The Committee on Transportation and the Environment, to which B23-288, the “Vision Zero Enhancement Omnibus Amendment Act of 2020” was referred, reports favorably on the legislation and recommends approval by the Council of the District of Columbia.

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STATEMENT OF PURPOSE AND EFFECT

Bill 23-288, the “Vision Zero Enhancement Omnibus Amendment Act of 2020” was introduced on May 7, 2019 by Councilmember Allen with Councilmembers Bonds, Robert White, McDuffie, Nadeau, Grosso, Silverman and Todd. The bill was co-sponsored by Councilmembers Gray and Evans and Chairman Mendelson.

I. Background

In 2015, Mayor Muriel Bowser announced the District’s commitment to Vision Zero. Vision Zero is a transportation concept that originated in Sweden in which jurisdictions create a timeline and process to end traffic fatalities. A core tenet of Vision Zero is the belief that traffic deaths and severe injuries are not unavoidable consequences of mobility, but rather preventable. Vision Zero acknowledges that people make mistakes, and focuses on changing system-wide practices, policies, and designs to lessen the severity of crashes and save lives. Mayor Bowser set the District’s Vision Zero timeline to eliminate traffic fatalities in the District by 2024, pledging “[b]y the year 2024, we will do everything in our power to eliminate transportation fatalities and serious injuries, because no loss of life is acceptable.”

Since 2015, traffic fatalities in the District have marginally increased. There were 26 traffic fatalities in 2014, 26 in 2015, 28 in 2016, 30 in 2017, and 36 in 2018. However, in 2019 the District finally stopped that trend with 27 traffic fatalities, indicating that the number may be slowly reverting to its pre-Vision Zero numbers. These statistics indicate that the District is not on pace to reach Vision Zero. Although it is important to note that there is no way to know how high the number of traffic fatalities could have been had the District not began the Vision Zero program, it is clear that the District is not doing everything in its power to eliminate transportation fatalities and serious injuries.

Below are some of the major areas in which the District could improve its laws and better enforce existing laws to put itself on the path towards Vision Zero.

Infrastructure Improvements

Currently in the District, the District Department of Transportation (“DDOT”) has multiple bureaucratic steps it must take before improving traffic infrastructure. For instance, DDOT must design the changes, notify the community and the ANC for input at least 30 days before the change, obtain the correct materials, sometimes clear the area of traffic, pedestrians, or other road users, and install the change. These steps, though all serving a worthwhile purpose, sometimes end up delaying infrastructure improvements for long amounts of time. Because many of the infrastructure improvements are purely for safety, they are often time sensitive.

2 https://mpdc.dc.gov/page/traffic-fatalities
3 See e.g. D.C. Official Code § 2-502(6)(B)(iv)
These improvements are also often minimal. By way of example, DDOT must follow the steps explained above simply to install a stop sign or crosswalk. Any change to speed up this process for critical safety infrastructure improvements may save lives.

Another issue facing cyclists and pedestrians related to infrastructure in the District is commercial delivery vehicles routinely violating parking laws in order to quickly load or unload their cargo. These vehicles often park in bike lanes or crosswalks if it gets them to the door of their destination quicker or more conveniently. Although the Department of Public Works (“DPW”) often does ticket these vehicles, the companies have built paying the tickets into their cost of doing business. In addition, in some instances, there is not a clear alternative location for these vehicles to park. In order to prevent this situation from spreading, the government should ensure that future developments in the District have planned loading and unloading zones for new vehicles, and are given the tools to strictly enforce any rules. It would be helpful to have rules governing new construction in the District to ensure that developers, in consultation with the government, have planned space, either on the block face, on private property, or in an alley, for commercial vehicles to load and unload their cargo.

Cyclists and pedestrians also sometimes run into infrastructure issues in the District when there is not an easily accessible sidewalk. District law requires a sidewalk to be built on one side of a street that does not have a sidewalk on either side when the street is undergoing construction unless the Director of DDOT gives clear reasons as to why doing so would not increase safety for pedestrians. The law, passed in 2010, has largely been a success. Many neighborhoods in the District now have a sidewalk that did not have one before. As the District focuses on increasing sustainable modes of transportation, such as biking and walking, it makes sense to mandate additional sidewalks. When there is a sidewalk on only one side of the street, pedestrians and cyclists originating on the opposite side must cross the street in order to continue on the safe space the sidewalk provides. This exposes those vulnerable road users to traffic while they cross the street. In addition, with more and more commuters choosing walking and cycling, only having a sidewalk on one side of the street can lead to congested sidewalks. If the District’s goal is to get people out of cars, both for safety and sustainability reasons, then it is imperative that we build more sidewalks.

In instances when a cyclist or pedestrian does choose to cross the street, their safety depends entirely on being seen by drivers. Just this year, DDOT decided to begin making all crosswalks high-visibility, also known as “ladder” crosswalks. This is just another small and cheap infrastructure change that can protect vulnerable road users. Given this policy change and the logical reasons behind it, the District should ensure that all crosswalk installations as well as crosswalk restorations from contractors doing work in the public space are mandated by law to be high-visibility crosswalks.

In addition to the need for better crosswalks and more sidewalks, the District is also in dire need for more bike lanes. Although DDOT has vastly increased the number of bike lanes in the District over the last ten years, their pace is not keeping up with the demand of cyclists or the requirements to achieve the District’s goals of Vision Zero. At the time of writing this report,

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4 D.C. Official Code § 9-425.01 et seq.
5 https://wamu.org/story/19/05/24/d-c-will-paint-crosswalks-to-better-protect-pedestrians/
there are 89 street miles of bike lanes, 11 of which are protected bike lanes. Protected bike lanes are vastly superior to unprotected bike lanes because they create a physical barrier protecting a cyclist from traffic. Not only is safer cycling of the utmost importance to protect human life, but when people feel safe cycling then more people do it. Therefore, protected bike lanes are essential to meet the District’s sustainability goals and get people out of cars. The District should begin prioritizing protected bike lanes the same way it prioritizes sidewalk construction on roads undergoing other construction.

Contractor Violation Penalties

Arguably the greatest threat to pedestrian and cyclist infrastructure in the District is the failure to restore crosswalks and bike lanes when a contractor finishes work in the public space. Crosswalks and bike lanes are disappearing from the public space, with DDOT often only catching wind of the failure when residents share it with the agency. The Committee attempted to improve DDOT’s ability to detect these situations by funding three additional public space inspectors in the FY 2020 budget. However, despite the increased ability to detect these violations, the current penalties for these types of violations are low. At this time DDOT is penalizing contractors who fail to restore the public space under the Litter Control Administrative Act of 1985, which typically provides for a fine of $500 or $1000, and they do not escalate based on the number of violations against a contractor. DDOT is currently moving to implement the Public Space Enforcement Amendment Act of 2014, which would increase the amount of the penalty for failing to restore the public space and would provide for increased fines for multiple infractions by bringing such violations in line with the regulations promulgated under the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985 (“Civil Infractions Act”). However, DDOT has been slow to get the bill fully implemented, and the District can hardly afford to wait longer. The District should mandate stricter penalties for these types of violations and ensure they are in line with the Civil Infractions Act even while the Public Space Enforcement Amendment Act of 2014 is still being implemented.

In addition, the District could do more to ensure that repeat offenders are getting the message that failing to restore critical safety infrastructure is unacceptable. According to post-hearing answers provided to the Committee in 2019, DDOT issued 118 citations in the last year to contractors for failing to restore a bike lane or crosswalk in the public space. Of note, 91 of the 118 citations went to repeat offenders.

Agency Transparency

Although the Committee is aware of dozens of projects and initiatives DDOT is currently working on to make the District safer for vulnerable users, there is sometimes a disconnect between what DDOT is doing and what the public is aware the agency is doing. DDOT is a very large agency which manages dozens of capital projects at any given time. The Committee and the public would benefit from better communication from DDOT on how the projects it is undertaking relate to Vision Zero.
For instance, DDOT currently has a barebones Complete Streets policy in place, which it first adopted in 2010. ⁶ However, DDOT has not undertaken any effort to explain the policy and how it influences its decisions. It would be beneficial to know if the policy is working, leading to streets designed in ways that accommodate all users. DDOT should do more to strengthen its Complete Streets policy and educate the public on its implementation.

In the same vein, after a deadly car crash, DDOT goes out to the site of the crash and inspects the location to see what should be changed to increase safety. This is an essential practice to achieve Vision Zero. However, DDOT rarely releases its findings to the public. The public would be well-served if there was a mechanism by which DDOT communicated with the public what its post-crash inspection discovered, and what, if anything, the agency will change or improve at the crash site.

Related to transparency, DDOT should be doing more to explain its vision for the District as it relates to the public space and transportation. In 2014, DDOT wrote and adopted the District of Columbia Multimodal Long-Range Transportation Plan, also known as MoveDC. ⁷ This plan sets the 25-year vision for the transportation system in the District, including a wide variety of goals, such as a map of the planned bicycle network and a framework of needed policy changes in the District. Although the document is comprehensive and laudable, in the five years since it was adopted, a lot has changed. For instance, some streets no longer make sense for a cycle track, while others are now well-suited for bicycle-friendly accommodations. The District would benefit from an updated plan that sets timelines and short-term, as well as long-term, goals. Further, as the District government moves to consider all legislative and funding decisions through a racial equity lens, it’s important that DDOT’s long-range planning takes into consideration equitable access to transit across the District.

All of the issues related to transparency could be mitigated if DDOT did more regular reporting. It is worth noting that the Bicycle and Pedestrian Safety Amendment Act of 2016 instituted various reporting requirements of DDOT, ⁸ some of which have been completed, some of which have not been completed, and some of which were completed after lengthy delays. Therefore, while it may be that some additional reporting requirements of DDOT are required, DDOT must also improve its compliance with existing reporting requirements in order to improve its transparency.

Data Compilation and Usage

A key pillar to Vision Zero is the use of data to make decisions. The Bicycle and Pedestrian Safety Amendment Act of 2016 mandated various data collections by DDOT and annual report submissions to the Council on much of that data. Although DDOT has a mixed track record on reporting the data obtained pursuant to the Act, the data has proven to be extremely beneficial in determining policy changes. For instance, the data has shown the undeniable link between driving under the influence and traffic fatalities. Now that we have seen

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⁷ See http://www.wemovedc.org/
⁸ D.C. Law 21-155
some of the data collections over a period of two to three years, a few holes have emerged. DDOT does not currently work with area hospitals or the District Department of Health to review trauma data from crashes. In addition, though the data shows that speed is often one of the main factors leading to traffic fatalities, the executive could be more proactive about collecting data on the speed of vehicles involved in a crash when possible.

Non-Resident Traffic Enforcement

The District of Columbia, like nearly every state in the country, is a member of the Driver License Compact (“the Compact”). The Compact is an interstate compact used by states to exchange information concerning license suspensions and traffic violations of non-residents and forward that information to the state where the operator is licensed. The Compact ensures the home state treats the offense as if it had been committed at home, and suspends licenses of its operators who have accrued enough traffic violations in another state that if it had occurred in the operator’s home state the license would be suspended. The Compact is an essential tool for all states and the District to ensure out-of-state drivers face real penalties for the traffic violations that occur in the jurisdiction. The Compact only applies to offenses that add points to one’s license as a penalty for committing the offense.

An issue arises, however, when one accrues traffic fines that do not put points on their license. For instance, in the District, parking tickets and Automated Traffic Enforcement (“ATE”) citations do not result in points on one’s license. This is because when one receives a parking or ATE citation, the citation is not issued to the driver but the individual to whom the car is registered. With a typical moving violation, a police officer stops a car and writes a ticket to the actual driver of the vehicle, no matter whose car the driver is operating. With parking tickets, the officer leaves the ticket on the parked car and uses the vehicle license plate to issue the ticket in the system to whom the vehicle is registered. For ATE tickets, the camera issues the citation to the vehicle registrant via the license plate number as well. Therefore, the driver is never personally given a ticket and, because of this, these offenses do not add points to one’s license and are not covered by the Compact. Since the Compact is not in effect for these offenses, an out-of-state driver could accrue an unlimited amount of parking and ATE fines in the District and the District has no effective means to collect on the debt. DPW does patrol city streets and can boot a car found with outstanding debt to the District, however, most of these out-of-state cars do not park on city streets. They park in private lots during the day and then head home to their home state during the evening.

The lack of an interstate compact for offenses that do not lead to points on one’s license causes two major problems. First and foremost, it is unsafe for District residents to have these drivers who have accrued a large number of parking and ATE citations in the District continue operating their vehicles in the District. Second, these drivers have accrued often massive amounts of debt owed to the District and the District government has no way to collect this money. In fact, as of August 31, 2019, 90% of outstanding parking and photo citation debts in the District were owed by car owners registered out-of-state. In addition, 72% of outstanding parking and photo citation debt in the District were owed by owners of cars registered in Maryland and Virginia. The solution to this problem may be another compact between states that

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9 See http://apps.csg.org/ncic/Compact.aspx?id=56
suspends vehicle registrations for cars that accrue a certain level of traffic debt in another jurisdiction, even if the offenses that lead to that debt did not result in points added to one’s license.

Updated Traffic Laws and Enforcement Practices

As of 2018, seventeen states either outright ban the use of headphones while driving or ban it with some exception, the most common being allowing a headphone in only one ear while driving. Full attentiveness is paramount to safe driving, and headphones may detract from a driver’s ability to hear what is going on around them. This is especially true while driving in an urban area like the District of Columbia. The District does not ban headphones in either or both ears while driving. A small but meaningful step towards Vision Zero would be to prohibit headphones while driving to ensure drivers in the District are fully attuned to what is going on around them on the road.

Aside from driving while intoxicated or distracted, possibly the most dangerous activity for cyclists and pedestrians that a driver can perform is to speed. Multitudes of studies, including those produced by DDOT and the Mayor’s office, confirm that drivers who speed are far more likely to kill cyclists and pedestrians than those who drive the speed limit. The District has tried multiple methods of combatting speeding drivers, including more ATE cameras and more aggressive enforcement by the Metropolitan Police Department. It is also the case, however, that sometimes one may drive the speed limit but that it is still too fast to be safe given the situation or surroundings. Similarly, many drivers tend to go 5-10 miles per hour over the speed limit no matter what the speed limit is set at. Therefore, lowering the speed limit on a road will slow drivers down even if not all of them end up strictly abiding by the new limit. For some streets, like local streets, where cars often share the road with cyclists and pedestrians, the District should lower speed limits. In early 2020, the Mayor announced that she would be lowering the default speed limit on local streets to 20 miles per hour. This will help protect vulnerable users when crashes do occur. A car going 30 miles per hour is nearly twice as likely to kill a pedestrian in a crash than one going 20 miles per hour, and a car going 40 miles per hour is almost nine times as likely to kill a pedestrian in a crash than one going 20 miles per hour. It would be beneficial to expand this speed limit reduction and make such changes permanent in legislation.

Cyclists and pedestrians are also routinely put in danger by drivers acting recklessly at intersections. Often, drivers do not come to a complete stop before turning right-on-red and perform the maneuver as a rolling stop. This endangers the lives of those crossing in front of the vehicle with the walk sign. Banning or significantly limiting right-on-red may cause drivers to be more patient and responsible at intersections. Right-on-red is already banned at many intersections in pedestrian-heavy parts of the District and near schools, as DDOT implicitly acknowledges that right-on-red is a danger to pedestrians. At the very least, banning the maneuver at all intersections where cars interact with pedestrians and cyclists would add to the predictability of motor vehicles for vulnerable road users.

11 Major Crash Review Task Force 2018 Annual Report
12 Improving Bicycle and Pedestrian Safety Bi-Annual Report, July 2019, DDOT
As part of the Bicycle and Pedestrian Safety Act of 2016, the Council mandated participation in the ignition interlock program for individuals convicted of driving under the influence of alcohol or a drug, driving while intoxicated, or operating a vehicle under the influence of alcohol. Under the ignition interlock program, a breathalyzer is installed in one’s vehicle and they must pass it before starting their car and at various points of their trip while behind the wheel. The program has proven immensely successful in other states. Here in the District, since the Bicycle and Pedestrian Safety Act of 2016 was passed, only a handful of drivers convicted of one of those offenses has actually enrolled in the ignition interlock program. These appears to be because there is not currently a mechanism for the Department of Motor Vehicles (“DMV”) to suspend or revoke the license of a driver convicted of a drunk-driving related offense who fails to enroll in the program. A technical amendment to give the DMV more power to enforce this provision of law is needed.

There is also room to expand and improve the District’s use of ATE cameras. ATE is a proven way to get drivers to operate vehicles in a safer manner. Although many are familiar with the ATE speed cameras given that there are approximately 100 in use in the District at any given time, the District also operates, to a lesser extent, stoplight and stop-sign cameras. Currently there are 39 red light cameras in use in the District and approximately 10 stop-sign cameras. The District should deploy more stoplight and stop-sign cameras in areas of the District frequented by pedestrians and cyclists.

As for speed cameras, the Executive’s policy is to not issue a citation from a speed camera unless the vehicle is detected to be going at least 11 miles per hour over the applicable speed limit. There are good arguments on both sides of the issue as to if this policy makes sense. On one hand, speeding is speeding and even one mile per hour over an applicable speed limit is against the law. On the other hand, no law enforcement agency actually enforces speeding by one mile per hour. There are varying reasons for this, one being that one’s speedometer may not be 100% accurate and it would be overly punitive to punish drivers for small variations. The Committee understands these reasons and at this time does not seek any change to this practice. However, it may be useful for the District to send warnings to drivers who are caught by the cameras on the upper end of the 10 mile per hour grace zone. This way, drivers have warning that there is a camera there and can possibly alter their behavior before getting caught going 11 or more miles per hour down that stretch of road.

One issue for cyclists that has proven to be a safety concern is the parking of oversized trailers next to unprotected bike lanes. When semi-trucks park legally next to an unprotected bike lane, a small portion of the oversized trailer hangs over into the bike lane. This causes a serious safety concern for cyclists, who, while fully in the own lane, may be clipped by the edge of an oversized trailer. Many instances have been brought to the Committee’s attention of DPW choosing not to issue a citation for parking in a bike lane because the violation is so minimal. Therefore, in order to make it clear that semi-trucks and trailers should not be parking next to a bike lane as it endangers cyclists, existing regulations should be updated to ban semi-trucks and their trailers from this behavior.

13 https://opendata.dc.gov/datasets/camera-enforcement-locations
Education

One of the most effective ways of improving driver behavior, and another pillar of Vision Zero, is education. The Bicycle and Pedestrian Safety Amendment Act of 2016 mandated that District schools teach students on the importance of road safety. Although the Committee has heard that student education on the subject has largely been a success, it is important to ensure drivers as well as students are fully equipped with knowledge of the rules of the road, and how to be courteous to other users on the road. The DMV provides drivers who renew their license or convert their out-of-state license with access to their driver manual, which explains many traffic rules and courtesies. However, many drivers do not take the time to read the manual but are still given the license to drive nonetheless. The DMV could do more ensure drivers absorb this information, such as requiring mandatory knowledge tests when drivers are converting their out-of-state driver’s license to a District one. These drivers are especially important to target as many come from rural states where they were never taught in their driver’s education course how to share the road with cyclists and pedestrians. A testing requirement will put all drivers with District licenses on the same footing, and better equip them with how to best coexist with all users of District streets.

II. Legislative Action

The Committee held a hearing on the B23-288, the Vision Zero Enhancement Omnibus Amendment Act of 2019 and six other Vision Zero related bills on October 24, 2019. The Committee has chosen to move B23-288 with four other bills incorporated within the Committee Print. Each incorporated bill is discussed below, followed by a description of the combined B23-288 Committee Print.

B23-242, the Bicycle Advisory Council Expansion Amendment Act of 2019

The bill amends the District of Columbia Comprehensive Bicycle Transportation and Safety Act of 1984 to add a representative from Department of Public Works to the District of Columbia Bicycle Advisory Council.

B23-257, the Mandatory Protected Cycling Lane Amendment Act of 2019

The bill amends Title I of the District of Columbia Comprehensive Bicycle Transportation and Safety Act of 2984 to require DDOT to construct a protected bicycle lane or cycle track on road segments included in the Recommended Bicycle Network in the District of Columbia’s Multimodal Long-Range Transportation plan where DDOT is otherwise engaging in road reconstruction, major repair, or curb or gutter replacement on that road segment. A mechanism is also provided by which an exemption can be granted if the Director certifies that construction would be impractical or unnecessary.
**B23-412, the Ignition Interlock Program Amendment Act of 2019**

The bill amends the District of Columbia Traffic Act, 1925, to clarify the requirements for the ignition interlock program to increase participation in the program.

**B23-415, the Vision Zero Distracted Driving Amendment Act of 2019**

The bill amends the Distracted Driving Safety Act of 2004 by requiring a distracted driving violation to assess points, repealing a provision that exempts violations from adding points if an accident did not result from the offense.

**B23-288, the Vision Zero Enhancement Omnibus Amendment Act of 2019 as introduced**

The bill amends the District of Columbia Administrative Procedure Act to provide that the Mayor shall provide 10 days’ notice when proposing to install, modify, or amend a statement for guiding, directing, or otherwise regulating vehicular or pedestrian traffic, if the proposed installation, modification, or removal of the statement will increase safety at a location identified as a high-risk intersection in the Multimodal Long-Range Transportation Plan. The bill also amends the Construction Codes Approval and Amendments Act of 1986 to provide that the Building Code Official shall not issue a permit if certain conditions are not met related to loading zones. The bill amends the Priority Sidewalk Assurance Act of 2010 to require the Mayor to install sidewalks on both sides of a street, to connect new sidewalks to existing sidewalks, to mark unmarked crosswalks, and to makes conforming amendments. The bill amends the Department of Transportation Establishment Act of 2002 to require the District Department of Transportation to submit to the Council a Vision Zero infrastructure progress report, to require DDOT to make certain pedestrian and cyclist injury-related information publicly available and easily searchable, to require DDOT to issue reports describing how certain capital projects implement projects or recommendations in the Multimodal Long-Range Transportation Plan, increase safety for users of modes of transportation other than motor vehicles, increase equitable access to public transportation, or fulfill public safety goals or requirements of law or a federal grant, to provide that DDOT shall not issue a public space permit for certain projects unless the plans include installing new sidewalks, bicycle lanes or cycle tracks, or marked crosswalks and the applicant has met the requirements of previous permits and returned crosswalks and bike lanes to their pre-construction condition, and to provide for fines for each day that crosswalks and bike lanes are not returned to pre-construction condition. The bill amends the Bicycle and Pedestrian Safety Amendment Act of 2016 to collect information about the speed of motor vehicles involved in a collision or that receive moving violations, to require that DDOT adopts a transparent standard project delivery process, to require DDOT to update every two years the Multimodal Long-Range Transportation Plan and to require Council approval of the Multimodal Long-Range Transportation Plan, and to require DDOT to submit an incident report to the Council if a collision causes a death or serious injury. The bill amends the District of Columbia Traffic Act of 1925 to require all applicants for a new or renewal motor vehicle operator’s permit take a written test of knowledge, to reduce the speed limit on District roads classified by DDOT.
as local, collector, minor arterial, and principal arterial, to prohibit right turns when facing a red traffic control signal, and to require a traffic control signal or stop signs in all directions at all intersections between two or more streets classified by DDOT as local, collector, or minor arterial. The bill amends the District of Columbia Traffic Adjudication Act of 1978 to authorize towing, to a street where parking is not prohibited, of a motor vehicle that is obstructing a bicycle lane or crosswalk, and to authorize the Mayor to mail citations of certain moving and non-moving violations. The bill amends the District of Columbia Comprehensive Bicycle Transportation and Safety Act of 1984 to create a Citizen Safety Enforcement Pilot Program. In addition, the bill amends section 2421.1 of title 18 of the District of Columbia Municipal Regulations to authorize the Department of Public Works or the Metropolitan Police Department to tow or impound a vehicle that has more than 5 outstanding citations for exceeding the speed limit by more than 30 miles per hour or for overtaking a vehicle stopped for a pedestrian.

**B23-288, the Vision Zero Enhancement Omnibus Amendment Act of 2019 as marked up**

The bill amends the District of Columbia Administrative Procedure Act to provide that the Mayor shall provide 10 days’ notice when proposing to install, modify, or amend a statement for guiding, directing, or otherwise regulating vehicular or pedestrian traffic, if the proposed installation, modification, or removal of the statement will increase safety at a location identified as a high-risk intersection or corridor in the Multimodal Long-Range Transportation Plan. The bill amends the Priority Sidewalk Assurance Act of 2010 to require the Mayor to install sidewalks on both sides of a street, to connect new sidewalks to existing sidewalks, to make crosswalks high-visibility crosswalks, and to make conforming amendments. The bill also amends the Department of Transportation Establishment Act of 2002 to provide that the DDOT shall not construct certain capital projects over $1 million without publishing a report on its website describing how the project relates to Vision Zero or other District goals, to provide that DDOT shall not issue a public space permit for certain projects over $1 million unless the plans include appropriate installations for new sidewalks or high-visibility crosswalks for unmarked crosswalks where appropriate, and the applicant has met the requirements of previous permits and restored crosswalks to be high-visibility and bike lanes to their pre-construction condition or as a protected bike lane, to require DDOT to maintain a webpage that makes all data collected pursuant to the Bicycle and Pedestrian Safety Amendment Act of 2016 publicly available and easily searchable, and to provide that each day a bike lane is not restored to its pre-construction condition or each day a crosswalk is not restored after construction to the condition called for in the Standard Specifications used by DDOT shall be a Class 1 infraction. The bill amends the District of Columbia Comprehensive Bicycle Transportation and Safety Act of 1984 to add the Director of the Department of Public Works to the Bicycle Advisory Council, and to require DDOT to construct a protected bike lane or cycle track on a road segment where called for in the District of Columbia’s Multimodal Long-Range Transportation Plan when DDOT is otherwise engaged in road reconstruction on that road segment. The bill amends the Distracted Driving Safety Act of 2004 to prohibit drivers from using headphones or earbuds that cover both ears while operating a motor vehicle, and to eliminate the provision that bars points from being assessed for a violation of the Distracted Driving Safety Act of 2004 when the violation does not contribute to an accident. The bill amends the Bicycle and Pedestrian Safety Amendment Act of 2016 to require DDOT to publish requests for all-way or signalized stops at intersections and, if the request is denied, to explain the agency’s reasoning as to why it denied the request, to require
DDOT to submit to the Council a Vision Zero infrastructure progress report on the District’s top 15 most dangerous corridors for pedestrians and cyclists including how proposed projects in those corridors increase safety, increase equitable access to public transportation, contribute to reaching the mode share goals in the Multimodal Long-Range Transportation Plan, and decrease the speed of motor vehicles in the corridor, to require that DDOT adopt an updated Complete Streets Policy, to require DDOT to update the Council on the progress of implementing the Complete Streets policy every 4 years; to require DDOT to update the Multimodal Long-Range Transportation Plan and then update the plan every 5 years, to require DDOT to post an incident report on its website within 60 days after a collision that causes a death or serious injury describing planned design changes to the site, and to add the Director of the Department of Motor Vehicles to the Major Crash Review Task Force. The bill amends the District of Columbia Traffic Act, 1925 to require applicants to convert an out-of-state license to take an examination of the applicant’s knowledge of certain traffic rules and regulations, to require DDOT, in coordination with other agencies, to conduct a public outreach campaign on Vision Zero; to prohibit right turns when facing a red traffic control signal in intersections within 400 feet of a school, recreation center, library, playground, Metrorail station entrance, or with a bike lane running through it, unless DDOT publishes an explanation as to why the prohibition would not increase safety, to reduce the speed limit on District roads classified by DDOT as local or collector to 20 miles per hour, and to provide for the revocation of a person’s license and vehicle registration if the person fails to enroll in the Ignition Interlock Program when required. The bill amends the Fiscal Year 1997 Budget Support Act of 1996 to require the Mayor to send warnings to drivers caught going 8 or more miles per hour over the speed limit by an automated traffic enforcement camera when the Mayor does not issues a summons and notice of infraction. The bill amends the Safety-Based Traffic Enforcement Amendment Act of 2012 to require the Mayor to have at least 75 operating red light cameras in the District by January 1, 2022, at least 10 operating bus lane enforcement cameras in the District by January 1, 2022, at least 30 operating stop sign cameras in the District by January 1, 2024, and at least 125 operating red light cameras in the District by January 1, 2024; to amend the District of Columbia Traffic Adjudication Act of 1978 to permit the Mayor to establish reciprocal agreements with states and other jurisdictions that provide for the suspension of vehicle registrations or driver’s licenses that accrue more than a certain amount of traffic fines in the District, to require the Mayor to enter into negotiations with Virginia and Maryland to establish such reciprocal agreements, and to require the Mayor to submit a report to the Council on the progress or result of such negotiations. The bill amends the Commercial Curbside Loading Zone Implementation Act of 2009 to require DDOT to issue rules to ensure certain new developments have appropriate loading and unloading zones. The bill amends Title 18 of the District of Columbia Municipal Regulations to require bicycles in the District to have a light on the rear, and to prohibit trailers from parking alongside an unprotected bike lane.

**CHRONOLOGY OF ACTION**

April 2, 2019  Referral of Bill 23-242 to the Committee on Transportation and the Environment

April 5, 2019  Notice of Intent to Act on Bill 23-242 is published in the *District of Columbia Register*

April 23, 2019  Introduction of Bill 23-257 by Councilmembers Cheh, Evans, Bonds, Robert White, Nadeau, Allen, Grosso, Silverman, Todd, and Gray with Co-sponsors Chairman Mendelson and Councilmember McDuffie

April 23, 2019  Referral of Bill 23-257 to the Committee on Transportation and the Environment

April 26, 2019  Notice of Intent to Act on Bill 23-257 is published in the *District of Columbia Register*

May 7, 2019  Introduction of Bill 23-288 by Councilmembers Allen, Bonds, Robert White, McDuffie, Nadeau, Grosso, Silverman, and Todd

May 7, 2019  Referral of Bill 23-288 to the Committee on Transportation and the Environment with comments from the Committee of the Whole

May 10, 2019  Notice of Intent to Act on Bill 23-288 is published in the *District of Columbia Register*

September 6, 2019  Notice of a public hearing on bills B23-242, B23-257, B23-288, B23-292, and B23-293 is published in the *District of Columbia Register*

September 16, 2019  Introduction of Bill 23-412 by Chairman Mendelson at the request of the Mayor

September 16, 2019  Introduction of Bill 23-415 by Chairman Mendelson at the request of the Mayor

September 17, 2019  Referral of Bill 23-412 to the Committee on Transportation and the Environment

September 17, 2019  Referral of Bill 23-415 to the Committee on Transportation and the Environment

September 20, 2019  Notice of Intent to Act of B23-412 published in the *District of Columbia Register*

September 20, 2019  Notice of Intent to Act of B23-415 published in the *District of Columbia Register*
Revised notice of a public hearing is published in the District of Columbia Register

Revised notice of a public hearing is published in the District of Columbia Register to include bills B23-412 and B23-415


Consideration and vote on Bill 23-288 by Committee on Transportation and the Environment

POSİTİON OF THE EXECUTİVE

On October 24, 2019, Jeff Marootian, Director of the District Department of Transportation, Gabriel Robinson, Director of the Department of Motor Vehicles, and Christopher Geldart, Director of the Department of Public Works testified on behalf of the Executive as to B23-242, B23-257, B23-288, B23-412, and B23-415.

Director Marootian testified on B23-257 and B23-288 specifically, expressing concerns with what the Executive believes to be overly prescriptive provisions in the bills that decrease the discretion of the Director of the District Department of Transportation to make traffic control and traffic design decisions. The Director testified that legislatively-mandated District-wide traffic controls erode DDOT’s authority and expertise to make safety-related decisions tailored for individual locations. The Director also testified that the bills require DDOT to submit reports that, in most cases, include information that DDOT already publishes and reports on.

Director Robinson testified on B23-412 and B23-415 specifically, expressing support for each. He testified that both bills are in pursuit of Vision Zero and will increase safety on the District’s streets.

Director Geldart testified on B23-242 specifically, expressing support for the legislation, and stating that it would be beneficial for him to attend Bicycle Advisory Council meetings.

RECOMMENDATIONS BY ADVISORY NEIGHBORHOOD COMMISSIONS

ANC 2A passed a resolution in favor of the Vision Zero Enhancement Omnibus Amendment Act.
ANC 2B passed a resolution supporting the efforts of the Vision Zero Enhancement Omnibus Amendment Act.

LIST OF WITNESSES AND HEARING RECORD

On October 24, 2019, the Committee on Transportation and the Environment held a public hearing on B23-242, the “Bicycle Advisory Council Expansion Amendment Act of 2019;” B23-257, the “Mandatory Protected Cycling Lane Amendment Act of 2019;” B23-288, the Vision Zero Enhancement Omnibus Amendment Act of 2019;” B23-292, the “Curb Extensions Act of 2019;” B23-293, the “Cyclist Safety Campaign Amendment Act of 2019;” B23-412, the “Ignition Interlock Program Amendment Act of 2019;” and B23-415, the “Vision Zero Distracted Driving Amendment Act of 2019.” A video recording of the hearing can be viewed online at oct.dc.gov. The hearing record was open until November 7, 2019. The following witnesses testified at the hearing or submitted statements outside of the hearing:

Corey Holman, public witness, testified in support of the Vision Zero related bills.

Robert Gardner, Director of Government Relations for Lime, testified in support of the Vision Zero related bills.

David Cranor, public witness, testified in support of the Vision Zero related bills and advocated for more aggressive legislation towards impaired driving.

Rachel Maisler, Chair of the Bicycle Advisory Council, testified in support of the Vision Zero related bills.

Meredith Tomason, member of DC Families for Safe Streets, testified in support of the Vision Zero related bills.

Kishan Putta, ANC 2E01 Commissioner, testified in support of the Vision Zero related bills.

Greg Billing, Director of the Washington Area Bicyclist Association, testified in support of the Vision Zero related bills.

Rudi Riet, public witness, testified in support of the Vision Zero related bills.

Amir Goodman, public witness, testified in support of the Vision Zero related bills.

Oliver Krupa, public witness, testified in support of the Vision Zero related bills.

Siddharth Kravetz, public witness, testified in support of the Vision Zero related bills.

Edward Garnett, public witness, testified in support of the Vision Zero related bills.
David Alpert, Director of DC Sustainable Transportation, testified in support of the Vision Zero related bills.

Tim Hampton, public witness, testified in support of the Vision Zero related bills.


Helaina Roisman, employee of GW Hospital, testified in support of the Vision Zero related bills and emphasized how cars cause extreme medical trauma to District residents.

Sabrina Sussman, public witness, testified in support of the Vision Zero related bills.

Dr. Susan Kartiko, Doctor at the GW Hospital Trauma Center, testified in support of the Vision Zero related bills and shared trauma data from GW Hospital.

Nino Paichadze, member of the Milken Institute on Public Health, testified in support of the Vision Zero related bills and advocated for better use of trauma data to inform decisions.

Iris McCollum Green, public witness, testified on B23-288, asking for stricter rules against cyclists and scooter users and for resolutions of standing issues in the Dupont Circle area.

Heather Foote, public witness, testified in support of increasing outreach from DDOT to elderly District residents.

Mark Sussman, public witness, testified in support of the Vision Zero related bills.

Dorothy Brizill, member of DC Watch, testified that the Vision Zero related bills were unrealistic and advocated for stricter rules against bicycle and scooter riders.

Josh Albertson, representative of Sierra Club DC, testified in support of the Vision Zero related bills.

Joshua Hertberg, public witness, testified in support of the Vision Zero related bills.

Josh Rising, Co-founder of Ward 3 Bicycle Advocates, testified in support of the Vision Zero related bills.

Martin Moulton, representative of the DC Libertarian Party, testified in support of the Vision Zero related bills and advocated for stricter rules against drivers who cause crashes.

Marcus Moreno, citizen of Eastland Gardens Association, testified on the issues facing the Far East community along Kenilworth Ave.
John B. Townsend, Director of Government Relations for AAA, testified in support of some parts of the Vision Zero related bills and against other parts of the bills.

Moira McCauley, representative of the Pedestrian Advisory Council, testified in support of the Vision Zero related bills with emphasis on slowing cars down to save lives.
Matthew Sampson, ANC 2B01 Commissioner, testified in support of the Vision Zero related bills.

Claudia Trapp, public witness, testified in support of the Vision Zero related bills.

Lauren Wolfe, public witness, testified in support of the Vision Zero related bills.

Heather Zaccaro, Representative of the National Complete Streets Coalition, testified in support of the Vision Zero related bills.

Jeff Johnson, public witness, testified in support of the Vision Zero related bills with emphasize on use of medical trauma data to make informed decisions.

Bettina Myers, public witness, testified in support of the Vision Zero related bills.

Aysha Ghadiali, public witness, testified in support of the Vision Zero related bills.

Alex Baca, public witness, testified in support of the Vision Zero related bills.

Kurt Erickson, Representative of the Washington Regional Alcohol Program, testified in support of the B23-412, the Ignition Interlock Program Amendment Act of 2019.

Galin Brooks, Director of the Downtown BID, testified in support of the Vision Zero related bills.

Garrett Hennigan, public witness, testified in support of the Vision Zero related bills.

Josh Gibson, public witness, testified on his concern with the sometimes lack of a pedestrian countdown clock at crosswalks in the District.

Nick DelleDonne, Representative of the Dupont East Civic Action Association, testified on his concerns with hazardous areas present in the Dupont Circle area.

Madeleine Spjut, representative of Responsibility.org, testified in support of B23-412, the Ignition Interlock Program Amendment act of 2019.

Brianne Eby, public witness, testified in support of the Vision Zero related bills.

Ronald Thompson Jr., public witness, testified in support of the Vision Zero related bills with emphasis on the deaths of black residents in the District from traffic crashes and how the government should better prioritize Vision Zero related changes.
Patrick Kennedy, ANC 2A01 Commissioner, testified in support of the Vision Zero related bills.

Aykut Yilmaz, public witness, testified in support of the Vision Zero related bills, especially as they relate to reaching the District’s climate goals.

Colin Hughes, public witness, testified in support of the Vision Zero related bills.

Ryan Keefe, public witness, testified in support of the Vision Zero related bills.

Jason Clock, ANC 1A12 Commissioner, testified in support of the Vision Zero related bills.

Rafael Tisch, public witness, testified in support of the Vision Zero related bills.

Kate Jentoft-Herr, public witness, testified in support of the Vision Zero related bills.

Alex Lopez, public witness, testified in support of the Vision Zero related bills.

Anders Pedersen, public witness, testified in support of the Vision Zero related bills with particular focus on issues in Ward 7.

Jason Broehm, public witness, testified in support of the Vision Zero related bills.

Christy Kwan, public witness, testified in support of the Vision Zero related bills.

Anjum Rosha, Representative of the Palisades Family Network, submitted testimony in support of DDOT’s proposed improvements to the Palisades Trolley Trail.

Brent Huggins, public witness, submitted testimony in support of the Vision Zero related bills.

Noah Gillespie, public witness, submitted testimony in support of the Vision Zero related bills.

Brian Levy, public witness, submitted testimony in support of the Vision Zero related bills.

Christopher Mrstik, public witness, submitted testimony in support of the Vision Zero related bills.

Cyrus Chimento, public witness, submitted testimony in support of the Vision Zero related bills.
Derek Swanson, public witness, submitted testimony in support of the Vision Zero related bills.

Doug Trapp, public witness, submitted testimony in support of the Vision Zero related bills.

Edward Borrengo, public witness, submitted testimony in support of the Vision Zero related bills.

Eileen McCarthy, Representative of the Pedestrian Advisory Council, submitted testimony in support of the Vision Zero related bills.

Elizabeth Patel, public witness, submitted testimony in support of the Vision Zero related bills.


Harriet Tregoning, public witness, submitted testimony in support of the Vision Zero related bills.

J.J. Swiderski, public witness, submitted testimony on scooter users and where they prefer to ride.

Jane Elkin, public witness, submitted testimony on specific improvements to each bill.

Janice Ferebee, ANC 2F08 Commissioner submitted testimony in support of B23-257 and B23-292.

Jeff Hild, public witness, submitted testimony in support of the Vision Zero related bills.

Jennifer Pierson, public witness, submitted testimony in support of the Vision Zero related bills.

Jessica L. Campbell, public witness, submitted testimony in support of the Vision Zero related bills and argued for more progressive fixes.


Katy Lang, public witness, submitted testimony in support of the Vision Zero related bills.

Kenne Kelderman, public witness, submitted testimony in support of the Vision Zero related bills.
Keya Chatterjee, Executive Director of the US Climate Action Network, submitted testimony in support of the Vision Zero related bills.

Kristin Frontiera, public witness, submitted testimony in support of the Vision Zero related bills.

Layala Tarar, public witness, submitted testimony in support of the Vision Zero related bills.

Leo Bosner, public witness, submitted testimony in support of the Vision Zero related bills.

Leona Agouridis, Executive Director of the Golden Triangle BID, submitted testimony in support of the Vision Zero related bills.

Mallory Garrison, public witness, submitted testimony in support of the Vision Zero related bills.

Marie J. Fritz, public witness, submitted testimony in support of the Vision Zero related bills.

Marion Hicks, public witness, submitted testimony in support of the Vision Zero related bills.

Mike Doyle, public witness, submitted testimony in support of the Vision Zero related bills.

Patricia Cunnington, public witness, submitted testimony on issues specific to Cathedral and New Mexico Avenues NW.

Patrick McMahon, public witness, submitted testimony in support of the Vision Zero related bills.

Peter Glover, public witness, submitted testimony in support of the Vision Zero related bills.

Raanan Barach, public witness, submitted testimony in support of the Vision Zero related bills.

Rachel Neurohr, public witness, submitted testimony requesting the Committee add a ban on wearing headphones while driving to the legislation.

Rosemarie Hepner, public witness, submitted testimony in support of the Vision Zero related bills.
Scott K. Hetz, public witness, submitted testimony in support of the Vision Zero related bills.

Stephanie Damassa, public witness, submitted testimony in support of the Vision Zero related bills.

Timothy A. Jones, public witness, submitted testimony in opposition to B23-257 as drafted.

Valerie Nannery, public witness, submitted testimony in support of the Vision Zero related bills.

Walter Tersch, public witness, submitted testimony in support of the Vision Zero related bills, but added that right-on-red should remain legal.

ANALYSIS OF IMPACT ON EXISTING LAW

B23-288 would amend the District of Columbia Administrative Procedure Act to provide that the Mayor shall provide 10 days’ notice when proposing to install, modify, or amend a statement for guiding, directing, or otherwise regulating vehicular or pedestrian traffic, if the proposed installation, modification, or removal of the statement will increase safety at a location identified as a high-risk intersection or corridor in the Multimodal Long-Range Transportation Plan. The goal is to decrease the time it takes for DDOT to make non-controversial safety-based modifications.

The bill amends the Priority Sidewalk Assurance Act of 2010 to require the Mayor to install sidewalks on both sides of a street, to connect new sidewalks to existing sidewalks, to make crosswalks high-visibility crosswalks, and to make conforming amendments. This provision builds on the success of the 2010 Act to require even more sidewalks in the District.

The bill also amends the Department of Transportation Establishment Act of 2002 to provide that DDOT shall not construct certain capital projects over $1 million without publishing a report on its website describing how the project relates to Vision Zero or other District goals, to provide that DDOT shall not issue a public space permit for certain projects over $1 million unless the plans include appropriate installations for new sidewalks or high-visibility crosswalks for unmarked crosswalks where appropriate, and the applicant has met the requirements of previous permits and restored crosswalks to be high-visibility and bike lanes to their pre-construction condition or as a protected bike lane, to require DDOT to maintain a webpage that makes all data collected pursuant to the Bicycle and Pedestrian Safety Amendment Act of 2016 publicly available and easily searchable, and to provide that each day a bike lane is not restored to its pre-construction condition or each day a crosswalk is not restored after construction to the condition called for in the Standard Specifications used by DDOT shall be a Class 1 infraction. This section has multiple goals. First, it seeks to add transparency to certain DDOT capital projects that relate to road safety. Second, the section aims to ensure that restoring bike lanes and crosswalks becomes the norm after road construction, and that some certain
projects go beyond simply restoring a bike lane but making it a protected bike lane as well. The section creates high fines for contractors who fail to restore the public space, but does so in a way that aligns those penalties with DDOT’s existing regulations for other public space penalties.

The bill amends the District of Columbia Comprehensive Bicycle Transportation and Safety Act of 1984 to add the Director of the Department of Public Works to the Bicycle Advisory Council, and to require DDOT to construct a protected bike lane or cycle track on a road segment where called for in the District of Columbia’s Multimodal Long-Range Transportation Plan when DDOT is otherwise engaged in road reconstruction on that road segment. This provision closely mirrors the sidewalk construction requirement in the Priority Sidewalk Assurance Act of 2010 but applies that requirement to bike lanes. This change will make it routine for DDOT to add a bike lane on streets that it is called for in the MoveDC plan when they are otherwise engaging in major reconstruction on that street.

The bill amends the Distracted Driving Safety Act of 2004 to prohibit drivers from using headphones or earbuds that cover both ears while operating a motor vehicle, and to eliminate the provision that bars points from being assessed for a violation of the Distracted Driving Safety Act of 2004 when the violation does not contribute to an accident. This section aims to reduce distracted driving by both banning the dangerous activity of driving with headphones and by removing the provision currently in law that does not add points to one’s license when they have been found guilty of distracted driving if such driving did not lead to an accident. This should act as a stronger deterrent against distracted driving.

The bill amends the Bicycle and Pedestrian Safety Amendment Act of 2016 to require DDOT to publish requests for all-way or signalized stops at intersections and, if the request is denied, to explain the agency’s reasoning as to why it denied the request, to require DDOT to submit to the Council a Vision Zero infrastructure progress report on the District’s top 15 most dangerous corridors for pedestrians and cyclists including how proposed projects in those corridors increase safety, increase equitable access to public transportation, contribute to reaching the mode share goals in the Multimodal Long-Range Transportation Plan, and decrease the speed of motor vehicles in the corridor, to require that DDOT adopt an updated Complete Streets Policy, to require DDOT to update the Council on the progress of implementing the Complete Streets policy every 4 years, to require DDOT to update the Multimodal Long-Range Transportation Plan and then update the plan every 5 years, to require DDOT to post an incident report on its website within 60 days after a collision that causes a death or serious injury describing planned design changes to the site, and to add the Director of the Department of Motor Vehicles to the Major Crash Review Task Force. This section aims to add transparency to many of DDOT’s capital projects that deal with bicyclist and pedestrian safety. The section also is intended to require DDOT to be proactive in updating the Complete Streets Policy and the Multimodal Long-Range Transportation Plan, which serves as the blueprint for the agency’s plans for a network of connected bike lanes. In addition, the section adds transparency to DDOT’s process of evaluating the safety of corridors after a deadly, or nearly deadly, crash.

The bill amends the District of Columbia Traffic Act, 1925 to require applicants to convert an out-of-state license to take an examination of the applicant’s knowledge of certain
traffic rules and regulations, to require DDOT, in coordination with other agencies, to conduct a public outreach campaign on Vision Zero; to prohibit right turns when facing a red traffic control signal in intersections within 400 feet of a school, recreation center, library, playground, Metrorail station entrance, or with a bike lane running through it, unless DDOT publishes an explanation as to why the prohibition would not increase safety, to reduce the speed limit on District roads classified by DDOT as local or collector to 20 miles per hour, and to provide for the revocation of a person’s license and vehicle registration if the person fails to enroll in the Ignition Interlock Program when required. This section is intended to ensure drivers converting another jurisdiction’s license to a District license are knowledgeable of safe driving practices in the District. The section is also intended to increase DDOT’s public outreach about Vision Zero. Lastly, the section makes driving law changes by banning right-on-red at many District intersections that are likely to have high numbers of pedestrians and by decreasing the speed limit on local and collector streets, in order to make those streets safer for pedestrians and cyclists.

The bill amends the Fiscal Year 1997 Budget Support Act of 1996 to require the Mayor to send warnings to drivers caught going 8 or more miles per hour over the speed limit by an ATE camera when the Mayor does not issues a summons and notice of infraction. The intention of this provision is to create a means by which a driver can be notified that they were speeding without necessarily punishing them. It should be noted, however, that the provision in no way limits the Mayor’s authority to ticket drivers who speed by less than 8 miles per hour.

The bill amends the Safety-Based Traffic Enforcement Amendment Act of 2012 to require the Mayor to have at least 75 operating red light cameras in the District by January 1, 2022, at least 10 operating bus lane enforcement cameras in the District by January 1, 2022, at least 30 operating stop sign cameras in the District by January 1, 2024, and at least 125 operating red light cameras in the District by January 1, 2024. This section is intended to force the Executive to disregard the unofficial freeze on the number of ATE locations in the District, and prioritize certain forms of safety enforcement.

The bill amends the District of Columbia Traffic Adjudication Act of 1978 to permit the Mayor to establish reciprocal agreements with states and other jurisdictions that provide for the suspension of vehicle registrations or driver’s licenses that accrue more than a certain amount of traffic fines in the District, to require the Mayor to enter into negotiations with Virginia and Maryland to establish such reciprocal agreements, and to require the Mayor to submit a report to the Council on the progress or result of such negotiations. The intent of this provision is for the Mayor to work with Maryland and Virginia in order to get their cooperation in penalizing drivers from those states who accrue thousands of dollars in parking and ATE fines in the District.

The bill amends the Commercial Curbside Loading Zone Implementation Act of 2009 to require DDOT to issue rules to ensure certain new developments have appropriate loading and unloading zones. The aim of this provision is to ensure new residential developments in the District have thought out and created space for for-hire vehicles and package delivery services to have a spot to park while loading and unloading that does not block a bike lane or a sidewalk.
The bill amends Title 18 of the District of Columbia Municipal Regulations to require bicycles in the District to have a light on the rear, and to prohibit trailers from parking alongside an unprotected bike lane. This change is to increase bicyclist safety by making them more visible to cars and by prohibiting trailers from parking in such a way that they could partially block a bike lane.

**SUMMARY OF FISCAL IMPACT**

A fiscal impact statement issued by the Chief Financial Officer on July 10, 2020 is attached to this report. The Chief Financial Officer concluded that implementation of Bill 23-148 would cost $41,743,000 in fiscal year 2020 and $171,485,000 over the four-year financial period.

**SECTION-BY-SECTION ANALYSIS**

*Section 1* provides a short title.

*Section 2* amends the District of Columbia Administrative Procedure Act to decrease the number of days from 30 to 10 for which DDOT must provide notice to an ANC when proposing to modify, install, or remove any statement for guiding, directing or otherwise regulating vehicular or pedestrian traffic changes if DDOT has published a brief reasoning on its website describing how the proposed installation, modification, or removal will increase safety at a location identified as a high-risk intersection or corridor in the Multimodal Long-Range Transportation Plan.

*Section 3* amends the Priority Sidewalk Assurance Act of 2010 to require DDOT to install sidewalks on both sides of a street when engaging in reconstruction or major repair, installation of a curb and gutter, or curb and gutter replacement on a road segment that lacks a sidewalk on one or both sides of the street. The section also requires DDOT to install marked crosswalks when engaging in road work where one should go in accordance with the Manual on Uniform Traffic Devices.

*Section 4* amends the District Department of Transportation Establishment Act of 2002 to require DDOT to publish reports on certain capital projects in the public space describing how the project fulfills specific District objectives. The section also prohibits DDOT from issuing public space permits for certain projects unless the project’s plans conform to new requirements on restoring and enhancing sidewalks, crosswalks, and bike lanes; and DDOT has certified that the applicant’s past projects in the public space that occurred after the effective date of this Act have complied with these requirements. This section also requires DDOT to maintain a webpage that makes public all data it collects pursuant to the Bicycle and Pedestrian Safety Amendment Act of 2016 and all data the Department of Health collects for its annual Trauma Registry Report. This Section also makes failure to comply with restoration of public space a Class 1 infraction under Chapter 32 of Title 16 of the District of Columbia Municipal Regulations.
Section 5 amends the District of Columbia Comprehensive Bicycle Transportation and Safety Act of 1984 to add DPW to the Bicycle Advisory Committee and to require DDOT to install protected bike lanes where called for in the Multimodal Long-Range Transportation Plan when engaging in road reconstruction or major repair, installation of a curb and gutter, or curb and gutter replacement on that road segment.

Section 6 amends the Distracted Driving Safety Act of 2004 to prohibit drivers from having headphones or earbuds in both ears while driving and to remove the provision that bars points being added to one’s license when cited for distracted driving unless the driving causes an accident.

Section 7 amends the Bicycle and Pedestrian Safety Amendment Act of 2016 to require DDOT to publish requests for all-way stops and, if the request is not granted, an explanation as to why the request was not granted. The section also requires DDOT to annually submit to the Council a Vision Zero progress report that details the 15 most dangerous corridors for pedestrians and cyclists in the District and explains the projects planned to make those corridors safer. This section also requires DDOT to update the Multimodal Long-Range Transportation Plan by September 30, 2021 and every 5 years thereafter. The section also requires DDOT to update its Complete Streets Policy by September 30, 2021. This section also requires DDOT to inspect the site of any collision in the District that causes death or an injury like to lead to death and report its plans to improve the corridor’s safety.

Section 8 amends the District of Columbia Traffic Act to require those converting an out-of-state license to take the written driver knowledge examination, unless the license holder has taken the exam within the last five years. This section also requires DDOT to conduct an outreach program in all eight Wards detailing Vision Zero, pedestrian, and bicycle safety. This section also sets the speed limit on all streets classified by DDOT as local and collector streets to 20 miles per hour or less. This section also bans right-on-red turns at all intersection within 400 feet of a playground, school, recreation center, library, Metrorail station entrance; and at all intersections with a bike lanes running through it, unless DDOT publishes an explanation on its website as to why banning right on red at a particular location would not increase safety. This section also requires the revocation of a driver’s license if the driver fails to enroll in the ignition interlock program as required by law.

Section 9 amends the Fiscal Year 1997 Budget Support Act of 1996 to require the Mayor to sends warnings to drivers caught driving over the applicable speed limit by 8 miles per hour or more by an ATE camera if the Mayor decides not to issue a notice of infraction.

Section 10 amends the Safety-Based Traffic Enforcement Amendment Act of 2012 to set the minimum number of red light, bus lane, and stop-sign enforcement cameras the Mayor must have in operation.

Section 11 amends the District of Columbia Traffic Adjudication Act of 1978 to require the Mayor to enter into negotiations with Maryland and Virginia to establish reciprocal agreements that provide for the suspension of vehicle registrations or driver’s licenses for vehicles registered in that state or jurisdiction that accrue more than an amount, to be determined
in negotiations with the states or other jurisdictions, of non-moving violation fines and automated traffic enforcement fines in the District.

Section 12 amends the Commercial Curbside Loading Zone Implementation Act of 2009 to require DDOT to write rules that require owners of residential buildings with 50 or more residential units to submit to DDOT for approval plans on how it plans to deal with loading and unloading commercial vehicles as well as loading and unloading private and public vehicles for hire.

Section 13 amends the District of Columbia Municipal Regulations to require bicycles in the District to have a red taillight and to ban certain vehicles from parking alongside a bike lane when not engaging in work at the location for which the vehicle is reasonably necessary.

Section 15 contains the applicability clause.

Section 16 contains the Fiscal impact statement.

Section 17 contains the effective date.

COMMITTEE ACTION

On July 10, 2020, the Committee on Transportation and the Environment held an Additional Meeting to consider Bill 23-288, the “Vision Zero Enhancement Omnibus Amendment Act of 2020.” Present and voting were Chairperson Mary M. Cheh and Councilmembers Allen, McDuffie, Pinto, and Todd. Chairperson Cheh gave a brief opening statement that explained the bill and asked if there was further discussion. Councilmember Allen thanked the Chairperson and her staff for their work on the bill and discussed his support for the bill with an emphasis on the need for transparency when DDOT is requested to create a four-way stop at an intersection, and the importance of transit equity. Councilmember Todd also thanked the Chairperson and her staff and spoke about the importance of sidewalks on both sides of the street. Councilmember Pinto thanked the Chairperson and spoke about her support of the bill as well as her desire to learn more about the bicycles rear-light requirement. Councilmember McDuffie thanked the chairperson for her work on the bill and spoke about his support of the bill and mentioned his concerns with ATE cameras at their impact on communities of color.

Chairperson Cheh then moved for approval of the Committee print and Committee report of Bill 23-288. The Committee voted 5 - 0 to approve the Committee print and Committee report with the members voting as follows:

YES: Cheh, Allen, Todd, Pinto, McDuffie

NO: 0

PRESENT: 0
ATTACHMENTS

(A) Bill 23-288, as introduced, with the Referral Memo
(B) Fiscal Impact Statement
(C) Legal Sufficiency Determination
(D) Comparative Print of Bill 23-288
(E) Committee Print of Bill 23-288
A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the District of Columbia Administrative Procedure Act to provide that the Mayor shall provide 10 days’ notice when proposing to install, modify, or amend a statement for guiding, directing, or otherwise regulating vehicular or pedestrian traffic, if the proposed installation, modification, or removal of the statement will increase safety at a location identified as a high-risk intersection in the Multimodal Long-Range Transportation Plan; to amend the Construction Codes Approval and Amendments Act of 1986 to provide that the Building Code Official shall not issue a permit if certain conditions are not met; to amend the Priority Sidewalk Assurance Act of 2010 to require the Mayor to install sidewalks on both sides of a street, to connect new sidewalks to existing sidewalks, to mark unmarked crosswalks, and to make conforming amendments; to amend the Department of Transportation Establishment Act of 2002 to require the District Department of Transportation (“DDOT”) to submit to the Council a Vision Zero infrastructure progress report, to require DDOT to make certain information publicly available and easily searchable, to require DDOT to issue reports describing how certain capital projects implement projects or recommendations in the Multimodal Long-Range Transportation Plan, increase safety for users of modes of transportation other than motor
vehicles, increase equitable access to public transportation, or fulfill public safety goals or requirements of law or a federal grant, to provide that DDOT shall not issue a public space permit for certain projects unless the plans include installing new sidewalks, bicycle lanes or cycle tracks, or marked crosswalks and the applicant has met the requirements of previous permits and returned crosswalks and bike lanes to their pre-construction condition, and to provide for fines for each day that crosswalks and bike lanes are not returned to pre-construction condition; to amend the Bicycle and Pedestrian Safety Amendment Act of 2016 to collect information about the speed of motor vehicles involved in a collision or that receive moving violations, to require that DDOT adopts a transparent standard project delivery process, to require DDOT to update every two years the Multimodal Long-Range Transportation Plan and to require Council approval of the Multimodal Long-Range Transportation Plan, and to require DDOT to submit an incident report to the Council if a collision causes a death or serious injury; to amend the District of Columbia Traffic Act of 1925 to require all applicants for a new or renewal motor vehicle operator’s permit take a written test of knowledge, to reduce the speed limit on District roads classified by DDOT as local, collector, minor arterial, and principal arterial, to prohibit right turns when facing a red traffic control signal, and to require a traffic control signal or stop signs in all directions at all intersections between two or more streets classified by DDOT as local, collector, or minor arterial; to amend the District of Columbia Traffic Adjudication Act of 1978 to authorize towing, to a street where parking is not prohibited, of a motor vehicle that is obstructing a bicycle lane or crosswalk, and to authorize the Mayor to mail citations of certain moving and non-moving violations; to amend the District of Columbia Comprehensive Bicycle Transportation and Safety Act of 1984 to create a Citizen Safety Enforcement Pilot Program; and to amend section 2421.1 of title 18 of the District of Columbia Municipal Regulations to authorize the Department of Public Works or the Metropolitan Police Department to tow or impound a vehicle that has more than 5 outstanding citations for exceeding the speed limit by more than 30 miles per hour or for overtaking a vehicle stopped for a pedestrian.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,

That this act may be cited as the "Vision Zero Enhancement Omnibus Amendment Act of 2019".

Sec. 2. The District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1203; D.C. Official Code § 2-501 et seq.) is amended as follows:

(a) Section 3(6)(B)(iv) (D.C. Official Code § 2-502(6)(B)(iv)) is amended by
striking the phrase "30-days written notice, via electronic delivery, excluding Saturdays, Sundays and legal holidays" and inserting the phrase "30 days' written notice, or 10 days' written notice if the District Department of Transportation has published on its website a report describing how the proposed installation, modification, or removal of the statement will increase safety at a location identified as a high-risk intersection in the Multimodal Long-Range Transportation Plan approved by the Council pursuant to section 302(b) of the Bicycle and Pedestrian Safety Amendment Act of 2016, effective October 8, 2016 (D.C. Law 21-155; D.C. Official Code § 50-2381, et seq.), via electronic delivery, excluding Saturdays, Sundays and legal holidays" in its place.

(b) Section 301(e)(2)(D) (D.C. Official Code § 2-551(5)(B)(iv)) is amended by striking the phrase "30-days written notice, via electronic delivery, excluding Saturdays, Sundays and legal holidays" and inserting the phrase "30 days' written notice, or 10 days' written notice if the District Department of Transportation has published on its website a report describing how the proposed installation, modification, or removal of the statement will increase safety at a location identified as a high risk intersection in the Multimodal Long-Range Transportation Plan approved by the Council pursuant to section 302(b) of the Bicycle and Pedestrian Safety Amendment Act of 2016, effective October 8, 2016 (D.C. Law 21-155; D.C. Official Code § 50-2381, et seq.), via electronic delivery, excluding Saturdays, Sundays and legal holidays" in its place.

Sec. 3. Section 6a of the Construction Codes Approval and Amendments Act of 1986, effective March 21, 1987 (D.C. Law 6-126; D.C. Official Code § 6-1405.01) is amended by adding a new subsection (d) to read as follows:

"(d) The Building Code Official shall not issue a permit required by the
Construction Codes for a project that will include 10 or more dwelling units unless the District Department of Transportation ("DDOT") provides a report, published on DDOT's website, describing how the design of the project:

"(1) Ensures that pick-up and drop-off by private vehicles-for-hire and public vehicles for-hire, as those terms are defined in (D.C. Official Code § 50-301.03), within 0.1 miles of the project will not create unsafe conditions for users of the public right of way; and

"(2) Ensures that deliveries of commercial products or services made to any building that is part of the project by motor vehicles, as that term is defined in section 8 of An Act To provide for the annual inspection of all motor vehicles in the District of Columbia, effective March 15, 1985 (D.C. Law 5-176; D.C. Official Code § 50-1108), will not create unsafe conditions for users of the public right of way.

Sec. 4. The Priority Sidewalk Assurance Act of 2010 (D.C. Law 18-227; D.C. Official Code § 9-425.01 et seq.) is amended as follows:

(a) Section 2(a) is amended by striking the phrase "on at least one side of the street" and inserting the phrase "on the side of the street that lacks a sidewalk" in its place.

(b) A new section (a-1) is added to read as follows:

"(a-1) When installing a new sidewalk pursuant to subsection (a), the new sidewalk shall connect to an existing sidewalk if there is an existing sidewalk within 0.1 miles of the new sidewalk, on either end, that allows travel in the same direction and is on the same side of the street as the new sidewalk."

(c) A new section 2a is added to read as follows:

"Sec. 2a. Crosswalk installation requirements"
"For a road segments that have a crosswalk, as that term is defined in 18 DCMR § 9901.1, that is not marked, road reconstruction, major repair, or curb and gutter replacement shall include installation of a marked crosswalk, unless the Mayor publishes a report on the District Department of Transportation's website certifying that a marked crosswalk would be unsafe for pedestrians; provided, that if the road segment includes a location that meets the standards for high-visibility crosswalk markings or an elevated crosswalk in the District Department of Transportation's Design and Engineering Manual, the project plans shall include installation of high-visibility crosswalk markings or an elevated crosswalk.

(d) Section 3 is amended as follows:

(1) The lead-in language is amended by striking the phrase "constructing new sidewalks." and inserting the phrase "constructing new sidewalks or crosswalks." in its place.

(2) Paragraph (1) is amended by striking the phrase "construct a new sidewalk no less than 60 days before construction is scheduled" and inserting the phrase "construct a new sidewalk or crosswalk no less than 60 days before construction is scheduled" in its place.

(3) Paragraph (2) is amended by striking the phrase "the proposed sidewalk" both times it appears and inserting the phrase "the proposed sidewalk or crosswalk" in its place.

Sec. 5. The Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.01, et seq.), is amended as follows:
(a) Section 3 (D.C. Official Code § 50-921.02) is amended by adding a new subsection (h) to read as follows:

"(h) On the date the Mayor makes the annual budget submission to the Council, the Director shall submit to the Council a Vision Zero infrastructure progress report that includes:

"(1) A list of all projects and recommendations in the Multimodal Long-Range Transportation Plan as approved by the Council pursuant to section 302(b) of the Bicycle and Pedestrian Safety Amendment Act of 2016, effective October 8, 2016 (D.C. Law 21-155; D.C. Official Code § 50-2381, et seq.) ("Transportation Plan"), including the ward or wards that each project is located in, and for each project or recommendation, a description of how the project or recommendation would:

"(A) Reduce fatalities and serious injuries;

"(B) Increase equitable access to public transportation;

"(C) Contribute to reaching the mode share goals in the Transportation Plan; and

"(D) Decrease the speed of motor vehicles;

"(2) A description of and the expected delivery date for all projects listed in the Transportation Plan, or projects that implement a recommendation in the Transportation Plan, for which funds have been allocated in the capital improvements plan ("CIP").

"(3) For each project or recommendation listed in the Transportation Plan that is funded in the CIP at least 2 years after the current fiscal year, a description of interim measures that will be installed during the following fiscal year to provide an
impact, measured by the factors listed in paragraph (1), substantially similar to the project or recommendation; and

"(4) For any project that is not funded in the CIP, or any recommendation in the Transportation Plan for which there is no funded project that would implement the recommendation, a detailed description of why the project or recommendation was not funded, including for each project or recommendation that is not funded:

"(A) An analysis of the factors listed in subparagraph (A);

"(B) An explanation of how funding or not funding the project or recommendation would make the allocation of capital funds to DDOT more equitable across all 8 wards; and

"(C) A description of any projects funded in the CIP, or current DDOT policies, that provide an impact, measured by the factors listed in subparagraph (A), substantially similar to the project or recommendation."

(b) Section 5 (D.C. Official Code § 50-921.04) is amended as follows:

(1) Subsection (a)(5) is amended as follows:

(A) Subparagraph (A) is amended by striking the phrase "; and" and inserting a semicolon in its place.

(B) Subparagraph (B) is amended by striking the semicolon and inserting the phrase "; and" in its place.

(C) A new subparagraph (C) is added to read as follows:

"(C) Maintain a webpage that makes publicly available and easily
(i) All data the Mayor is required to collect pursuant to sections 101 – 106 of the Bicycle and Pedestrian Safety Amendment Act of 2016, effective October 8, 2016 (D.C. Law § 21-155; D.C. Official Code § 50-1951.01 – § 50-1951.06);

(ii) Data in the Department of Health’s annual Trauma Registry report;

(iii) All data collected by the Mayor measuring the speed of motor vehicles, including the time, date, and location on which the data was collected; provided, that the data shall be disaggregated and anonymized before it is made publicly available.

(2) New subsections (a-1) and (a-2) are added to read as follows:

(a-1) The Project Delivery Administration shall not construct a capital project pursuant to subsection (a)(1)(D) if the project will require any reconstruction, major repair, or curb and gutter replacement on a segment of road or sidewalk unless DDOT has published a report on its website describing how the project:

(1) Implements a project or recommendation listed in the Multimodal Long-Range Transportation Plan approved by the Council pursuant to section 302(b) of the Bicycle and Pedestrian Safety Amendment Act of 2016, effective October 8, 2016 (D.C. Law 21-155; D.C. Official Code § 50-2381, et seq.) (“Transportation Plan”);

(2) Increases safety for users of modes of transportation other than motor vehicles, as that term is defined in section 8 of An Act To provide for the annual inspection of all motor vehicles in the District of Columbia, effective March 15, 1985
(D.C. Law 5-176; D.C. Official Code § 50-1108);

"(3) Increases equitable access to public transportation by furthering Transportation Plan's goal of 50% of all commuter trips by public transportation by 2032; provided, that the report shall describe whether the project improves access to transit in an area identified as a transit priority need area in the Transportation Plan;

"(4) Fulfills a public safety goal of the District of Columbia; or

"(5) Fulfills a requirement of law or a federal grant.

"(a-2) The Operations Administration shall not approve a request for or issue a permit pursuant to subsection (a)(3)(E) if the project will require any reconstruction, major repair, or curb and gutter replacement on a segment of road or sidewalk unless:

"(1) The project plan includes:

"(A) For a road segment that lacks a sidewalk on the side of the street where the project for which a permit is requested will occur, installation of a new sidewalk and connection to an existing sidewalk if there is an existing sidewalk within 1/10 of one mile of the new sidewalk, on either end, that allows travel in the same direction and is on the same side of the street as the new sidewalk;

"(B) For a road segment that was included in the Recommended Bicycle Network in the District of Columbia's Multimodal Long-Range Transportation Plan, installation of a new protected bicycle lane or cycle track and a connection to an existing bike lane if there is an existing bike lane within 1/10 of one mile of either end of the new protected bicycle lane or cycle track; provided that, DDOT may waive this requirement if DDOT makes a showing that construction of a protected bicycle lane or cycle track on the road segment will begin during the period during which
the permit requested pursuant to subsection (a)(3)(E) is valid, or within 6 months of the
expiration of the permit requested pursuant to subsection (a)(3)(E); and

"(C) For a road segment that includes a crosswalk, as that term is
defined in 18 DCMR § 9901.1, that is not marked, a marked crosswalk, unless the
Director certifies that a marked crosswalk would be unsafe for pedestrians; provided, that
if the road segment includes a location that meets the standards for high-visibility
crosswalk markings, or an elevated crosswalk, in DDOT’s Design and Engineering
Manual, the project plans shall include installation of high-visibility crosswalk markings
or an elevated crosswalk; and

“(2) For any completed project for which DDOT issued a permit pursuant to
subsection (a)(3)(E), DDOT certifies that:

“(A) The applicant has installed all elements of project plans
required by paragraph (1) of this subsection; or

“(B) The applicant has returned the markings for all crosswalks
and bicycle lanes to their pre-construction condition.”.

(c) Section 9k(b) (D.C. Official Code § 50-921.19(b)) is amended by striking the
phrase “penalties may be imposed for each day that the violation continues” and inserting
the phrase “penalties may be imposed for each day that the violation continues; provided,
that, beginning 24 hours after the completion of a project for which DDOT has issued a
permit pursuant to section 5(a)(3)(E) of this act, the Director shall impose a fine of at
least $10,000 per calendar day until the applicant has returned all markings for
crosswalks and bicycle lanes to their pre-construction condition, unless the project plans
required installation of a new bicycle lane, high-visibility crosswalk markings, or an
elevated crosswalk” in its place.

Sec. 6. The District of Columbia Comprehensive Bicycle Transportation and Safety Act of 1984, effective March 16, 1985 (D.C. Law 5-179; D.C. Official Code § 50-1601 et seq.), is amended by adding a new section 4a to read as follows:

“Sec. 4a. Citizen Safety Enforcement Pilot Program.

“(a) The District Department of Public Works (“Department”) shall establish a Citizen Safety Enforcement Pilot Program to authorize a District resident, other than an employee of an agency of the District of Columbia, who has been trained pursuant to subsection (e) of this section, to document a vehicle obstructing:

“(1) A bicycle lane in violation of 18 DCMR § 2405.7;
“(2) A crosswalk, in violation of 18 DCMR § 2405.1(b);
“(3) A bus lane, in violation of 18 DCMR § 2405.1(i); or
“(4) The streetcar guideway, in violation of 18 DCMR § 2405.1(h).

“(b) The Department shall create a mobile application (“the app”) that allows a District resident who has been trained pursuant to subsection (e) of this section to submit to the Department a photograph of a vehicle obstructing a bicycle lane in violation of 18 DCMR § 2405.7.

“(c) A photograph taken with the app shall indicate the time and location that the photograph was taken.

“(d) A photograph and the accompanying information submitted through the app shall be treated as a notice of infraction issued pursuant to title III of the District of Columbia Traffic Adjudication Act of 1978, effective September 12, 1978 (D.C. Law 2-104; D.C. Official Code § 50-2303.01 et seq.).
“(e)(1) The Department shall develop a pilot training program for up to 10 residents of each ward that shall provide training in:

“(A) Bicycle and pedestrian safety;

“(B) Laws, regulations, policies, and best practices related to issuing notices of infraction for parking violations;

“(C) Proper use of the app; and

“(D) Conflict resolution techniques.

“(2) The Department shall provide 60 days for District residents to apply to participate in the training program.

“(3) If more than 10 District residents in each ward apply to join the training program, the Department shall choose 10 residents from each ward by lottery.

“(f) If the Department determines that a resident has successfully completed the training program described in subsection (e) of this section, the Department shall provide the resident with access to the app.

“(g) Anyone who knowingly submits false information through the app, or who provides anyone not authorized by the Department with access to the app, shall be subject to a civil fine of up to $100.

“(h) One year after the Department ends the pilot training program created pursuant to subsection (e), the Department shall transmit a report to the Council describing:

“(1) The number of District residents trained pursuant to subsection (e) of this section;

“(2) The number of District residents provided access to the app pursuant
to subsection (f) of this section;

“(3) The number of notices of infraction documented through the app;

“(4) The number of notices of infraction documented through the app that were dismissed;

“(5) Any evidence of confrontations attributable to the Citizen Bike Safety Enforcement Pilot Program; and

“(6) Recommendations for improvements to or expansions of the Citizen Bike Safety Enforcement Pilot Program.”.

Sec. 7. The Bicycle and Pedestrian Safety Amendment Act of 2016, effective October 8, 2016 (D.C. Law 21-155; D.C. Official Code § 50-1951.01 et seq.) is amended as follows:

(a) Section 102(a) (D.C. Official Code § 50-1951.02(a)) is amended as follows:

(1) Paragraph (6) is amended by striking the phrase “; and” and inserting a semicolon in its place.

(2) Paragraph (7) is amended by striking the period and inserting the phrase “; and” in its place.

(3) A new paragraph (8) is added to read as follows:

“(8) The speed of any motor vehicle involved in the collision.”.

(b) Section 103(a) (D.C. Official Code § 50-1951.03(a)) is amended as follows:

(1) Paragraph (9) is amended by striking the phrase “; and” and inserting a semicolon in its place.

(2) Paragraph (10) is amended by striking the period and inserting the phrase “; and” in its place.
(3) A new paragraph (11) is added to read as follows:

"(11) The speed of the motor vehicle that committed the moving infraction."

c) A new section 301(c-1) is added to read as follows:


"(1) Descriptions of all project phases, including identification, planning, construction, and operation;

"(2) A chart listing all projects DDOT manages or constructs, pursuant to section 5(a)(1)(D) of the Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.04(a)(1)(D)), or issues a permit for, pursuant to section 5(a)(3)(E) of the Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.04(a)(3)(E)), describing the steps to complete each project phase, and whether, for each project, a given step is required, optional, or inapplicable;

"(3) A decision tree showing how street typology, existing and planned land use, modal hierarchy, and any additional factors determine street design, and whether various elements are required, recommended, optional, or not required based on
the Transportation Strategic Plan, the Pedestrian Master Plan, the Bicycle Master Plan, Multimodal Long Range Transportation plan as adopted in, and other DDOT plans"

(d) New sections 302 and 303 are added to read as follows:

"Sec. 302. Multimodal Long-Range Transportation Plan.

"(a) By September 30, 2020, and every two years thereafter, the Mayor shall submit to Council a Multimodal Long-Range Transportation Plan that includes:

"(1) A plan to ensure that by 2032, 50% of all commuter trips in all wards are on public transportation and an additional 25% of commuter trips in all wards are by a mode of transportation other than motor vehicle;

"(2) A plan to ensure equitable access to public transportation in all wards, including a list of transit priority need areas that DDOT has identified as having a below average transit access rating;

"(3) A list of streets on, or Metrobus lines for which, DDOT plans to designate a vehicle travel lane for use exclusively by public transportation, including at least one street in, or Metrobus line that serves, each ward;

"(4) A list of high-risk intersections DDOT has identified as having an above average number of crashes leading to a death or serious injury in the previous two years, or that DDOT certifies as being at high risk of a crash that could lead to death or serious injury in the future;

"(5) Any elements the Council, in an approval resolution for the current plan, has directed DDOT to include.

"(b) The Council shall, by resolution, approve or disapprove the plan; provided, that if the Council does not pass a disapproval resolution within 60 days, the plan shall be
deemed approved.

"(c) Until the Council approves the first plan submission required by subsection (a), the Multimodal Long-Range Transportation Plan published by the District Department of Transportation on October 21, 2014 is deemed approved by the Council.

"(d) For purposes of this subsection, the term:

"(1) "Public transportation" means any publicly owned or operated commercial vehicle, including DC Circulator, DC Streetcar”, MetroAccess, Metrobus, or Metrorail; and

"(2) "Transit access rating" means a neighborhood’s average transit score, using the formula available on www.walkscore.com, or another formula that DDOT has created.

"Sec. 303. Incident report required.

"Within 30 days of a collision, as that term is defined in section 2(3) of the District of Columbia Traffic Act of 2915, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(3)), that causes a death or serious injury, the District Department of Transportation ("DDOT") shall transmit to the Council and publish on its website an incident report describing:

"(1) Interim design elements that, after the collision, DDOT has installed at the site of the collision;

"(2) Permanent or interim design elements that DDOT plans to install at the site of the collision; and

"(3) Whether the site of the collision is identified as a high-risk intersection in the Multimodal Long-Range Transportation Plan approved by the Council pursuant to
section 302(b)."

Sec. 8. The District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.01 et seq.), is amended as follows:

(a) Section 7(a)(1)(B)(i) (D.C. Official Code § 50-1401.01(a)(1)(B)(i)) is amended by striking the phrase "An examination of the applicant's knowledge of the traffic regulations" and inserting the phrase "A written examination, that shall not be waived for any reason, measuring, for all applicants for a new or renewed motor vehicle operator’s permit, the applicant's knowledge of the traffic regulations" in its place.

(b) Section 9(a) (D.C. Official Code § 50-2201.04(a)) is amended by striking the phrase "under the authority of this act." and inserting the phrase "under the authority of this act; provided, that no vehicle shall be operated at a rate of speed greater than 20 miles per hour on a street classified by the District Department of Transportation as local, collector, or minor arterial; and provided further, that no vehicle shall be operated at a rate of speed greater than 25 miles per hour on a street classified by the District Department of Transportation as a principal arterial." in its place.

(c) A new section 9e is added to read as follows:

"Sec. 9e. Traffic control at intersections.

(a) A motor vehicle operator shall not make a right turn when facing a red traffic control signal.

(b)(1) At all intersections between two or more streets classified by the District Department of Transportation as local, collector, or minor arterial, the intersection shall be controlled by a traffic control signal or stop signs in all directions.

(2) The Mayor may install alternate traffic controls, that do not comply with
subsection (a), at intersections between two or more streets classified by the District Department of Transportation as local, collector, or minor arterial if the District Department of Transportation has published on its website a report describing how the alternate traffic controls provide safer conditions for users of modes of transportation other than motor vehicles, as that term is defined in section 8 of An Act To provide for the annual inspection of all motor vehicles in the District of Columbia, effective March 15, 1985 (D.C. Law 5-176; D.C. Official Code § 50-1108).”.

Sec. 9. The District of Columbia Traffic Adjudication Act of 1978, effective September 12, 1978 (D.C. Law 2-104; D.C. Official Code § 50-2301.01 et seq.) is amended as follows:

(a) Section 303(c-1) (D.C. Official Code § 50-2303.03(c-1)), is amended by striking the phrase “When a violation is detected by an automated parking enforcement system, the Mayor shall” and inserting the phrase “When a violation is detected by an automated parking enforcement system, when the operator of a motor vehicle leaves the site of a violation before personal service or service by affixing the notice to the vehicle can be effectuated, or when evidence of a violation is transmitted pursuant to section 4a(b), (c), and (d) of The District of Columbia Comprehensive Bicycle Transportation and Safety Act of 1984, effective March 16, 1985 (D.C. Law 5-179; D.C. Official Code § 50-1601 et seq.), the Mayor may” in its place.

(b) Section 505 (D.C. Official Code § 50-2201.21) is amended by striking the phrase “a vehicle conveyance fee,” and inserting the phrase “a vehicle conveyance fee; provided, that a vehicle that is obstructing a bicycle lane or crosswalk may be towed and conveyed to any street where parking is not prohibited, pursuant to 18 DCMR § 2421.1.”
Sec. 10. Section 2421.1 of Title 18 of the District of Columbia Municipal Regulations is amended by striking the phrase “Any unattended vehicle found parked in violation of any traffic regulation, except overtime parking of less than twenty-four (24) hours, may, by or under the direction of a member or members of the Metropolitan Police force or employees of the Department of Public Works” and inserting the phrase “Any unattended vehicle found parked in violation of any traffic regulation, except overtime parking of less than twenty-four (24) hours, or an unattended vehicle that has more than 5 outstanding citations for violations of 22 DCMR § 2200.12 or § 2221.5, may, by or under the direction of a member or members of the Metropolitan Police Department or employees of the Department of Public Works” in its place.

Sec. 11. Fiscal impact statement.


Sec. 12. Effective date.

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

To : Members of the Council
From : Nyasha Smith, Secretary to the Council
Date : May 07, 2019
Subject : Referral of Proposed Legislation

Notice is given that the attached proposed legislation was introduced in the Legislative Meeting on Tuesday, May 7, 2019. Copies are available in Room 10, the Legislative Services Division.


INTRODUCED BY: Councilmembers Allen, Bonds, R. White, McDuffie, Nadeau, Grosso, Silverman, and Todd

CO-SPONSORED BY: Chairman Mendelson and Councilmembers Gray and Evans

The Chairman is referring this legislation to the Committee on Transportation and the Environment with comments from the Committee of the Whole.

Attachment

cc: General Counsel
    Budget Director
    Legislative Services
ATTACHMENT

B
MEMORANDUM

TO: The Honorable Phil Mendelson
   Chairman, Council of the District of Columbia

FROM: Jeffrey S. DeWitt
      Chief Financial Officer

DATE: July 10, 2020

         Amendment Act of 2020

REFERENCE: Bill 23-288, Committee Print as provided to the Office of Revenue
           Analysis on July 6, 2020

Conclusion

Funds are not sufficient in the fiscal year 2020 budget and the proposed fiscal year 2021 through fiscal year 2024 budget and financial plan to implement the bill. The bill’s implementation will impose significant capital and operating costs, both one-time and recurring, across multiple District agencies. The overall cost of the bill’s implementation is approximately $41.7 million in fiscal year 2021 and $171 million over the four-year financial plan period. This fiscal impact statement assumes the bill’s implementation will begin on October 1, 2020.

Background

Vision Zero is a strategy to eliminate all traffic fatalities and severe injuries while also increasing safe and equitable transportation opportunities for all users and modes. The bill amends or imposes numerous planning, reporting, enforcement, infrastructure, and operational changes across multiple District agencies that are responsible for the movement of people across the District and achieving the District’s Vision Zero goals.

The bill requires the District Department of Transportation (DDOT) to lead a Vision Zero public outreach campaign along with the Metropolitan Police Department (MPD), Department of Motor Vehicles (DMV), Department of Public Works (DPW), and the Washington Area Bicyclist Association. The outreach campaign should educate the public on automobile and bicycle interactions, emphasize a zero-tolerance policy for automobile-bicycle related injuries and fatalities, and include information on sharing the road and preventing the dooring of cyclists. The campaign shall involve ward-based
education forums to educate residents on these issues. The bill mandates that a cyclist have a rear lamp that can be steady or flashing and visible from 500 feet when riding at night and eliminates the current minimum requirement of a red reflector.\(^1\) The bill also adds the DPW Director to the Bicycle Advisory Council.\(^2\)

The bill formalizes or enhances the content of two policy and planning documents produced by DDOT. The bill requires DDOT to submit to Council a Multimodal Long-Range Transportation Plan (Plan) by September 30, 2021 and every five years thereafter. The Plan should address how to increase the share of commuter trips using public transportation to 50 percent of all trips, ensure equitable access to public transportation, specific roadway segments that will receive a dedicated bus lane, and include a list of high-risk intersections and corridors. The bill also enhances DDOT's required Complete Streets planning efforts\(^3\) to include a recognition of the need to have a connected transportation network for all modes, recommendations for using the latest and best design guidelines, performance standards with measurable outcomes, and next steps toward implementation. DDOT must report to Council on its progress toward implementing the Complete Streets policy by September 30, 2022 and every four years thereafter.

The bill makes several changes to the driving experience in the District to address potential conflicts with non-motor vehicle roadway users. The bill establishes the speed limit on all local and collector streets to 20 miles per hour. The bill also prohibits right vehicle turns on red traffic control signals at any intersection within four hundred feet of a playground, primary or secondary school, recreation center, library, or Metrorail station entrance or that has a bike lane running through it. The bill enhances the definition of distracted driving to include driving with over-the-ear headphones or ear buds in both ears and ensures that a driver's driving record will result in points for distracted driving violations. The bill also expands the parking prohibition for oversized vehicles to include parking alongside an unprotected bike lane.\(^4\)

The bill imposes three requirements on DDOT as it relates to the built environment for pedestrians and cyclists. First, it requires any DDOT road reconstruction, major repair, or installation or replacement of a curb or gutter project where the roadway does not have sidewalks on both sides of the roadway to also include a sidewalk on the missing segment. When a new segment is installed according to this provision, it must also be built to connect to an existing sidewalk that is located within one tenth of a mile of the project-related sidewalk. Second, the bill requires DDOT to install or replace a pedestrian crosswalk with a high-visibility, marked crosswalk for any roadway segment without a marked crosswalk or that is undergoing a road reconstruction, major repair, or installation or replacement of a curb or gutter project. DDOT does not need to install a high-visibility, marked crosswalk if it can show that doing so would reduce pedestrian safety. Third, the bill requires DDOT to install a protected bicycle lane on any roadway undergoing a road reconstruction, major repair, or

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1 Bicycle Safety Equipment, effective November 1, 2013 (18 DCMR § 1204).
4 Stopping, Standing, or Parking Prohibited: No Sign Required, effective February 28, 2020 (18 DCMR § 2405.5).
installation or replacement of a curb or gutter project if that roadway is also included in DDOT’s Plan. DDOT must provide 30 days’ notice to affected parties, the affected Advisory Neighborhood Commissions (ANC), and the affected Ward Councilmembers. DDOT does not need to install a protected bicycle lane if it can show the lane would be impractical or unnecessary as allowed in the bill.

The bill also requires DDOT to publish a report on every road reconstruction, major repair, or installation or replacement of a curb or gutter project costing over $1 million to show how it relates to the Plan, increases safety for non-motor vehicle roadway users, increases equitable access to public transportation, fulfills a public safety goal, or is otherwise required by law.

The bill prohibits DDOT from issuing a public space permit for any road reconstruction, major repair, or installation or replacement of a curb or gutter project costing over $1 million unless the permit application includes a plan to meet the same sidewalk and crosswalk requirements imposed upon DDOT projects and restoration or replacement of any bicycle lanes impacted by the project. Applicants must submit photographic evidence to DDOT that they have complied with these requirements and DDOT must ensure that any of the applicant’s past projects performed after the bill’s effective date have also been compliant with these requirements. The bill establishes as a Class 1 infraction6 the failure to return all bicycle lanes to their pre-construction condition and all crosswalks to the new high-visibility, marked crosswalk standard beginning 48 hours after the completion of the project when a public space permit has been issued.

The bill amends the automated traffic enforcement (ATE) program notification of violation requirements and prescribes an overall program expansion. The bill requires the Mayor to mail a warning notice to any registered vehicle owner when the vehicle is detected traveling eight or more miles over the posted speed limit and the Mayor does not enforce the ticket. The bill also requires the Mayor to expand the overall ATE program to achieve deployment of 75 red light cameras and ten bus lane enforcement cameras by January 1, 2022. The bill requires a second expansion to achieve deployment of 125 red light cameras and 30 stop sign cameras by January 1, 2024. The Mayor has currently deployed 40 red light, zero bus lane, and six stop sign cameras.

The bill makes several changes to DMV’s activities and operations around the DMV Director’s responsibilities, the driver’s license knowledge test, the ignition interlock program, and how DMV collects traffic fines from out-of-state drivers. The bill adds the DMV Director to the Major Crash Review Task Force that reviews every crash investigated by the MPD’s Major Crash Unit.7 The bill requires that any licensed driver moving into the District take the District’s driver’s license knowledge test if the test was not taken in their home jurisdiction within the last five years. The bill also expands the required information that needs to be included in the knowledge test to include bicycle safety requirements such as giving cyclists three feet of space, employing the Dutch reach

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5 If the bicycle lane segment is longer than 50 feet, the applicant must replace it with a protected bicycle lane.
6 Classes of Infractions, effective December 23, 2016 (16 DCMR § 3200).
method, and yielding to cyclists when turning. The bill also ensures that a driver required to participate in the ignition interlock program that fails to enroll in the program within 30 days shall have their driving privileges revoked and their vehicle registration suspended.

The bill requires the Mayor to negotiate with Virginia and Maryland to establish reciprocity agreements that require the participating jurisdictions to suspend or prohibit renewal of a vehicle registration or driver's license for the failure to pay a certain amount of non-moving and ATE program fines. The bill also authorizes the Mayor to enter into these reciprocity agreements with other states and jurisdictions. The bill authorizes the Mayor to allow the cooperating jurisdictions to receive a percentage of the fines recovered as compensation for their cooperation. The Mayor must report to Council by September 30, 2021 on the progress of its required negotiations with Virginia and Maryland, the content of any reciprocity agreements, and financial implications of any agreements.

The bill amends or enhances various traffic and motor vehicle infrastructure related reporting requirements. The Mayor is required to include motor vehicle speeds in their monthly motor vehicle collision reports and their quarterly moving infraction reports. The bill enhances DDOT's monthly reporting on citizen traffic calming petitions to include citizen petitions for new all-way stop or signalized local, collector, or minor arterial intersections. These reports should include detailed intersection information, an explanation as to why a petition was approved or denied, and the timeline to implement any changes. The bill renames an annual report on vehicle collisions with pedestrians and cyclists to the Vision Zero infrastructure progress report. The report should now include the fifteen most dangerous intersections for pedestrians and cyclists, details on the mitigation efforts that are included in the budget, and any interim mitigation efforts if the budgeted project is not expected to reach completion within two years of this progress report. The bill requires DDOT to develop a website that is easily searchable with a user tutorial that provides information from these reports and others required by law and anonymized data from the Department of Health's (DOH) annual Trauma Registry Report. The bill mandates DDOT to report on its website its inspection of a collision site where the collision resulted in death or is likely to result in death, what interim changes DDOT will make to the site, what permanent changes DDOT plans for the site, whether the site is a high-risk corridor identified in the Plan, and an explanation as to why DDOT does not believe interim or permanent measures are warranted.

The bill allows the Mayor to provide ten days' notice to an affected ANC and the Council regarding a vehicular or pedestrian traffic-related rule or other official document changes if DDOT published its reasoning on its website about how the change will enhance safety at a location that is designated as a high risk intersection or corridor in the Plan. Currently, the Mayor must provide 30 days' notice.

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8 The Dutch reach method means using the hand furthest from the door to open the car door while looking over one's shoulder for cyclists.
The Honorable Phil Mendelson  

The bill requires the Mayor to design a process for owners of buildings with 50 or more residential units to submit plans to reduce or prevent congestion caused by loading vehicles and vehicles for-hire. DDOT must review and approve each of these plans.

Financial Plan Impact

Funds are not sufficient in the fiscal year 2020 budget and the fiscal year 2021 through fiscal year 2024 budget and financial plan to implement the bill. The bill makes several changes across multiple agencies to implement the District’s Vision Zero goals. This fiscal impact statement assumes the bill’s implementation will begin on October 1, 2020.

DDOT is the lead agency for the District’s Vision Zero Initiative and is responsible for most of the infrastructure enhancements, reporting, educational initiatives, and vehicle incident reviews and studies associated with implementation of the Vision Zero Initiative. The bill requires DDOT to enhance any roadway capital projects to include sidewalks on both sides of the roadway and a protected bicycle lane when it overlaps with the Plan. DDOT has not planned for this level of work to be included in the relevant capital projects in the current capital improvement plan. DDOT will also need to maintain these new facilities once they are complete. DDOT must also ensure that public space permit applicants are also restoring and upgrading public infrastructure consistent with the bill’s requirements. The bill requires DDOT to run an education and marketing campaign around its Vision Zero activities. The bill establishes the speed limit on all local and collector streets at 20 miles per hour. All local streets are currently 20 miles per hour unless otherwise posted and the speed limits on collectors are usually higher. DDOT will need to change out all signs on these roadways to accommodate the new speed limit. DDOT is also required to ban right vehicle turns at red traffic signals within 400 feet of enumerated locations, unless it is unsafe to do so. DDOT will need to study all of these intersections to determine the safety of banning these right turns and then will need to install signage to effectuate the prohibitions at the pertinent locations. The bill also requires DDOT to further review and make improvements following an incident resulting in death or likely to result in death, so DDOT will need capital funds to make those interim and permanent changes. The bill enhances or introduces several of DDOT’s required reports related to Vision Zero that require one-time system or website updates. DDOT requires seventeen new employees to perform all of these functions across many of its divisions and offices. The chart below outlines the costs associated with DDOT’s implementation of its responsibilities under the bill.

<table>
<thead>
<tr>
<th>District Department of Transportation Implementation Costs</th>
<th>Fiscal Year 2021 – Fiscal Year 2024</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>FY 2021</td>
<td>FY 2022</td>
</tr>
<tr>
<td>Personnel</td>
<td>$1,952</td>
<td>$2,118</td>
</tr>
<tr>
<td>Public Outreach Campaign</td>
<td>$125</td>
<td>$125</td>
</tr>
<tr>
<td>One-time Studies</td>
<td>$1,000</td>
<td>$0</td>
</tr>
<tr>
<td>One-time Systems and Website Updates</td>
<td>$170</td>
<td>$0</td>
</tr>
<tr>
<td>Sidewalk and Bicycle Lane Capital</td>
<td>$7,372</td>
<td>$7,447</td>
</tr>
<tr>
<td>Recurring Reporting and Maintenance</td>
<td>$845</td>
<td>$845</td>
</tr>
<tr>
<td>Total DDOT Costs</td>
<td>$11,464</td>
<td>$10,535</td>
</tr>
</tbody>
</table>
DOH does not believe that it is able to legally provide DDOT with the information the bill requires regarding the Trauma Registry Report. Therefore, DOH would need to build out its own dashboard to meet the bill’s reporting and access to information requirements. To provide access to anonymized trauma data, DOH requires one new employee to update and maintain a new dashboard or website. It is important to note that even if the legal concerns were mitigated, DOH does not collect or report the required information in a manner that would be functional for DDOT’s reporting and program enhancements would still be required.

### Department of Health Implementation Costs
Fiscal Year 2021 – Fiscal Year 2024
($000s)

<table>
<thead>
<tr>
<th></th>
<th>FY 2021</th>
<th>FY 2022</th>
<th>FY 2023</th>
<th>FY 2024</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>DOH Personnel</td>
<td>$150</td>
<td>$151</td>
<td>$151</td>
<td>$152</td>
<td>$604</td>
</tr>
<tr>
<td>DCHR Dashboard Build-Out, Integration, and Maintenance</td>
<td>$300</td>
<td>$300</td>
<td>$300</td>
<td>$300</td>
<td>$1,200</td>
</tr>
<tr>
<td><strong>Total DOH Costs</strong></td>
<td><strong>$450</strong></td>
<td><strong>$451</strong></td>
<td><strong>$451</strong></td>
<td><strong>$452</strong></td>
<td><strong>$1,804</strong></td>
</tr>
</tbody>
</table>

The bill mandates an expansion to the ATE program so that the program manages a total of 125 red light cameras, ten bus lane enforcement cameras, and 30 stop sign cameras by January 1, 2024. DDOT will need to purchase or lease the cameras, install them, review and process the tickets with the ATE program contractor, and repair and replace any broken cameras. The chart below outlines the costs associated with the ATE program expansion.

### Automated Traffic Enforcement Program Expansion Costs
Fiscal Year 2021 – Fiscal Year 2024
($000s)

<table>
<thead>
<tr>
<th></th>
<th>FY 2021</th>
<th>FY 2022</th>
<th>FY 2023</th>
<th>FY 2024</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>ATE Camera Capital Purchases/Installs</td>
<td>$1,750</td>
<td>$1,750</td>
<td>$2,680</td>
<td>$2,680</td>
<td>$8,860</td>
</tr>
<tr>
<td>ATE Camera Leases</td>
<td>$246</td>
<td>$492</td>
<td>$492</td>
<td>$492</td>
<td>$1,722</td>
</tr>
<tr>
<td>Recurring Repair and Replacement</td>
<td>$0</td>
<td>$77</td>
<td>$153</td>
<td>$367</td>
<td>$597</td>
</tr>
<tr>
<td>Recurring Ticket Review and Processing</td>
<td>$269</td>
<td>$537</td>
<td>$989</td>
<td>$1,441</td>
<td>$3,236</td>
</tr>
<tr>
<td>ATE Program Personnel</td>
<td>$233</td>
<td>$233</td>
<td>$757</td>
<td>$757</td>
<td>$1,980</td>
</tr>
<tr>
<td><strong>Total ATE Program</strong></td>
<td><strong>$2,498</strong></td>
<td><strong>$3,089</strong></td>
<td><strong>$5,071</strong></td>
<td><strong>$5,737</strong></td>
<td><strong>$16,395</strong></td>
</tr>
</tbody>
</table>

DMV is the agency that manages the ATE program ticket processing contract and will incur additional costs for both the bill’s proposed expansion of the program and the mailing of warning notices for any vehicle detected traveling more than eight miles per hour over the posted speed limit that does not receive a violation notice. DMV is also responsible for responding to inquiries and adjudicating moving violations, including those issued as part of the ATE program expansion and violations issued in response to the new 20 mile per hour speed limits and ban on right turns on red. The bill also requires DMV to update its driver’s license knowledge test to include information about laws and policies to protect cyclists and to administer a knowledge test to every individual looking to convert an out-of-state license who has not taken a knowledge test within the prior five years. The bill requires DC to negotiate with Virginia and Maryland to establish reciprocity agreements to force the
collection of ATE program and non-moving violation fines and penalties incurred by non-District residents.

DMV requires four new hearing examiners, a new legal instrument examiner, system updates, and ticket contract processing cost increases to implement the bill’s provisions that will drive additional ticket issuances. DMV processes over 20,000 driver’s license conversions from out-of-state and would need to establish a new DMV service center with associated personnel, rent, and technology costs to administer over 90 knowledge tests daily to these residents. DMV will also need to update the knowledge test to incorporate the bill’s required bicycle-related information. DMV requires additional administrative staff to assist with all these new responsibilities and respond to increased customer inquiries. DMV can perform the required reciprocity agreement negotiations with existing budgeted resources. The chart below outlines the expected costs for DMV to implement the bill’s provisions related to its operations.

<table>
<thead>
<tr>
<th>Department of Motor Vehicles Implementation Costs</th>
<th>Fiscal Year 2021 – Fiscal Year 2024 ($000s)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>FY 2021</td>
</tr>
<tr>
<td>New DMV Personnel</td>
<td>$2,122</td>
</tr>
<tr>
<td>One-Time System/Program Updates</td>
<td>$80</td>
</tr>
<tr>
<td>One-Time Service Center Costs</td>
<td>$950</td>
</tr>
<tr>
<td>Recurring Service Center Costs</td>
<td>$817</td>
</tr>
<tr>
<td>Ticket Processing Contract Costs</td>
<td>$23,362</td>
</tr>
<tr>
<td>Total DMV Costs</td>
<td>$27,331</td>
</tr>
</tbody>
</table>

Table Notes

a Includes 31 new staffs, 21 of which are directly related to the new service center.

The following chart summarizes the overall impact of the bill’s implementation by agency or program.

<table>
<thead>
<tr>
<th>Summary of the Fiscal Impact of Bill 23-288</th>
<th>Fiscal Year 2021 – Fiscal Year 2024 ($000s)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>FY 2021</td>
</tr>
<tr>
<td>DDOT Costs</td>
<td>$11,464</td>
</tr>
<tr>
<td>DOH Costs</td>
<td>$450</td>
</tr>
<tr>
<td>ATE Program Costs</td>
<td>$2,498</td>
</tr>
<tr>
<td>DMV Costs</td>
<td>$27,331</td>
</tr>
<tr>
<td>Total Costs</td>
<td>$41,743</td>
</tr>
</tbody>
</table>
MEMORANDUM

TO: Councilmember Mary Cheh
FROM: Nicole L. Streeter, General Counsel
DATE: July 8, 2020
RE: Legal sufficiency determination for Bill 23-288, the Vision Zero Enhancement Omnibus Amendment Act of 2020

The measure is legally and technically sufficient for Council consideration.

This bill would:

- Amend the District of Columbia Administrative Procedure Act to require the Mayor to provide 10 days’ written notice when proposing to install, modify, or remove a statement for guiding, directing, or otherwise regulating vehicular or pedestrian traffic, if the Department of Transportation has published reasoning on its website describing how the proposed installation, modification, or removal of the statement will increase safety at a location identified as a high-risk intersection or corridor in the Multimodal Long-Range Transportation Plan;
- Amend the Priority Sidewalk Assurance Act of 2010 to require the Mayor to install, in certain circumstances, sidewalks on both sides of a street, to connect new sidewalks to existing sidewalks, and to make crosswalks high-visibility, marked crosswalks;
- Amend the Department of Transportation Establishment Act of 2002 to restrict when the District Department of Transportation (“DDOT”) may construct certain capital projects over $1 million, to restrict when DDOT may issue public space permits for certain projects over $1 million, to require DDOT to maintain a webpage that makes data collected pursuant to the Bicycle and Pedestrian Safety Amendment Act of 2016 publicly available and easily searchable, and to provide that each day a bike lane is not restored to its pre-construction condition or each day a
crosswalk is not restored after construction to the condition called for in the Standard Specifications used by DDOT shall be a Class 1 infraction;

- Amend the District of Columbia Comprehensive Bicycle Transportation and Safety Act of 1984 to add the Director of the Department of Public Works to the Bicycle Advisory Council, and to require DDOT to construct a protected bike lane or cycle track on a road segment where called for in the District of Columbia’s Multimodal Long-Range Transportation Plan when DDOT is otherwise engaged in road reconstruction on that road segment;

- Amend the Distracted Driving Safety Act of 2004 to prohibit drivers from using headphones or earbuds that cover both ears while operating a motor vehicle, and to repeal a provision that bars points from being assessed for a violation of the Distracted Driving Safety Act of 2004 when the violation does not contribute to an accident;

- Amend the Bicycle and Pedestrian Safety Amendment Act of 2016 to require DDOT to publish requests for all-way or signalized stops at intersections and, if the request is denied, to explain the agency’s reasoning as to why it denied the request, to require DDOT to submit to the Council a Vision Zero infrastructure progress report on the District’s top 15 most dangerous corridors for pedestrians and cyclists, to require DDOT to update the Council on the progress of implementation of the Complete Streets policy every 4 years, to require DDOT to update the Multimodal Long-Range Transportation Plan and then update the plan every 5 years, to require DDOT to post an incident report on its website within 60 days after a collision that causes a death or serious injury, and to add the Director of the Department of Motor Vehicles to the Major Crash Review Task Force;

- Amend the District of Columbia Traffic Act, 1925 to require applicants to convert an out-of-state license to take an examination of the applicant’s knowledge of certain traffic regulations and regulations, to require DDOT, in coordination with other agencies, to conduct a public outreach campaign on Vision Zero, to prohibit right turns when facing a red traffic control signal in intersections within 400 feet of a school, recreation center, library, playground, Metrorail station entrance, or with a bike lane running through it, unless DDOT publishes an explanation
as to why the prohibition would not increase safety, to reduce the speed limit on District roads classified by DDOT as local or collector to 20 miles per hour, and to provide for the revocation of a person’s license and vehicle registration if the person fails to enroll in the Ignition Interlock Program when required to do so;

- Amend the Fiscal Year 1997 Budget Support Act of 1996 to require the Mayor to send warnings to drivers caught going 8 or more miles per hour over the speed limit by an automated traffic enforcement camera when the Mayor does not issues a summons and notice of infraction;

- Amend the Safety-Based Traffic Enforcement Amendment Act of 2012 to require the Mayor to have at least 75 operating red light cameras in the District by January 1, 2022, at least 10 operating bus lane enforcement cameras in the District by January 1, 2022, at least 30 operating stop sign cameras in the District by January 1, 2024, and at least 125 operating red light cameras in the District by January 1, 2024,

- Amend the District of Columbia Traffic Adjudication Act of 1978 to permit the Mayor to establish reciprocal agreements with states and other jurisdictions that provide for the suspension of vehicle registrations or driver’s licenses that accrue more than a certain amount of traffic fines in the District, to require the Mayor to enter into negotiations with Virginia and Maryland to establish such reciprocal agreements, and to require the Mayor to submit a report to the Council on the progress or result of such negotiations;

- Amend the Commercial Curbside Loading Zone Implementation Act of 2009 to require DDOT to issue rules to ensure certain residential developments have appropriate loading and unloading zones; and

- Amend Title 18 of the District of Columbia Municipal Regulations to require bicycles in the District to have a light on the rear, and to prohibit trailers from parking alongside an unprotected bike lane.

I am available if you have any questions.
ATTACHMENT

D

(6)(A) The term “rule” means the whole or any part of any Mayor’s or agency’s statement of general or particular applicability and future effect designed to implement, interpret, or prescribe law or policy or to describe the organization, procedure, or practice requirements of the Mayor or of any agency.

(B) The term “rule” does not include any statement for guiding, directing or otherwise regulating vehicular or pedestrian traffic, including any statement controlling parking, standing, stopping or a construction detour; provided, that:

(i) The contents of the statement are indicated to the public on one or more signs, signals, meters, markings or other similar devices located on or adjacent to a street, avenue, road, highway or other public space and are posted on the website of the District Department of Transportation;

(ii) The proposed installation, modification or removal of the statement is based on engineering or other technical considerations;

(iii) The proposed installation, modification or removal of the statement does not involve substantial policy considerations; and

(iv) The Council and the affected Advisory Neighborhood Commissions (“ANC”) are provided with 30 days written notice via electronic delivery, excluding Saturdays, Sundays and legal holidays, 30 days’ written notice, or 10 days’ written notice if the District Department of Transportation has published brief reasoning on its website describing how the proposed installation, modification, or removal will increase safety at a location identified as a high-risk intersection or corridor in the Multimodal Long-Range Transportation Plan, via electronic delivery, excluding Saturdays, Sundays and legal holidays, of an agency’s intent to install, modify or remove any of these statements, and any ANC recommendation, if provided, is given great weight pursuant to § 1-309.10.

§ 2–551. Definitions.

(5)(A) The phrase “document having general applicability and legal effect” means any document issued under lawful authority prescribing a sanction or course of conduct, conferring a right, privilege, authority, or immunity or imposing an obligation, and applicable to the general public, members of a class or persons in a locality, as distinguished from named individuals or organizations.
(B) The phrase “document having general applicability and legal effect” does not include any act to be codified in the District of Columbia Code or a personnel manual or internal staff directive solely applicable to employees or agents of the District of Columbia, or any statement for guiding, directing or otherwise regulating vehicular or pedestrian traffic, including any statement controlling parking, standing, stopping or a construction detour; provided, that:

(i) The contents of the statement are indicated to the public on one or more signs, signals, meters, markings or other similar devices located on or adjacent to a street, avenue, road, highway or other public space;

(ii) The proposed installation, modification or removal of the statement is based on engineering or other technical considerations;

(iii) The proposed installation, modification or removal of the statement does not involve substantial policy considerations; and

(iv) The Council and the affected Advisory Neighborhood Commissions (“ANC”) are provided with 30 days’ notice via electronic delivery, excluding Saturdays, Sundays, and legal holidays, 30 days’ written notice, or 10 days’ written notice if the District Department of Transportation has published brief reasoning on its website describing how the proposed installation, modification, or removal will increase safety at a location identified as a high risk intersection or corridor in the Multimodal Long-Range Transportation Plan, via electronic delivery, excluding Saturdays, Sundays, and legal holidays, of an agency’s intent to install, modify or remove any of these statements, and any ANC recommendation, if provided, is given great weight pursuant to § 1-309.10; provided, that the Council and the affected ANC may elect to receive written notice by means other than electronic delivery by notifying the Mayor of that preference.

Section 3

§ 9–425.01. Sidewalk installation requirements.

(a)(1) For road segments that lack sidewalks on both sides of the street, road reconstruction, installation of a curb and gutter, or curb and gutter replacement shall include installation of a sidewalk on at least one side of the street. For road segments that lack sidewalks on both sides of the street, road reconstruction or major repair, installation of a curb and gutter, or curb and gutter replacement shall include installation of a sidewalk on the side of the street that lacks a sidewalk.

(2) When installing a new sidewalk pursuant to this subsection, the new sidewalk shall connect to an existing sidewalk if there is an existing sidewalk within 0.1 miles from the road segment where the construction of the new sidewalk is taking place, on either end, and is on the same side of the street as the new sidewalk.
(b) For roadways that are missing sidewalks, but are not undergoing major construction road reconstruction or major repair, installation of a curb and gutter, or curb and gutter replacement, sidewalk installation shall be prioritized for the following areas:

1. Missing sidewalks in school areas;
2. Routes that provide access to parks and recreational facilities;
3. Transit stops;
4. Locations where the absence of a sidewalk creates substantial pedestrian safety risks; and
5. Roadway segments for which residents petitioned to have sidewalks.

(c) The Mayor shall continue to accept and consider sidewalk petition requests from residents.

§ 9–425.01a. Crosswalk installation requirements.

For a road segment that has a crosswalk that is not marked, road reconstruction or major repair, installation of a curb and gutter, or curb and gutter replacement shall include installation of a high-visibility, marked crosswalk that complies with the Manual of Uniform Traffic Control Devices, unless DDOT has published a brief reasoning on its website describing why installing a marked crosswalk would reduce pedestrian safety.

§ 9–425.02. Notice and design requirements.

(a) The Mayor shall provide notice to affected parties, the affected Advisory Neighborhood Commissions, and the Councilmembers of the affected Wards, prior to designing and constructing new sidewalks or crosswalks. At a minimum, this notice shall include:

1. A statement of intent to design and construct a new sidewalk or crosswalk no less than 60 days before construction is scheduled, including a 30-day period for public comment on the proposed design;
2. A statement of how affected parties can comment on the proposed sidewalk or crosswalk, including a statement on how Advisory Neighborhood Commissions can submit resolutions on the potential impact of the proposed sidewalk or crosswalk; and
3. A construction schedule.

(b) The Mayor shall maintain for public review comments from affected parties received pursuant to subsection (a)(2) of this section and responses thereto.

(c) The Mayor shall design sidewalks in a manner that preserves the health of existing trees wherever possible.
(d) The recommendations of the affected Advisory Neighborhood Commission shall be given great weight, as that term is described in § 1-309.10(d)(3)(A).

(e) Whenever feasible, the Mayor shall consider pervious materials for the design and installation of sidewalks.

(f) For the purposes of this subchapter, the term “affected parties” means residents with property abutting the road segment under consideration. For the purposes of this act, the term:

   (1) “Affected parties” means residents with property abutting the road segment under consideration.

   (2) “Crosswalk” shall have the same meaning as provided in 18 DCMR § 9901.1.

Section 4


(2A) The Project Delivery Administration shall not construct a capital project described in paragraph (1)(D) of this subsection if the cost of the work that is done in the public space is greater than $1 million and the project will require any road reconstruction or major repair, installation of a curb and gutter, or curb and gutter replacement, unless DDOT has published a report on its website describing how the capital project:

   (A) Implements a project or recommendation listed in the Multimodal Long-Range Transportation Plan (“Transportation Plan”);

   (B) Increases safety for users of modes of transportation other than motor vehicles, as that term is defined in section 8 of An Act To provide for the annual inspection of all motor vehicles in the District of Columbia, effective March 15, 1985 (D.C. Law 5-176; D.C. Official Code § 50-1108);

   (C) Increases equitable access to public transportation by furthering the Transportation Plan’s goal of 50% of all commuter trips by public transportation by 2032; provided, that the report shall describe whether the project improves access to transit in an area identified as a transit priority need area in the Transportation Plan;

   (D) Fulfills a public safety goal of the District; or

   (E) Is required by law or a condition of a federal grant.

(3A) The Operations Administration shall not issue a public space permit described in paragraph (3)(E) of this subsection if the work that is done in public space has an aggregate cost
greater than $1 million and the project will require any road reconstruction or major repair, installation of a curb and gutter, or curb and gutter replacement, unless:

(A) The applicant’s project plan includes:

(i) If the project is on a road segment that lacks a sidewalk on the side of the street where the project for which a permit is requested will occur, a requirement that the applicant install a new sidewalk on that block that connects to an existing sidewalk if there is an existing sidewalk within 0.1 miles of the new sidewalk, on either end, that is on the same side of the street as the new sidewalk;

(ii) If the project is on a road segment that includes a crosswalk, as that term is defined in 18 DCMR § 9901.1, that is not a marked, high-visibility, a requirement that the applicant make the crosswalk a marked, high-visibility crosswalk, unless DDOT determines that installing a high-visibility marked crosswalk would reduce pedestrian safety;

(iii) If any crosswalks are removed during the project, a requirement that the applicant replace the crosswalk with a high-visibility, marked crosswalk, unless DDOT determines that installing a high-visibility, marked crosswalk would reduce pedestrian safety;

(iv) If a bicycle lane is removed during the project, a requirement that the applicant replace the bicycle lane to its pre-construction condition, and, after September 30, 2021, if more than 50 feet of a bicycle lane is removed during the project, replace that block of the bicycle lane with a protected bicycle lane or a cycle track when called for in DDOT’s Multimodal Long-Range Transportation Plan; and

(v) A requirement that the applicant submit photographs and any other materials as required by DDOT evidencing the applicant’s compliance with the requirements of this subparagraph.

(B) DDOT certifies that, for any past project that required any road reconstruction or major repair, installation of a curb and gutter, or curb and gutter replacement for which the applicant received a public space permit described in paragraph (3)(E) of this subsection after the applicability date of the Vision Zero Omnibus Enhancement Amendment Act of 2020, as approved by the Committee on Transportation and the Environment on DATE, 2020 (Committee print of Bill 23-288), the applicant has complied with all requirements of past project plans, as required by subparagraph (A) of this paragraph.

(5) The Performance Administration shall:

(A) Develop and maintain a performance monitoring system to measure the quality and effectiveness of transportation services; and

(B) Develop and maintain the transportation elements of the Geographic Information System.
(C) Maintain a webpage that makes publicly available and easily searchable:

(i) All data the Mayor is required to collect pursuant to sections 101 through 107 of the Bicycle and Pedestrian Safety Amendment Act of 2016, effective October 8, 2016 (D.C. Law 21-155; D.C. Official Code §§ 50-1951.01 – 50-1951.07); and

(ii) Data in the Department of Health’s annual Trauma Registry Report that is anonymized as to specific individuals.

(D) Develop and maintain a tutorial maintained on the webpage required by subparagraph (C) of this paragraph describing how to access the data published on the webpage required by subparagraph (C) of this paragraph.

§ 50-921.19. Enforcement

(g)(1) Failure to comply with the requirements described in section 5(a)(3A)(A)(iii) or (iv) shall be a Class 1 infraction under Chapter 32 of Title 16 of the District of Columbia Municipal Regulations.

(2) For a violation described in paragraph (1) of this subsection, beginning on the first full day that is at least 48 hours after the completion of a project for which DDOT has issued a permit pursuant to section 5(a)(3)(E), the Director shall issue a unique notice of infraction each calendar day until the applicant cures the violation. For the purposes of a notice of infraction issued pursuant to this paragraph, evidence of a violation described in paragraph (1) of this subsection on any date shall create a rebuttable presumption that the same violation occurred on every prior day beginning on the first full day that is at least 48 hours after the completion of the project.

(3) Nothing in this subsection shall be construed to limit the Director’s authority to set and enforce fines for other infractions.

Section 5


(b)(1) The Council shall be composed of 17 members appointed as follows:

(A) The bicycle coordinator of the Office of Bicycle Transportation and Safety of the District Department of Transportation, as established in §50-1603;

(B) The Chief of the Metropolitan Police Department or his or her designee;

(C) The Director of the Office of Planning or his or her designee;

(C-i) The Director of the Department of Public Works or his or her designee;
(D) The Director of the Department of Parks and Recreation or his or her
designee; and

(E) Thirteen community representatives, with each member of the Council of the
District of Columbia appointing one representative.

(2)(A) Each community representative shall be a resident of the District with a
demonstrated interest in bicycling.

(B) A chairperson shall be elected from among the 13 community representatives
and shall serve for a term of 2 years.

§ 50-1608a. Protected bicycle lane installation requirements.

(a) Except as provided in subsection (c) of this section, beginning September 30, 2021,
for road segments that were included in the Recommended Bicycle Network in the Multimodal
Long-Range Transportation Plan as described in section 302(b) of the Bicycle and Pedestrian
Safety Amendment Act of 2016, as approved by the Committee on Transportation and the
Environment on DATE, 2020 (Committee print of Bill 23-288), DDOT shall construct a
protected bicycle lane or cycle track on that road segment when DDOT engages in any road
reconstruction or major repair, installation of a curb and gutter, or curb and gutter replacement
on that road segment. To the greatest extent feasible, DDOT shall make efforts to ensure the
protected bicycle lanes and cycle tracks constructed are contiguous with other bicycle lanes and
cycle tracks that are already completed.

(b)(1) At least 30 days before construction begins on a protected bicycle lane or cycle
track, the Mayor shall provide notice to affected parties, the affected Advisory Neighborhood
Commissions, and the Councilmembers of the affected Wards. At a minimum, this notice shall
include:

(A) A statement of intent to construct a new protected bicycle lane or
cycle track, including the proposed design;

(B) A statement describing a 30-day period for public comment on the
proposed protected bicycle lane or cycle track and how affected parties can comment on the
proposed protected bicycle lane or cycle track, including a statement on how Advisory
Neighborhood Commissions can submit resolutions on the potential impact of the proposed
protected bicycle lane or cycle track; and

(C) A construction schedule.

(2) The Mayor shall maintain for public review comments from affected parties
received pursuant to paragraph (1)(B) of this subsection and responses thereto.

(3) A resolution of an affected Advisory Neighborhood Commission shall be
given great weight, as described in section 13(d)(3)(A) of the Advisory Neighborhood

(c)(1) The requirements of this section shall not apply if the Director of DDOT determines, in writing, that it is impractical or unnecessary to install a protected bicycle lane or cycle track because:

(A) The physical site conditions would make it unduly expensive to construct the protected bicycle lane or cycle track; or

(B) The District would be required to acquire an easement or property interest to establish the protected bicycle lane or cycle track.

(2) The written determination required by paragraph (1) of this subsection shall be posted on the DDOT website.

(d) DDOT shall not forgo meeting the goals of DDOT’s Paving Plan in order to avoid the requirements of the section.

(e) For the purposes of this section, the term:

(1) “Affected parties” means residents with property abutting the road segment on which the road reconstruction or major repair, installation of a curb and gutter, or curb and gutter replacement will occur.

(2) “Cycle track” means an exclusive bike facility that is a separate path from the street and apart from on-street infrastructure.

(3) “Protected bicycle lane” means a lane designated as exclusive space for bicyclists with pavement markings and signage, and includes physical barriers that separate the user from adjacent motor vehicle traffic.

(4) “Reconstruction” means any construction work done that requires designing a new layout of the road, but shall not include repaving by itself.

Section 6

§ 50–1731.04. Restricted use of mobile telephone and other electronic devices.

(a) No person shall use a mobile telephone or other electronic device while operating a moving motor vehicle in the District of Columbia unless the telephone or device is equipped with a hands-free accessory.

(b) The provisions of this section subsection (a) of this section shall not apply to the following:
(1) Emergency use of a mobile telephone, including calls to 911 or 311, a hospital, an
ambulance service provider, a fire department, a law enforcement agency, or a first-aid squad;

(2) Use of a mobile telephone by law enforcement and emergency personnel or by a
driver of an authorized emergency vehicle, acting within the scope of official duties; or

(3)Initiating or terminating a telephone call, or turning the telephone on or off.

(c) No person shall use headphones that cover both ears or earbuds in both ears while
operating a motor vehicle in the District, except if the headphones or earbuds are being used to
assist a hearing-impaired driver.

§ 50–1731.06. Enforcement; fines and penalties.

(b) A violation of the provisions of §§ 50-1731.03, 50-1731.04, or 50-1731.05 shall be
processed and adjudicated under the provisions applicable to moving violations set forth
in subchapter II of Chapter 23 of this title; provided, that no points shall be assessed for a
violation of this chapter that does not contribute to an accident.

Section 7

§ 50-1951.02

(a) The Mayor shall publish online, at least once per month, the following data related to
each collision that occurred in the preceding month:

(1) The date and time of the collision;

(2) The type of motor vehicle or motor vehicles involved in the collision;

(3) The location, by ward and block or intersection, of the collision;

(4) The Police Service Area in which the collision occurred;

(5) The number of fatalities or injuries that result from the collision, disaggregated as follows:

(A) The number of motorists killed;

(B) The number of motorists injured;

(C) The number of passengers killed;

(D) The number of passengers injured;
(E) The number of bicyclists killed;

(F) The number of bicyclists injured;

(G) The number of pedestrians killed;

(H) The number of pedestrians injured;

(6) Available demographic information about the person or persons involved in the collision, which shall be aggregated and describe any injuries sustained in the collision using the term “minor”, “serious”, “critical”, or “fatal”; provided, that the Mayor shall not publish any personal information, including:

(A) A person’s name, address, photograph, or social security number;

(B) Individually identifiable health information, as that term is defined in 45 C.F.R. § 160.103; and

(C) Any other information that could be used, on its own or in combination with other information, to identify, contact, or locate a person involved in a collision.

(7) As identified in MPD’s crash report, the apparent human factor or factors that contributed to the collision, such as intoxication, driver inattention or distraction, speeding, or failure to yield;

(8) The speed of the motor vehicle that committed the moving infraction, if known.

§ 50-1951.05. Publication of information relating to citizen petitions for traffic calming measures and all-way stop or signalized intersections.

(a) DDOT shall publish on its website, at least once per month, the following information related to citizen petitions for traffic calming measures submitted to the agency in the preceding month:

(1) The location of the requested traffic calming measure, by ward and block or intersection;

(2) The date that the citizen petition was submitted to the agency;

(3) The change or modification requested under the citizen petition for traffic calming; and

(4) The status of the citizen petition within the agency’s review of citizen
petitions for traffic calming measures.

(a-1) DDOT shall publish on its website, at least once per month, the following information related to citizen petitions, submitted to DDOT in the preceding 3 months and for which information has not already been published pursuant to this subsection, to convert an intersection of local, collector, or minor arterial streets to an all-way stop or signalized intersection:

(1) The location of the intersection;

(2) The date that the citizen petition was submitted to DDOT;

(3) The change or modification requested under the citizen petition; and

(4) For a request to convert an intersection to a signalized intersection, DDOT’s reasoning as to why it approved or denied the request for that particular intersection; or

(5) For a request to convert an intersection to an all-way stop:

(A) If the request is approved, an estimated timeline for the conversion; or

(B) If the request is denied, a brief description of why approving the request would decrease pedestrian safety.

(b) If complete data about the citizen petitions for traffic calming measures and all-way or signalized stops is not available at the time of publication, DDOT shall publish the information that is available at the time of publication, and update the data as additional information becomes available.

§ 50-1951.06. Annual report on locations with the highest rate of collisions that injure or kill pedestrians or bicyclists-the most dangerous corridors for pedestrians and cyclists.

By July 1, 2017, and annually thereafter, DDOT shall transmit to the chairperson of the Council committee with oversight of transportation a report that:

(1) Identifies the 20 locations at which pedestrians or bicyclists were most frequently seriously injured or killed as the result of a collision during the preceding 5 years;

(2) Describes any inspections conducted by DDOT at the locations identified pursuant to paragraph (1) of this section;

(3) Makes recommendations for how to decrease the number of collisions with pedestrians or bicyclists at the locations identified pursuant to paragraph (1) of this section and provides a timeline for implementing the recommendations; and

(4) Provides status updates on the implementation of recommendations provided in
Within ten days of the date the Mayor submits the annual proposed budget to the Council, DDOT shall submit to the Council a Vision Zero infrastructure progress report that includes:

1. A list of the top 15 most dangerous corridors in the District for pedestrians and cyclists, as identified by DDOT;

2. For each corridor listed pursuant to paragraph (1) of this section, a description of projects for which funding is included in the Mayor’s proposed budget that would:
   
   A. Reduce fatalities and serious injuries in that corridor;
   
   B. Increase equitable access to public transportation in that corridor;
   
   C. Contribute to reaching the mode share goals in the Multimodal Long Range Transportation Plan; and
   
   D. Decrease the speed of motor vehicles in the corridor.

3. For each project described in paragraph (2) of this section, a description of and the expected delivery date for the project.

4. For each project described in paragraph (2) of this section that is not projected to be completed within 2 years after the submission of the Vision Zero infrastructure progress report, a description of measures that will be implemented during the next fiscal year in furtherance of the goals described in paragraph (2) of this section.

§ 50-2381. Complete Streets Policy.

(a) For the purposes of this section, the term:

1. “Complete Streets policy” means a policy by which streets are designed, operated, and maintained to accommodate safe and convenient access and mobility for all users of the District’s transportation system, including pedestrians, bicyclists, users of mass transit, motorists, emergency responders, and persons of all ages and abilities.

2. “Highway” means any street, road, or public thoroughfare that is under the jurisdiction and control of the District, when any part thereof is open to the use of the public for purposes of vehicular or pedestrian travel.

(b) The District Department of Transportation (“DDOT”) shall create a Complete Streets policy, which shall contain, at a minimum, the following goals:

1. Improving safety and promoting healthy communities by encouraging walking, bicycling, and using public transportation;
(2) Establishing a District-wide integrated system of vehicle, bicycle, and pedestrian infrastructure;

(3) Accommodating and balancing the choice, safety, and convenience of all users of the District’s transit network, while recognizing that individual corridors have modal priorities;

(4) Protecting the environment and reducing congestion by providing safe alternatives to single-occupancy driving;

(5) Involving local residents and stakeholders in planning and design decisions;

(6) Actively looking for opportunities to repurpose highways to enhance connectivity for pedestrians, bicyclists, and transit; and

(7) Improving non-motorized use of highways within one quarter mile of schools and parks.

(b-1) In addition to the goals set out in subsection (b) of this section, by September 30, 2021, the Complete Streets policy shall include the following:

(1) A recognition of the need to create a comprehensive, integrated, and connected network for all modes of transportation;

(2) Recommendations for the use of the latest and best design criteria and guidelines;

(3) A recognition that there must be sensitivity to the current and planned context of where projects will go, including buildings, land use, transportation, and community needs;

(4) Performance standards with measurable outcomes; and

(5) Specific next steps for implementing the policy as described.

(c) DDOT shall incorporate the Complete Streets policy into the Transportation Strategic Plan, the Pedestrian Master Plan, the Bicycle Master Plan, and other DDOT plans, manuals, rules, regulations, and programs, including the construction, reconstruction, and maintenance of all highways, unless:

(1) Use of a particular highway by specified users is prohibited by law, including within interstate highway corridors, in which case DDOT shall endeavor to accommodate such users elsewhere, including on highways that cross or otherwise intersect with the affected highway;
(2) The costs would be excessively disproportionate to the need or probable use of the particular highway; or

(3) The safety of vehicular, pedestrian, or bicycle traffic would be placed at an unacceptable risk.

(d) By July 1, 2017, and annually thereafter, DDOT shall report to the Council on the agency’s progress towards implementing the Complete Streets policy during the previous calendar year, as well as plans for further implementation of the Complete Streets policy during the upcoming year. These reports shall incorporate performance measures established by DDOT to determine how well streets are serving all users and identify barriers to implementing the Complete Streets policy.

By September 30, 2022, and every 4 years thereafter, DDOT shall report to the Council on DDOT’s progress towards implementing the Complete Streets policy during the previous 4 fiscal years, as well as plans for further implementation of the Complete Streets policy during the upcoming 4 fiscal years. These reports shall incorporate performance measures established by DDOT to determine how well streets are serving all users and identify barriers to implementing the Complete Streets policy.

(e) The Mayor, pursuant to subchapter I of Chapter 5 of Title 2 [§ 2-501 et seq.], may issue rules to implement the provisions of this section.

§ 50-2382. Multimodal Long-Range Transportation Plan.

(a) By September 30, 2021, and every 5 years thereafter, the Mayor shall submit to Council a Multimodal Long-Range Transportation Plan that includes:

(1) A plan to ensure that by 2032, 50% of all commuter trips in the District are on public transportation and an additional 25% of commuter trips in all wards are by a mode of transportation other than motor vehicle;

(2) A plan to ensure equitable access to public transportation in the District, including a list of transit priority need areas that DDOT has identified as having a higher than average reliance on public transportation;

(3) A list of streets on which, or Metrobus or DC Circulator lines for which, DDOT plans to designate a vehicle travel lane for use exclusively by public transportation, including at least one street in, or Metrobus or DC Circulator line that serves, each ward; and

(4) A list of high-risk intersections and corridors DDOT has identified as having an above average number of crashes leading to a death or serious injury in the previous 2 years, or that DDOT certifies as being at high risk of a crash that could lead to death or serious injury in the future.

(b) For the purposes of this section, the term “public transportation” means any publicly owned or operated commercial vehicle, including DC Circulator, DC Streetcar, MetroAccess, Metrobus, or Metrorail.
§ 50-2383. Incident report required.

Within 30 days after a collision, as that term is defined in section 2(3) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(3)), that causes a death or an injury likely to result in death, the District Department of Transportation (“DDOT”) shall inspect the site of the collision. Within 30 days after the inspection, DDOT shall publish on its website an incident report describing:

(1) Interim design elements that, after the collision, DDOT has installed at the site of the collision, if any;

(2) Permanent or interim design elements that DDOT plans to install at the site of the collision, if any;

(3) Whether the site of the collision is within one of the high-risk corridors identified by DDOT in the Multimodal Long-Range Transportation Plan; and

(4) A detailed explanation as to why no interim or permanent design changes are warranted, should DDOT determine that no changes are warranted.


(a) There is established a Major Crash Review Task Force (“Task Force”), which shall consist of the following members:

(1) The Chief of the Metropolitan Police Department, or the Chief’s designee;

(2) The Director of the District Department of Transportation, or the Director’s designee;

(3) The Director of the Office of Planning, or the Director’s designee;

(4) A representative from the Bicycle Advisory Council who is selected by the Bicycle Advisory Council;

(5) A representative from the Pedestrian Advisory Council who is selected by the Pedestrian Advisory Council; and

(6) A representative from the Multimodal Accessibility Advisory Council who is selected by the Multimodal Accessibility Advisory Council; and

(7) The Director of the Department of Motor Vehicles or the Director’s designee.
§ 50-1401.01. Fee; examination; age requirements; lost permits; provision for armed forces personnel; contents; operation without permit prohibited; restrictions for minors.

(a)(1) The Mayor is authorized to issue a new or renewed motor vehicle operator’s permit, valid for a period not to exceed 8 years plus any time period prior to the expiration date of a previous license not to exceed 2 months, to any individual 17 years of age or older, subject to the following conditions and any other conditions the Mayor may prescribe to protect the public:

(A) The applicant shall pay an application fee of $30, which may be increased by the Mayor to compensate the District for processing and evaluating the application and issuing the permit. Alternatively, the Mayor is authorized to prorate existing fees to correspond to the duration of the license issued.

(A-i)(i) Effective October 1, 2015, an applicant for an operator’s permit shall pay an application fee of $47, which the Mayor may increase or decrease to compensate the District for processing and evaluating the application and issuing the permit. The Mayor may prorate the fee to correspond to the duration of the license issued.

(ii) Repealed.

(iii) Repealed.

(A-ii)(i) Notwithstanding subparagraph (A-i) of this paragraph, the fee described in subparagraph (A-i) of this paragraph shall be waived for:

(I) An individual released from the custody of the Federal Bureau of Prisons (“BOP”), for one year after the individual is released from the custody of the BOP; and

(II) An individual in the custody of the BOP at a halfway house in the District.

(ii) The Mayor, pursuant to subchapter I of Chapter 5 of Title 2 [§ 2-501 et seq.], may issue rules to implement the provisions of this subparagraph.

(B) The applicant shall demonstrate that he or she is mentally, morally, and physically qualified to operate a motor vehicle in a manner not to jeopardize the safety of individuals or property. The Mayor shall determine whether an applicant is qualified through:

(i) An examination of the applicant’s knowledge of the traffic regulations and regulations for safely sharing roadways with pedestrians and bicyclists, including giving bicyclists 3 feet of space, employing the Dutch reach method to open a car door, and yielding to bicyclists when turning;
(ii) A practical demonstration, or evidence acceptable to the Mayor of the applicant’s ability to operate a motor vehicle within any portion of the District, except that upon renewal of an operator’s permit or upon the application of an individual who meets the criteria set forth in subparagraph (C) of this paragraph, the examination and demonstration may be waived in the discretion of the Mayor; and

(iii) Any other criteria as the Mayor may establish.

(B-i)(i) For the purposes of subparagraph (B) of this paragraph, the term “Dutch reach method” means using the hand furthest from a car door handle to open the car door and, at the same time, looking over one’s shoulder to ensure the door may be opened safely.

(ii) The examination required by subparagraph (B)(i) of this paragraph shall be required for all persons who are converting an out-of-state license who have not taken the exam within the past 5 years. The requirement of this sub-subparagraph shall not be waived for any reason, except that holders of a commercial driver license shall not be required to take the exam. A person converting an out-of-state license may take the examination required by this sub-subparagraph as many times as needed to pass.”.

(C) An applicant under the age of 21, shall meet the following additional qualifications in addition to the qualifications in subparagraph (B) of this paragraph:

(i) The applicant shall be the holder of a valid provisional permit issued at least 6 months prior to the application in accordance with paragraph (2A) of this subsection;

(ii) The applicant shall not have admitted to, been liable for, or convicted of an offense for which points may be assessed during the 12 consecutive month period immediately preceding the application; and

(iii) The applicant shall have received 10 hours of nighttime driving experience, as certified by the holder of a valid motor vehicle operator’s permit from any jurisdiction, who is 21 years of age or older and has accompanied the applicant while the applicant was operating the motor vehicle.

(D) No permittee under the age of 18 shall:

(i) Operate a motor vehicle occupied by more than 2 passengers under the age of 21, except that this restriction shall not apply to a passenger who is a sibling of the permittee;

(ii) Operate a motor vehicle in which the permittee or any passenger fails to wear a seat belt; or

(iii) Operate a motor vehicle between 11:00 p.m. on any Sunday, Monday, Tuesday, Wednesday or Thursday until 6:00 a.m. on the following day during any month except July or August, and from 12:01 a.m. until 6:00 a.m. during July and August and on any Saturday
or Sunday the rest of the year, unless driving to or from employment, a school-sponsored activity, religious or an athletic event or related training session in which the permittee is a participant, sponsored by the District of Columbia, a civic organization, or another similar entity that takes responsibility for the minor, or unless accompanied by the holder of a valid motor vehicle operator’s permit who is 21 years of age or older and who is occupying a seat beside the permittee; or

(iv) Operate a motor vehicle other than a passenger vehicle or motorized bicycle used solely for the purposes of pleasure and not for compensation.

§ 50-1401.01d. Public outreach program.

(a) Within one year after the applicability date of the Vision Zero Omnibus Enhancement Act of 2020, as approved by the Committee on Transportation and the Environment on DATE, 2020 (Committee print of Bill 23-288), the District Department of Transportation (“DDOT”), in conjunction with the Metropolitan Police Department, the Department of Motor Vehicles, the Department of Public Works, and the Washington Area Bicyclist Association, shall establish a public outreach campaign (“campaign”) that:

(1) Emphasizes zero-tolerance for automobile-bicycle related injuries and fatalities;

(2) Includes information about traffic safety, sharing the road, and the danger that opening motor vehicle doors poses to bicyclists; and

(3) Includes education forums in each ward, aimed at educating the public and raising awareness related to automobile-bicycle related injuries and fatalities.

(b) In establishing the campaign, DDOT shall seek the input of community organizations, nonprofit organizations, and advocacy groups whose work relates to automobile-bicycle related injuries and fatalities.

§ 50-2201.04. Speeding and reckless driving.

(a)(1) No vehicle shall be operated at a greater rate of speed than permitted by the regulations adopted under the authority of this part.

(2) The speed limit on a street classified by the District Department of Transportation as local or collector shall be 20 miles per hour or less.

§ 50-2201.04e. Traffic control at intersections.

(a) Except as provided in subsection (b) of this section, DDOT shall erect signage prohibiting right turns when facing a red traffic control signal at an intersection that:

(1) Is within 400 feet of a playground;
(2) Is within 400 feet of an elementary, middle or high school;

(3) Has a bike lane running through it;

(4) Is within 400 feet of a recreation center;

(5) Is within 400 feet of a library; or

(6) Is within 400 feet of a Metrorail station entrance.

(b) DDOT may elect not to erect signage prohibiting right turns when facing a red traffic control signal at an intersection as required by subsection (a) of this section if it publishes an explanation on its website as to why such signage would not contribute to safety at that particular intersection.

§ 50-2201.05a. Establishment of Ignition Interlock System Program.

(b-2) If a person fails to enroll in the Program within 30 days after notification by the Department of Motor Vehicles of the requirement that the person enroll in the Program, the person’s license, permit, or privilege to drive in the District shall be revoked and the person’s vehicle registration, if any, shall be suspended, until the person enters the Program. The period of time the person is required to enroll in the Program may be extended, pursuant to regulations, for failure to comply with the requirements of the Program.

Section 9

§ 50-2209.02. Liability for fines; notice of infraction; hearing.

(a) Absent an intervening criminal or fraudulent act, the owner of a vehicle issued a notice of infraction shall be liable for payment of the fine assessed for the infraction.

(b) When a violation is detected by an automated traffic enforcement system and the Mayor enforces the violation, the Mayor shall mail a summons and a notice of infraction to the name and address of the registered owner of the vehicle on file with the Department of Motor Vehicles or the appropriate state motor vehicle agency. The notice shall include the date, time, and location of the violation, the type of violation detected, the license plate number, and state of issuance of the vehicle detected, and a copy of the photo or digitized image of the violation.

(b-1) When a speeding violation is detected by an automated traffic enforcement system in an amount of 8 miles per hour or more over the applicable speed limit and the Mayor does not enforce the violation, the Mayor shall mail a warning to the name and address of the registered owner of the vehicle on file with the Department of Motor Vehicles or the appropriate state motor vehicle agency, except that the Mayor need only issue one warning per calendar year to each registered owner for each location of detection. The warning shall include the date, time,
and location of the violation, the type of violation detected, the license plate number, and state of issuance of the vehicle detected, a copy of the photo or digitized image of the violation, and wording stating that the Mayor retains the right to enforce any future speeding violations detected.

(c) An owner or operator who receives a citation may request a hearing which shall be adjudicated pursuant to subchapter I of Chapter 23 of this title.

(d) The owner or operator of a vehicle shall not be presumed liable for violations in the vehicle recorded by an automated traffic enforcement system when yielding the right of way to an emergency vehicle, when the vehicle or tags have been reported stolen prior to the citation, when part of a funeral procession, or at the direction of a law enforcement officer.

**Section 10**

§ 50–2209.11. Automated enforcement expansion plan.

(a) Not later than April 1, 2013, the Mayor shall transmit to the Council a plan for expansion of automated traffic enforcement in the District. The plan shall include:

(1) An explanation of the plan, its goals, and the strategies to achieve the goals, such as red light, speed, fixed, and mobile;

(2) A recommended number of automated enforcement cameras, by category, that should be deployed in the District to achieve appropriate levels of enforcement and associated traffic safety results;

(3) A timeline for deploying the recommended number of cameras, including the number of additional cameras needed, by category and by fiscal year; and

(4) The amount of funding necessary, in addition to what has been authorized as of the date of the plan’s publication, by fiscal year, to attain the target number of cameras.

(b)(1) By January 1, 2022, the Mayor shall have operating in the District at least:

(A) 75 red light automated enforcement cameras; and

(B) 10 bus lane automated enforcement cameras.

(2) By January 1, 2024, the Mayor shall have operating in the District at least:

(A) 30 stop sign automated enforcement cameras; and

(B) 125 red light automated enforcement cameras.
Section 11

§ 50–2301.12. Reciprocity for Non-moving and ATE Fines

(a)(1) The Mayor may establish reciprocal agreements with states or other jurisdictions that provide for the suspension of vehicle registrations or driver’s licenses for vehicles registered in that state or jurisdiction that accrue more than an amount, to be determined in negotiations with the states or other jurisdictions, of non-moving violation fines and automated traffic enforcement fines in the District.

(2) The Mayor may permit a percentage of the money recovered from the payment of citations and fines due to suspended vehicle registrations or driver’s licenses be paid to the state or jurisdiction in which the vehicle is registered or the driver is licensed as payment for the state or jurisdiction’s cooperation in the reciprocal agreement.

(b)(1) The Mayor shall enter into negotiations with Virginia and Maryland to establish reciprocal agreements pursuant to subsection (a) of this section.

(2) The Mayor shall transmit a report to the Council by September 30, 2021 which describes the results or progress of the negotiations required by this subsection, the contents of any reciprocal agreement agreed upon, and the expected financial gain or loss resulting from any reciprocal agreement agreed upon.

Section 12

§ 50–2651. Curb loading zone management program.

(a-1) In order to ensure that residential developments have adequate commercial and passenger vehicle loading and unloading zones to eliminate the need for illegal parking by commercial vehicles, the program rules shall establish a process by which the owner of a building with 50 or more residential units shall submit, to the District Department of Transportation for approval, plans to reduce or prevent congestion caused by:

(1) Loading vehicles; and

(2) Private vehicles-for-hire and public vehicles for-hire, as those terms are defined in section 4(16A) and (17) of the District of Columbia Taxicab Commission Establishment Act of 1985, effective March 25, 1986, (D.C. Law 6-97; D.C. Official Code § 50-301.03(16A) and (17)).

(a) Within 120 days of October 22, 2009, the Mayor, pursuant to subchapter I of Chapter 5 of Title 2 [§ 2-501 et seq.], shall issue rules to implement the provisions of this subchapter.

Section 13

1204.2 Each bicycle, when in use at night, shall be equipped with a lamp on the front which shall emit a steady or flashing white light visible from a distance of at least five hundred feet (500 ft.) to the front and with a red reflector on the rear which shall be visible from all distances from fifty feet (50 ft.) to three hundred feet (300 ft.) to the rear when directly in front of upper beams of head lamps on a motor vehicle. with a lamp on the rear which shall emit a steady or flashing red light visible from a distance of at least five hundred feet (500 ft.) to the rear.

1204.3 [Repealed]

2405.5 The following may not be parked on any public thoroughfare in front of, alongside, or in the rear of any private dwelling or apartment, house of worship, school, playground, or hospital; provided, a vehicle may be parked in front of, alongside, or in the rear of such property while engaged in work at such place for which the vehicle is reasonably necessary:

The following may not be parked on any public thoroughfare alongside a bike lane that does not have a barrier between the bike lane and the road, or in front of, alongside, or in the rear of any private dwelling or apartment, house of worship, school, playground, or hospital, except while engaged in work at such place for which the vehicle is reasonably necessary:
A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the District of Columbia Administrative Procedure Act to provide that the Mayor shall provide 10 days’ notice when proposing to install, modify, or amend a statement for guiding, directing, or otherwise regulating vehicular or pedestrian traffic, if the proposed installation, modification, or removal of the statement will increase safety at a location identified as a high-risk intersection or corridor in the Multimodal Long-Range Transportation Plan; to amend the Priority Sidewalk Assurance Act of 2010 to require the Mayor to install sidewalks on both sides of a street, to connect new sidewalks to existing sidewalks, to make crosswalks high-visibility crosswalks, and to make conforming amendments; to amend the Department of Transportation Establishment Act of 2002 to provide that the District Department of Transportation (“DDOT”) shall not construct certain capital projects over $1 million without publishing a report on its website describing how the project relates to Vision Zero or other District goals, to provide that DDOT shall not issue a public space permit for certain projects over $1 million unless the plans include appropriate installations for new sidewalks or high-visibility crosswalks for unmarked crosswalks where appropriate, and the applicant has met the requirements of previous permits and restored crosswalks to be high-visibility and bike lanes to their pre-construction condition or as a protected bike lane, to require DDOT to maintain a webpage that makes all data collected pursuant to the Bicycle and Pedestrian Safety Amendment Act of 2016 publicly available and easily searchable, and to provide that each day a bike lane is not restored to its pre-construction condition or each day a crosswalk is not restored after construction to the condition called for in the Standard Specifications used by DDOT shall be a Class 1 infraction; to amend the District of Columbia Comprehensive Bicycle Transportation and Safety Act of 1984 to add the Director of the Department of Public Works to the Bicycle Advisory Council, and to require DDOT to construct a protected bike lane or cycle track on a road segment where called for in the District of Columbia’s Multimodal Long-Range Transportation Plan when DDOT is otherwise engaged in road
reconstruction on that road segment; to amend the Distracted Driving Safety Act of 2004 to prohibit drivers from using headphones or earbuds that cover both ears while operating a motor vehicle, and to eliminate the provision that bars points from being assessed for a violation of the Distracted Driving Safety Act of 2004 when the violation does not contribute to an accident; to amend the Bicycle and Pedestrian Safety Amendment Act of 2016 to require DDOT to publish requests for all-way or signalized stops at intersections and, if the request is denied, to explain the agency’s reasoning as to why it denied the request, to require DDOT to submit to the Council a Vision Zero infrastructure progress report on the District’s top 15 most dangerous corridors for pedestrians and cyclists including how proposed projects in those corridors increase safety, increase equitable access to public transportation, contribute to reaching the mode share goals in the Multimodal Long-Range Transportation Plan, and decrease the speed of motor vehicles in the corridor, to require that DDOT adopt an updated Complete Streets Policy, to require DDOT to update the Council on the progress of implementing the Complete Streets policy every 4 years; to require DDOT to update the Multimodal Long-Range Transportation Plan and then update the plan every 5 years, to require DDOT to post an incident report on its website within 60 days after a collision that causes a death or serious injury describing planned design changes to the site, and to add the Director of the Department of Motor Vehicles to the Major Crash Review Task Force; to amend the District of Columbia Traffic Act, 1925 to require applicants to convert an out-of-state license to take an examination of the applicant’s knowledge of certain traffic rules and regulations, to require DDOT, in coordination with other agencies, to conduct a public outreach campaign on Vision Zero; to prohibit right turns when facing a red traffic control signal in intersections within 400 feet of a school, recreation center, library, playground, Metrorail station entrance, or with a bike lane running through it, unless DDOT publishes an explanation as to why the prohibition would not increase safety, to reduce the speed limit on District roads classified by DDOT as local or collector to 20 miles per hour, and to provide for the revocation of a person’s license and vehicle registration if the person fails to enroll in the Ignition Interlock Program when required; to amend the Fiscal Year 1997 Budget Support Act of 1996 to require the Mayor to send warnings to drivers caught going 8 or more miles per hour over the speed limit by an automated traffic enforcement camera when the Mayor does not issues a summons and notice of infraction; to amend the Safety-Based Traffic Enforcement Amendment Act of 2012 to require the Mayor to have at least 75 operating red light cameras in the District by January 1, 2022, at least 10 operating bus lane enforcement cameras in the District by January 1, 2022, at least 30 operating stop sign cameras in the District by January 1, 2024, and at least 125 operating red light cameras in the District by January 1, 2024; to amend the District of Columbia Traffic Adjudication Act of 1978 to permit the Mayor to establish reciprocal agreements with states and other jurisdictions that provide for the suspension of vehicle registrations or driver’s licenses that accrue more than
a certain amount of traffic fines in the District, to require the Mayor to enter
into negotiations with Virginia and Maryland to establish such reciprocal
agreements, and to require the Mayor to submit a report to the Council on the
progress or result of such negotiations; to amend the Commercial Curbside
Loading Zone Implementation Act of 2009 to require DDOT to issue rules to
guarantee certain new developments have appropriate loading and unloading
zones; and to amend Title 18 of the District of Columbia Municipal
Regulations to require bicycles in the District to have a light on the rear, and
to prohibit trailers from parking alongside an unprotected bike lane.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,

That this act may be cited as the “Vision Zero Enhancement Omnibus Amendment Act of
2020”.

Sec. 2. The District of Columbia Administrative Procedure Act, approved October
21, 1968 (82 Stat. 1203; D.C. Official Code § 2-501 et seq.), is amended as follows:
(a) Section 102(6)(B)(iv) (D.C. Official Code § 2-502(6)(B)(iv)) is amended by
striking the phrase “30-days written notice via electronic delivery, excluding Saturdays,
Sundays and legal holidays” and inserting the phrase “30 days’ written notice, or 10
days’ written notice if the District Department of Transportation has published brief
reasoning on its website describing how the proposed installation, modification, or
removal will increase safety at a location identified as a high-risk intersection or corridor
in the Multimodal Long-Range Transportation Plan, via electronic delivery, excluding
Saturdays, Sundays and legal holidays” in its place.

(b) Section 301(e)(2)(D) (D.C. Official Code § 2-551(5)(B)(iv)) is amended by
striking the phrase “30-days written notice, via electronic delivery, excluding Saturdays,
Sundays and legal holidays” and inserting the phrase “30 days’ written notice, or 10
days’ written notice if the District Department of Transportation has published brief
reasoning on its website describing how the proposed installation, modification, or
removal will increase safety at a location identified as a high risk intersection or corridor in the Multimodal Long-Range Transportation Plan, via electronic delivery, excluding Saturdays, Sundays and legal holidays” in its place.

Sec. 3. The Priority Sidewalk Assurance Act of 2010, effective September 24, 2010 (D.C. Law 18-227; D.C. Official Code § 9-425.01 et seq.), is amended as follows:

(a) Section 2 (D.C. Official Code § 9-425.01) is amended as follows:

(1) Subsection (a) is amended to read as follows:

“(a)(1) For road segments that lack sidewalks on both sides of the street, road reconstruction or major repair, installation of a curb and gutter, or curb and gutter replacement shall include installation of a sidewalk on the side of the street that lacks a sidewalk.

“(2) When installing a new sidewalk pursuant to this subsection, the new sidewalk shall connect to an existing sidewalk if there is an existing sidewalk within 0.1 miles from the road segment where the construction of the new sidewalk is taking place, on either end, and is on the same side of the street as the new sidewalk.”.

(2) The lead-in language of subsection (b) is amended by striking the phrase “major construction” and inserting the phrase “road reconstruction or major repair, installation of a curb and gutter, or curb and gutter replacement” in its place.

(b) A new section 2a is added to read as follows:

“Sec. 2a. Crosswalk installation requirements.

“For a road segment that has a crosswalk that is not marked, road reconstruction or major repair, installation of a curb and gutter, or curb and gutter replacement shall include installation of a high-visibility, marked crosswalk that complies with the Manual
on Uniform Traffic Control Devices, unless DDOT has published a brief reasoning on its website describing why installing a high-visibility, marked crosswalk would reduce pedestrian safety.”.

(c) Section 3 (D.C. Official Code § 9-425.02) is amended as follows:

(1) Subsection (a) is amended as follows:

(A) The lead-in language is amended by striking the phrase “new sidewalks.” and inserting the phrase “new sidewalks or crosswalks.” in its place.

(B) Paragraph (1) is amended by striking the phrase “new sidewalk” and inserting the phrase “new sidewalk or crosswalk” in its place.

(C) Paragraph (2) is amended by striking the phrase “the proposed sidewalk” both times it appears and inserting the phrase “the proposed sidewalk or crosswalk” in its place.

(2) Subsection (f) is amended to read as follows:

“(f) For the purposes of this act, the term:

“(1) “Affected parties” means residents with property abutting the road segment under consideration.

“(2) “Crosswalk” shall have the same meaning as provided in 18 DCMR § 9901.1.”.

Sec. 4. The Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C Official Code § 50-921.01 et seq.), is amended as follows:

(a) Section 5(a) (D.C. Official Code § 50-921.04(a)) is amended as follows:

(1) A new paragraph (2A) is added to read as follows:
“(A) The Project Delivery Administration shall not construct a capital project described in paragraph (1)(D) of this subsection if the cost of work that is done in the public space is greater than $1 million and the project will require any road reconstruction or major repair, installation of a curb and gutter, or curb and gutter replacement, unless DDOT has published a report on its website describing how the capital project:

“(A) Implements a project or recommendation listed in the Multimodal Long-Range Transportation Plan (“Transportation Plan”);

“(B) Increases safety for users of modes of transportation other than motor vehicles, as that term is defined in section 8 of An Act To provide for the annual inspection of all motor vehicles in the District of Columbia, effective March 15, 1985 (D.C. Law 5-176; D.C. Official Code § 50-1108);

“(C) Increases equitable access to public transportation by furthering the Transportation Plan’s goal of 50% of all commuter trips by public transportation by 2032, including a description of whether the capital project improves equitable access to public transportation in an area identified as a transit priority need area in the Transportation Plan;

“(D) Fulfills a public safety goal of the District; or

“(E) Is required by law or as a condition of a federal grant.”.

(2) A new paragraph (3A) is added to read as follows:

“(3A) The Operations Administration shall not issue a public space permit described in paragraph (3)(E) of this subsection if the work that is done in the public space has an aggregate cost greater than $1 million and the project will require any road
reconstruction or major repair, installation of a curb and gutter, or curb and gutter replacement, unless:

“(A) The applicant’s project plan includes:

“(i) If the project is on a road segment that lacks a sidewalk on the side of the street where the project for which a permit is requested will occur, a requirement that the applicant install a new sidewalk on that block that connects to an existing sidewalk if there is an existing sidewalk within 0.1 miles of the new sidewalk, on either end, that is on the same side of the street as the new sidewalk;

“(ii) If the project is on a road segment that includes a crosswalk, as that term is defined in 18 DCMR § 9901.1, that is not a marked, high-visibility crosswalk, a requirement that the applicant make the crosswalk a marked, high-visibility crosswalk, unless DDOT determines that installing a high-visibility, marked crosswalk would reduce pedestrian safety;

“(iii) If any crosswalks are removed during the project, a requirement that the applicant replace the crosswalk with a high-visibility, marked crosswalk, unless DDOT determines that installing a high-visibility, marked crosswalk would reduce pedestrian safety;

“(iv) If a bicycle lane is removed during the project, a requirement that the applicant replace the bicycle lane to its pre-construction condition, and, after September 30, 2021, if more than 50 feet of a bicycle lane is removed during the project, replace that block of the bicycle lane with a protected bicycle lane or a cycle track when called for in DDOT’s Multimodal Long-Range Transportation Plan; and

“(v) A requirement that the applicant submit
photographs and any other materials as required by DDOT evidencing the applicant’s compliance with the requirements of this subparagraph.

“(B) DDOT certifies that, for any past project that required any road reconstruction or major repair, installation of a curb and gutter, or curb and gutter replacement for which the applicant received a public space permit described in paragraph (3)(E) of this subsection after the applicability date of the Vision Zero Omnibus Enhancement Amendment Act of 2020, as approved by the Committee on Transportation and the Environment on DATE, 2020 (Committee print of Bill 23-288), the applicant has complied with all requirements of past project plans, as required by subparagraph (A) of this paragraph.”.

(3) Paragraph (5) is amended as follows:

(A) Subparagraph (A) is amended by striking the phrase “; and” and inserting a semicolon in its place.

(B) Subparagraph (B) is amended by striking the period and inserting a semicolon in its place.

(C) New subparagraphs (C) and (D) are added to read as follows:

“(C) Maintain a webpage that makes publicly available and easily searchable:

“(i) All data the Mayor is required to collect pursuant to sections 101 through 107 of the Bicycle and Pedestrian Safety Amendment Act of 2016, effective October 8, 2016 (D.C. Law 21-155; D.C. Official Code §§ 50-1951.01 – 50-1951.07); and

“(ii) Data in the Department of Health’s annual Trauma
Registry Report that is anonymized as to specific individuals.

“(D) Develop and maintain a tutorial maintained on the webpage required by subparagraph (C) of this paragraph describing how to access the data published on the webpage required by subparagraph (C) of this paragraph.”.

(b) Section 9k (D.C. Official Code § 50-921.19) is amended by adding a new subsection (g) to read as follows:

“(g)(1) Failure to comply with the requirements described in section 5(a)(3A)(A)(iii) or (iv) shall be a Class 1 infraction under Chapter 32 of Title 16 of the District of Columbia Municipal Regulations.

“(2) For a violation described in paragraph (1) of this subsection, beginning on the first full day that is at least 48 hours after the completion of a project for which DDOT has issued a permit pursuant to section 5(a)(3)(E), the Director shall issue a unique notice of infraction each calendar day until the applicant cures the violation. For the purposes of a notice of infraction issued pursuant to this paragraph, evidence of a violation described in paragraph (1) of this subsection on any date shall create a rebuttable presumption that the same violation occurred on every prior day beginning on the first full day that is at least 48 hours after the completion of the project.

“(3) Nothing in this subsection shall be construed to limit the Director’s authority to set and enforce fines for other infractions.”.

Sec. 5. The District of Columbia Comprehensive Bicycle Transportation and Safety Act of 1984, effective March 16, 1985 (D.C. Law 5-179; D.C. Official Code § 50-1601 et seq.), is amended as follows:

(a) Section 5(b)(1) (D.C. Official Code § 50-1604(b)(1)) is amended as follows:
(1) The lead-in language is amended by striking the number “17” and inserting the number “18” in its place.

(2) A new subparagraph (C-i) is added to read as follows:

“(C-i) The Director of the Department of Public Works or his or her designee;”.

(b) A new section 9a is added to read as follows:

“Sec. 9a. Protected bicycle lane installation requirements.

“(a) Except as provided in subsection (c) of this section, beginning September 30, 2021, for road segments that were included in the Recommended Bicycle Network in the Multimodal Long-Range Transportation Plan as described in section 302(b) of the Bicycle and Pedestrian Safety Amendment Act of 2016, as approved by the Committee on Transportation and the Environment on DATE, 2020 (Committee print of Bill 23-288), DDOT shall construct a protected bicycle lane or cycle track on that road segment when DDOT engages in any road reconstruction or major repair, installation of a curb and gutter, or curb and gutter replacement on that road segment. To the greatest extent feasible, DDOT shall make efforts to ensure the protected bicycle lanes and cycle tracks constructed are contiguous with other bicycle lanes and cycle tracks that are already completed.

“(b)(1) At least 30 days before construction begins on a protected bicycle lane or cycle track, the Mayor shall provide notice to affected parties, the affected Advisory Neighborhood Commissions, and the Councilmembers of the affected Wards. At a minimum, this notice shall include:

“(A) A statement of intent to construct a new protected bicycle
lane or cycle track, including the proposed design;

“(B) A statement describing a 30-day period for public comment on the proposed protected bicycle lane or cycle track and how affected parties can comment on the proposed protected bicycle lane or cycle track, including a statement on how Advisory Neighborhood Commissions can submit resolutions on the potential impact of the proposed protected bicycle lane or cycle track; and

“(C) A construction schedule.

“(2) The Mayor shall maintain for public review comments from affected parties received pursuant to paragraph (1)(B) of this subsection and responses thereto.

“(3) A resolution of an affected Advisory Neighborhood Commission shall be given great weight, as described in section 13(d)(3)(A) of the Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976 (D.C. Law 1-58; D.C. Official Code § 1-309.10(d)(3)(A)).

“(c)(1) The requirements of this section shall not apply if the Director of DDOT determines, in writing, that it is impractical or unnecessary to install a protected bicycle lane or cycle track because:

“(A) The physical site conditions would make it unduly expensive to construct the protected bicycle lane or cycle track; or

“(B) The District would be required to acquire an easement or property interest to establish the protected bicycle lane or cycle track.

“(2) The written determination required by paragraph (1) of this subsection shall be posted on the DDOT website.
“(d) DDOT shall not forgo meeting the goals of DDOT’s Paving Plan in order to avoid the requirements of the section.

“(e) For the purposes of this section, the term:

“(1) “Affected parties” means residents with property abutting the road segment on which the road reconstruction or major repair, installation of a curb and gutter, or curb and gutter replacement will occur.

“(2) “Cycle track” means an exclusive bike facility that is a separate path from the street and apart from on-street infrastructure.

“(3) “Protected bicycle lane” means a lane designated as exclusive space for bicyclists with pavement markings and signage, and includes physical barriers that separate the user from adjacent motor vehicle traffic.

“(4) Reconstruction” means any construction work done that requires designing a new layout of the road, but shall not include repaving by itself.

Sec. 6. The Distracted Driving Safety Act of 2004, effective March 30, 2004 (D.C. Law 15-124; D.C. Official Code § 50-1731.01 et seq.), is amended as follows:

(a) Section 4 (D.C. Official Code § 50-1731.04) is amended as follows:

(1) The lead-in language of subsection (b) is amended by striking the phrase “this section’ and inserting the phrase “subsection (a) of this section” in its place.

(2) A new subsection (c) is added to read as follows:

“(c) No person shall use headphones that cover both ears or earbuds in both ears while operating a motor vehicle in the District, except if the headphones or earbuds are being used to assist a hearing-impaired driver.”.

(b) Section 6(b) (D.C. Official Code § 50-1731.06(b)) is amended by striking the
phrase “; provided, that no points shall be assessed for a violation of this act that does not contribute to an accident.” and inserting a period in its place.

Sec. 7. The Bicycle and Pedestrian Safety Amendment Act of 2016, effective October 8, 2016 (D.C. Law 21-155; D.C. Official Code § 50-1951.01 et seq.), is amended as follows:

(a) Section 102(a) (D.C. Official Code § 50-1951.02(a)) is amended as follows:

(1) Paragraph (6)(C) is amended by striking the period and inserting a semicolon in its place.

(2) Paragraph (7) is amended by striking the period and inserting the phrase “; and” in its place.

(3) A new paragraph (8) is added to read as follows:

“(8) The speed of any motor vehicle involved in the collision, if known.”.

(b) Section 103(a) (D.C. Official Code § 50-1951.03(a)) is amended as follows:

(1) Paragraph (6) is amended by striking the phrase “; and” and inserting a semicolon in its place.

(2) Paragraph (7) is amended by striking the period and inserting the phrase “; and” in its place.

(3) A new paragraph (8) is added to read as follows:

“(8) The speed of the motor vehicle that committed the moving infraction, if known.”.

(c) Section 105 (D.C. Official Code § 50-1951.05) is amended as follows:

(1) The section heading is amended by striking the phrase “calming measures” and inserting the phrase “calming measures and all-way stop or signalized
intersections” in its place.

(2) A new subsection (a-1) is added to read as follows:

“(a-1) DDOT shall publish on its website, at least once per month, the following information related to citizen petitions, submitted to DDOT in the preceding 3 months and for which information has not already been published pursuant to this subsection, to convert an intersection of local, collector, or minor arterial streets to an all-way stop or signalized intersection:

“(1) The location of the intersection;
“(2) The date that the citizen petition was submitted to DDOT;
“(3) The change or modification requested under the citizen petition; and
“(4) For a request to convert an intersection to a signalized intersection, DDOT’s reasoning as to why it approved or denied the request for that particular intersection; or
“(5) For a request to convert an intersection to an all-way stop:
“(A) If the request is approved, an estimated timeline for the conversion; or
“(B) If the request is denied, a brief description of why approving the request would decrease pedestrian safety.”.

(3) Subsection (b) is amended by striking the phrase “calming measures” and inserting the phrase “calming measures and all-way or signalized stops” in its place.

(d) Section 106 (D.C. Official Code § 50-1951.06) is amended to read as follows:

“Sec. 106. Annual report on the most dangerous corridors for pedestrians and cyclists.”
“Within ten days of the date the Mayor submits the annual proposed budget to the Council, DDOT shall submit to the Council a Vision Zero infrastructure progress report that includes:

“(1) A list of the top 15 most dangerous corridors in the District for pedestrians and cyclists, as identified by DDOT;

“(2) For each corridor listed pursuant to paragraph (1) of this section, a description of projects for which funding is included in the Mayor’s proposed budget that would:

“(A) Reduce fatalities and serious injuries in that corridor;

“(B) Increase equitable access to public transportation in that corridor;

“(C) Contribute to reaching the mode share goals in the Multimodal Long-Range Transportation Plan; and

“(D) Decrease the speed of motor vehicles in the corridor.

“(3) For each project described in paragraph (2) of this section, a description of and the expected delivery date for the project.

“(4) For each project described in paragraph (2) of this section that is not projected to be completed within 2 years after the submission of the Vision Zero infrastructure progress report, a description of measures that will be implemented during the next fiscal year in furtherance of the goals described in paragraph (2) of this section.”.

(e) Title III (D.C. Official Code § 50-2381 et seq.) is amended as follows:

(1) The title heading is amended by striking the phrase “policy” and inserting the phrase “policy and Multimodal Long-Range Transportation Plan” in its
place.

(2) Section 301 (D.C. Official Code § 50-2381) is amended as follows:

(A) A new subsection (b-1) is added to read as follows:

“(b-1) In addition to the goals set out in subsection (b) of this section, by September 30, 2021, the Complete Streets policy shall include the following:

“(1) A recognition of the need to create a comprehensive, integrated, and connected network for all modes of transportation;

“(2) Recommendations for the use of the latest and best design criteria and guidelines;

“(3) A recognition that there must be sensitivity to the current and planned context of where projects will go, including buildings, land use, transportation, and community needs;

“(4) Performance standards with measurable outcomes; and

“(5) Specific next steps for implementing the policy as described.”.

(B) Subsection (d) is amended to read as follows:

“(d) By September 30, 2022, and every 4 years thereafter, DDOT shall report to the Council on DDOT’s progress towards implementing the Complete Streets policy during the previous 4 fiscal years, as well as plans for further implementation of the Complete Streets policy during the upcoming 4 fiscal years. These reports shall incorporate performance measures established by DDOT to determine how well streets are serving all users and identify barriers to implementing the Complete Streets policy.”.

(3) New sections 302 and 303 are added to read as follows:

“Sec. 302. Multimodal Long-Range Transportation Plan.
“(a) By September 30, 2021, and every 5 years thereafter, the Mayor shall submit to Council a Multimodal Long-Range Transportation Plan that includes:

“(1) A plan to ensure that by 2032, 50% of all commuter trips in the District are on public transportation and an additional 25% of commuter trips in all wards are by a mode of transportation other than motor vehicle;

“(2) A plan to ensure equitable access to public transportation in the District, including a list of transit priority need areas that DDOT has identified as having a higher than average reliance on public transportation;

“(3) A list of streets on which, or Metrobus or DC Circulator lines for which, DDOT plans to designate a vehicle travel lane for use exclusively by public transportation, including at least one street in, or Metrobus or DC Circulator line that serves, each ward; and

“(4) A list of high-risk intersections and corridors DDOT has identified as having an above average number of crashes leading to a death or serious injury in the previous 2 years, or that DDOT certifies as being at high risk of a crash that could lead to death or serious injury in the future.

“(b) For the purposes of this section, the term “public transportation” means any publicly owned or operated commercial vehicle, including DC Circulator, DC Streetcar, MetroAccess, Metrobus, or Metrorail.

“Sec. 303. Incident report required.

“Within 30 days after a collision, as that term is defined in section 2(3) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(3)), that causes a death or an injury likely to result in death,
the District Department of Transportation (“DDOT”) shall inspect the site of the collision. Within 30 days after the inspection, DDOT shall publish on its website an incident report describing:

“(1) Interim design elements that, after the collision, DDOT has installed at the site of the collision, if any;

“(2) Permanent or interim design elements that DDOT plans to install at the site of the collision, if any;

“(3) Whether the site of the collision is within one of the high-risk corridors identified by DDOT in the Multimodal Long-Range Transportation Plan; and

“(4) A detailed explanation as to why no interim or permanent design changes are warranted, should DDOT determine that no changes are warranted.”.

(f) Section 802(a) (D.C. Official Code § 50-1831(a)) is amended as follows:

(1) Paragraph (5) is amended by striking the phrase “; and” and inserting a semicolon in its place.

(2) Paragraph (6) is amended by striking the period and inserting the phrase “; and” in its place.

(3) A new paragraph (7) is added to read as follows:

“(7) The Director of the Department of Motor Vehicles, or the Director’s designee.”.

Sec. 8. The District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; codified in scattered cites of the D.C. Official Code), is amended as follows:

(a) Section 7(a)(1) (D.C. Official Code § 50-1401.01(a)(1)) is amended as follows:
(1) Subparagraph (B)(i) is amended by striking the phrase “in the District” and inserting the phrase “, including giving bicyclists 3 feet of space, employing the Dutch reach method to open a car door, and yielding to bicyclists when turning” in its place.

(2) A new subparagraph (B-i) is added to read as follows:

“(B-i)(i) For the purposes of subparagraph (B) of this paragraph, the term “Dutch reach method” means using the hand furthest from a car door handle to open the car door and, at the same time, looking over one’s shoulder to ensure the door may be opened safely.

“(ii) The examination required by subparagraph (B)(i) of this paragraph shall be required for all persons who are converting an out-of-state license who have not taken the exam within the past 5 years. The requirement of this sub-subparagraph shall not be waived for any reason, except that holders of a commercial driver license shall not be required to take the exam A person converting an out-of-state license may take the examination required by this sub-subparagraph as many times as needed to pass.”.

(b) A new section 7d is added to read as follows:

“Sec. 7d. Public outreach program.

“(a) Within one year after the applicability date of the Vision Zero Omnibus Enhancement Act of 2020, as approved by the Committee on Transportation and the Environment on DATE, 2020 (Committee print of Bill 23-288), the District Department of Transportation (“DDOT”), in conjunction with the Metropolitan Police Department, the Department of Motor Vehicles, the Department of Public Works, and the Washington
Area Bicyclist Association, shall establish a public outreach campaign ("campaign") that:

“(1) Emphasizes zero-tolerance for automobile-bicycle related injuries and fatalities;

“(2) Includes information about traffic safety, sharing the road, and the danger that opening motor vehicle doors poses to bicyclists; and

“(3) Includes education forums in each ward, aimed at educating the public and raising awareness related to automobile-bicycle related injuries and fatalities.

“(b) In establishing the campaign, DDOT shall seek the input of community organizations, nonprofit organizations, and advocacy groups whose work relates to automobile-bicycle related injuries and fatalities.”.

(c) Section 9(a) (D.C. Official Code § 50-2201.04(a)) is amended as follows:

(1) The existing text is designated as paragraph (1).

(2) A new paragraph (2) is added to read as follows:

“(2) The speed limit on a street classified by the District Department of Transportation as local or collector shall be 20 miles per hour or less.”.

(d) A new section 9e is added to read as follows:

“Sec. 9e. Traffic control at intersections.

“(a) Except as provided in subsection (b) of this section, DDOT shall erect signage prohibiting right turns when facing a red traffic control signal at an intersection that:

“(1) Is within 400 feet of a playground;

“(2) Is within 400 feet of an elementary, middle or high school;

“(3) Has a bike lane running through it;
“(4) Is within 400 feet of a recreation center;

“(5) Is within 400 feet of a library; or

“(6) Is within 400 feet of a Metrorail station entrance.

“(b) DDOT may elect not to erect signage prohibiting right turns when facing a red traffic control signal at an intersection as required by subsection (a) of this section if it publishes an explanation on its website as to why such signage would not contribute to safety at that particular intersection.”.

(e) Section 10a (D.C. Official Code § 50-2201.05a) is amended by adding a new subsection (b-2) to read as follows:

“(b-2) If a person fails to enroll in the Program within 30 days after notification by the Department of Motor Vehicles of the requirement that the person enroll in the Program, the person’s license, permit, or privilege to drive in the District shall be revoked and the person’s vehicle registration, if any, shall be suspended, until the person enters the Program. The period of time the person is required to enroll in the Program may be extended, pursuant to regulations, for failure to comply with the requirements of the Program.”.

Sec. 9. Section 902 of the Fiscal Year 1997 Budget Support Act of 1996, effective April 9, 1997 (D.C. Law 11-198; D.C. Official Code § 50-2209.02), is amended as follows:

(a) Subsection (b) is amended by striking the phrase “When a violation is detected by an automated traffic enforcement system” and inserting the phrase “When a violation is detected by an automated traffic enforcement system and the Mayor enforces the violation” in its place.
(b) A new subsection (b-1) is added to read as follows:

“(b-1) When a speeding violation is detected by an automated traffic enforcement system in an amount of 8 miles per hour or more over the applicable speed limit and the Mayor does not enforce the violation, the Mayor shall mail a warning to the name and address of the registered owner of the vehicle on file with the Department of Motor Vehicles or the appropriate state motor vehicle agency, except that the Mayor need only issue one warning per calendar year to each registered owner for each location of detection. The warning shall include the date, time, and location of the violation, the type of violation detected, the license plate number, and state of issuance of the vehicle detected, a copy of the photo or digitized image of the violation, and wording stating that the Mayor retains the right to enforce any future speeding violations detected.”.

Sec. 10. Section 103 of the Safety-Based Traffic Enforcement Amendment Act of 2012, effective May 1, 2013 (D.C. Law 19-307; D.C. Official Code § 50-2209.11), is amended as follows:

(a) The existing text is designated as subsection (a).

(b) A new subsection (b) is added to read as follows:

“(b)(1) By January 1, 2022, the Mayor shall have operating in the District at least:

“(A) 75 red light automated enforcement cameras; and

“(B) 10 bus lane automated enforcement cameras.

“(2) By January 1, 2024, the Mayor shall have operating in the District at least:

“(A) 30 stop sign automated enforcement cameras; and

“(B) 125 red light automated enforcement cameras.”.
Sec. 11. Title I of the District of Columbia Traffic Adjudication Act of 1978, effective September 12, 1978 (D.C. Law 2-104; D.C. Official Code § 50-2301.01 et seq.), is amended by adding a new section 112 to read as follows:

“Sec. 112. Reciprocity for non-moving and ATE fines.

“(a)(1) The Mayor may establish reciprocal agreements with states or other jurisdictions that provide for the suspension of vehicle registrations or driver’s licenses for vehicles registered in that state or jurisdiction that accrue more than an amount, to be determined in negotiations with the states or other jurisdictions, of non-moving violation fines and automated traffic enforcement fines in the District.

“(2) The Mayor may permit a percentage of the money recovered from the payment of citations and fines due to suspended vehicle registrations or driver’s licenses be paid to the state or jurisdiction in which the vehicle is registered or the driver is licensed as payment for the state or jurisdiction’s cooperation in the reciprocal agreement.

“(b)(1) The Mayor shall enter into negotiations with Virginia and Maryland to establish reciprocal agreements as described in subsection (a) of this section.

“(2) The Mayor shall transmit a report to the Council by September 30, 2021, which describes the results or progress of the negotiations required by this subsection, the contents of any reciprocal agreement agreed upon, and the expected financial gain or loss resulting from any reciprocal agreement agreed upon.”.

Sec. 12. The Commercial Curbside Loading Zone Implementation Act of 2009, effective October 22, 2009 (D.C. Law 18-66; D.C. Official Code § 50-2651 et seq.), is amended as follows:
(a) Section 2 (D.C. Official Code § 50-2651) is amended by adding a new subsection (a-1) to read as follows:

“(a-1) In order to ensure that residential developments have adequate commercial and passenger vehicle loading and unloading zones to eliminate the need for illegal parking by commercial vehicles, the program rules shall establish a process by which the owner of a building with 50 or more residential units shall submit, to the District Department of Transportation for approval, plans to reduce or prevent congestion caused by:

“(1) Loading vehicles; and

“(2) Private vehicles-for-hire and public vehicles for-hire, as those terms are defined in section 4(16A) and (17) of the Department of For-Hire Vehicles Establishment Act of 1985, effective March 25, 1986, (D.C. Law 6-97; D.C. Official Code § 50-301.03(16A) and (17)).”.

(b) Section 3(a) (D.C. Official Code § 50-2652(a)) is amended by striking the phrase “Within 120 days of the effective date of this act, the” and inserting the word “The” in its place.

Sec. 13. Title 18 of the District of Columbia Municipal Regulations is amended as follows:

(a) Section 1204 is amended as follows:

(1) Subsection 1204.2 is amended by striking the phrase “with a red reflector on the rear which shall be visible from all distances from fifty feet (50 ft.) to three hundred feet (300 ft.) to the rear when directly in front of upper beams of head lamps on a motor vehicle.” and inserting the phrase “with a lamp on the rear which shall
emit a steady or flashing red light visible from a distance of at least five hundred feet (500 ft.) to the rear.” in its place.

(2) Subsection 1204.3 is repealed.

(b) The lead-in language of section 2405.5 is amended to read as follows:

“2405.5 The following may not be parked on any public thoroughfare alongside a bike lane that does not have a barrier between the bike lane and the road, or in front of, alongside, or in the rear of any private dwelling or apartment, house of worship, school, playground, or hospital, except while engaged in work at such place for which the vehicle is reasonably necessary:”.


(a) This act shall apply upon the date of inclusion of its 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 for 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.

Sec. 15. Fiscal impact statement.

Sec. 16. Effective date.

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