact of  
207 amendatory section 11u(b)(1) the Metro for D.C. Act, and, if not, the amount of additional  
208 excess revenue necessary to fund amendatory section 11u(b)(1) of the Metro for D.C. Act;

209                                 “(C) After a sufficient amount has been identified to fund the fiscal impact  
210 of amendatory section 11u(b)(1) of the Metro for D.C. Act, in an amount sufficient to fund the  
211 fiscal impact of amendatory section 11u(b)(2) of the Metro for D.C. Act, and, if not, the amount  
212 of additional excess revenue necessary to fund amendatory section 11u(b)(2) of the Metro for  
213 D.C. Act;

214                                 “(D) After a sufficient amount has been identified to fund the fiscal impact  
215 of amendatory section 11u(b)(2) of the Metro for D.C. Act, in an amount sufficient to fund the  
216 fiscal impact of amendatory section 11u(b)(3) of the Metro for D.C. Act, and, if not, the amount  
217 of additional excess revenue necessary to fund amendatory section 11u(b)(3) of the Metro for  
218 D.C. Act;

219                                 “(E) After a sufficient amount has been identified to fund the fiscal impact  
220 of amendatory section 11u(b)(3) of the Metro for D.C. Act, in an amount sufficient to fund the  
221 fiscal impact of amendatory section 11u(b)(4) of the Metro for D.C. Act, and, if not, the amount

222 of additional excess revenue necessary to fund amendatory section 11u(b)(4) of the Metro for  
223 D.C. Act; and

224 “(3) That all such excess revenues, together with the excess revenues identified  
225 pursuant to this subsection in prior revenue estimates, have been set aside to implement the  
226 Metro for D.C. Act, according to the priority set forth in paragraph (2) of this subsection.

227 “(c) Excess recurring revenue, identified pursuant to subsection (b) of this section, shall  
228 be deposited, in the following order of priority, into:

229 “(1) The Transit Equity Fund, established by amendatory section 11x of the Metro  
230 for D.C. Act; and

231 “(2) The Transit Subsidy Fund, established by amendatory section 11y of the  
232 Metro for D.C. Act to implement the Transit Subsidy Program in the order prioritized in  
233 subsection (b) of this section.

234 “(d) The cost of the provisions authorized by this section shall be recalculated on an  
235 annual basis and reported in each February revenue estimate.”.

### 236 Sec. 3. Applicability

237 (a) This act shall apply upon the later of:

238 (1) October 1, 2020; or

239 (2) Inclusion of its fiscal effect in an approved budget and financial plan.

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

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

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

247 Sec. 4. Fiscal impact statement.

248 The Council adopts the fiscal impact statement in the committee report as the fiscal  
249 impact statement required by section 4a of the General Legislative Procedures Act of 1975,  
250 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

251 Sec. 5. Effective date.

252 This act shall take effect following approval by the Mayor (or in the event of veto by the  
253 Mayor, action by the Council to override the veto), a 30-day period of congressional review as  
254 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December  
255 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of  
256 Columbia Register.