

DISTRICT OF COLUMBIA
OFFICIAL CODE

TITLE 50.
MOTOR AND NON-MOTOR VEHICLES AND
TRAFFIC.

CHAPTER 9A.
DEPARTMENT OF TRANSPORTATION.

2001 Edition

DISTRICT OF COLUMBIA OFFICIAL CODE

CHAPTER 9A. DEPARTMENT OF TRANSPORTATION.

TABLE OF CONTENTS

Subchapter I. General.

- § 50-921.01. Establishment of the Department of Transportation.
- § 50-921.02. Director.
- § 50-921.03. Organization.
- § 50-921.04. Duties.
- § 50-921.05. Transfers.
- § 50-921.06. Delegation and redelegation of authority.
- § 50-921.07. Reorganization.
- § 50-921.08. Repealer.
- § 50-921.09. References to Department of Transportation.
- § 50-921.10. District Department of Transportation Operating Fund.[Repealed]
- § 50-921.11. District Department of Transportation Unified Fund.[Repealed]
- § 50-921.12. Special purpose revenue funds.
- § 50-921.13. The District Department of Transportation Enterprise Fund for Transportation Initiatives.
- § 50-921.14. District Department of Transportation Parking Meter Pay-by-Phone Transaction Fee Fund.
- § 50-921.15. Sustainable Transportation Fund.

Subchapter II. DC Circulator Bus Service.

- § 50-921.31. Definitions.
- § 50-921.32. DC Circulator.
- § 50-921.33. DC Circulator Fund establishment.
- § 50-921.34. Fares; structure; purpose.
- § 50-921.35. Rulemaking; enforcement.
- § 50-921.36. Consolidation with WMATA.
- § 50-921.37. Jurisdictional applicability.
- § 50-921.38. Jurisdiction expansion and evaluation.

Subchapter III. Capital Project Review and Reconciliation.

- § 50-921.51. Definitions.
- § 50-921.52. Criteria for closing capital projects.
- § 50-921.53. Use of funds resulting from closure.
- § 50-921.54. Quarterly summary.

CHAPTER 9A. DEPARTMENT OF TRANSPORTATION.

SUBCHAPTER I. GENERAL.

§ 50-921.01. ESTABLISHMENT OF THE DEPARTMENT OF TRANSPORTATION.

Pursuant to § 1-204.04(b), the Council establishes the District Department of Transportation ("DDOT") as an agency within the executive branch of the government of the District of Columbia to improve the District's economic competitiveness and quality of life by planning, coordinating, and operating the transportation system, including the DC Circulator pursuant to subchapter II of this chapter and the DC Streetcar, and managing and maintaining the transportation infrastructure, to ensure the safe, efficient movement of people, goods and information along public rights-of-way.

(May 21, 2002, D.C. Law 14-137, § 2, 49 DCR 3444; Mar. 13, 2004, D.C. Law 15-105, § 20(a), 51 DCR 881; Apr. 13, 2005, D.C. Law 15-354, § 77(a), 52 DCR 2638; Mar. 6, 2007, D.C. Law 16-225, § 3(c), 53 DCR 10232; Mar. 31, 2011, D.C. Law 18-339, § 6(a), 58 DCR 618.)

HISTORICAL AND STATUTORY NOTES

Effect of Amendments

D.C. Law 15-105 validated a previously made technical correction.

D.C. Law 15-354 substituted "District Department of Transportation ("DDOT")" for "Department of Transportation ("DOT)".

D.C. Law 16-225, substituted "coordinating, and operating the transportation system, including the DC Circulator pursuant to subchapter II of this chapter" for "and coordinating the transportation system".

D.C. Law 18-339 substituted "subchapter II of this chapter and the DC Streetcar," for "subchapter II of this chapter,".

Temporary Amendments of Section

For temporary (225 day) amendment of section, see § 3(a) of District Department of Transportation DC Circulator Temporary Amendment Act of 2006 (D.C. Law 16- 134, June 16, 2006, law notification 53 DCR 5762).

Emergency Act Amendments

For temporary (90 day) amendment of section, see § 3(a) of District Department of Transportation DC Circulator Emergency Amendment Act of 2006 (D.C. Act 16- 321, March 23, 2006, 53 DCR 2557).

For temporary (90 day) amendment of section, see § 3(c) of District Department of Transportation DC Circulator Congressional Review Emergency Amendment Act of 2007 (D.C. Act 17-3, January 16, 2007, 54 DCR 1439).

Legislative History of Laws

Law 14-137, the "Department of Transportation Establishment Act of 2002", was introduced in Council and assigned Bill No. 14-343, which was referred to the Committee on Public Works and the Environment. The Bill was adopted on first and second readings on February 19, 2002, and March 5, 2002, respectively. Signed by the Mayor on March 26, 2002, it was assigned Act No. 14-313 and transmitted to both Houses of Congress for its review. D.C. Law 14-137 became effective on May 21, 2002.

For Law 15-105, see notes following § 50-203.

For Law 15-354, see notes following § 50-319.

Law 16-225, the "District Department of Transportation DC Circulator Amendment Act of 2006", was introduced in Council and assigned Bill No. 16-634, which was referred to Committee on Public Works and

Environment. The Bill was adopted on first and second readings on November 14, 2006, and December 5, 2006, respectively. Signed by the Mayor on December 19 2006, it was assigned Act No. 16-554 and transmitted to both Houses of Congress for its review. D.C. Law 16-225 became effective on March 6, 2007.

Law 18-339, the "Transportation Infrastructure Amendment Act of 2010", was introduced in Council and assigned Bill No. 18-823, which was referred to the Committee on Public Works and Transportation. The Bill was adopted on first and second readings on December 7, 2010, and December 21, 2010, respectively. Signed by the Mayor on January 12, 2011, it was assigned Act No. 18-684 and transmitted to both Houses of Congress for its review. D.C. Law 18-339 became effective on March 31, 2011.

§ 50-921.02. DIRECTOR.

(a) The DDOT shall be headed by a Director. The Director shall be appointed by the Mayor with the advice and consent of the Council pursuant to § 1- 523.01(a).

(b) The Director shall have authority over DDOT, its functions and personnel, including the power to re-delegate to employees authority as, in the judgment of the Director, is warranted in the interests of efficiency and sound administration.

(c)(1) The Director may issue grants not to exceed \$1 million per grant to achieve the District's transportation goals, including safety objectives.

(2) No later than December 31 of each year, the Mayor shall submit to the Council an annual report specifying for each grant awarded by the District Department of Transportation in the prior fiscal year the following information:

(A) The name of the recipient;

(B) The amount awarded;

(C) The purpose for the grant awarded;

(D) A description of outcomes to be achieved with the funds of the grant; and

(E) An evaluation of whether the identified outcomes have been achieved with the grant.

(3) Notwithstanding paragraph (1) of this subsection, the Director may issue sole source subgrants in excess of \$1 million to the Union Station Redevelopment Corporation for the purpose of improving Union Station; provided, that the grants are federal grants and that the Union Station Redevelopment Corporation provides any necessary match.

(d)(1) The Director may enter into agreements with community-based organizations to support community-based transportation enhancement activities that are funded and approved by the Federal Highway Administration.

(2) An agreement made pursuant to this subsection shall constitute an agreement making or receiving grants-in-aid and shall be exempt from Chapter 3A of Title 2, in accordance with § 2-351.05.

(3) The Director shall submit to the Council on an annual basis a report detailing such grants and agreements.

(e)(1) The Director shall not spend directly from capital projects created in fiscal year 2012 or later that are funded through the District of Columbia Highway Trust Fund established under § 9-111.01.

(2) The Director may submit requests to the Office of Budget and Planning of the Office of the Chief Financial Officer ("OBP") to allocate funds for the Related Projects of each capital project created in fiscal year 2012 or later funded from the District of Columbia Highway Trust Fund. The Director, following allocation of funds by OBP to Related Projects, shall have the authority to obligate and spend the funds.

(May 21, 2002, D.C. Law 14-137, § 3, 49 DCR 3444; Mar. 13, 2004, D.C. Law 15-105, § 20(b), 51 DCR 881; Apr. 13, 2005, D.C. Law 15-354, § 77(b), 52 DCR 2638; Oct. 22, 2008, D.C. Law 17-248, § 2(a), 55 DCR 9203; Sept. 14, 2011, D.C. Law 19-21, § 11002, 58 DCR 6226; Sept. 20, 2012, D.C. Law 19- 168, § 6024(a), 59 DCR 8025; Sept. 26, 2012, D.C. Law 19-171, § 220, 59 DCR 6190.)

HISTORICAL AND STATUTORY NOTES

Effect of Amendments

D.C. Law 15-105 validated a previously made technical correction.

D.C. Law 15-354 substituted "DDOT" for "DOT".

D.C. Law 17-248 added subsecs. (c) and (d).

D.C. Law 19-21 added subsec. (e).

D.C. Law 19-168 added subsec. (c)(3).

D.C. Law 19-171, in subsec. (d)(2), substituted "shall be exempt from Unit A of Chapter 3 of Title 2, in

accordance with § 2-301.04(b)" for "shall be exempt from Chapter 3A of Title 2, in accordance with § 2-351.05".

Temporary Amendments of Section

For temporary (225 day) amendment of section, see § 2(a) of Department of Transportation Establishment Temporary Amendment Act of 2008 (D.C. Law 17-159, May 13, 2008, law notification 55 DCR 5893).

Section 2 of D.C. Law 19-166 added subsec. (c)(3) to read as follows:

"(3) Notwithstanding paragraph (1) of this subsection, the Director may issue sole source subgrants in excess of \$1 million to the Union Station Redevelopment Corporation for the purpose of improving Union Station; provided, that the grants are federal grants and that the Union Station Redevelopment Corporation provides any necessary match."

Section 4(b) of D.C. Law 19-166 provides that the act shall expire after 225 days of its having taken effect.

Emergency Act Amendments

For temporary (90 day) amendment of section, see § 2(a) of Department of Transportation Establishment Emergency Amendment Act of 2008 (D.C. Act 17-308, February 25, 2008, 55 DCR 2522).

For temporary (90 day) amendment of section, see § 2 of District Department of Transportation Grant Authority Emergency Amendment Act of 2012 (D.C. Act 19- 353, May 11, 2012, 59 DCR 5125).

For temporary (90 day) amendment of section, see § 2 of the District Department of Transportation Grant Authority Congressional Review Emergency Amendment Act of 2012 (D.C. Act 19-405, July 24, 2012, 59 DCR 9122).

For temporary (90 day) amendment of section, see § 2(a) of District Department of Transportation Accessible Vehicles Fund Emergency Amendment Act of 2012 (D.C. Act 19-465, October 4, 2012, 59 DCR 11764).

Legislative History of Laws

For Law 14-137, see notes following § 50-921.01.

For Law 15-105, see notes following § 50-203.

For Law 15-354, see notes following § 50-319.

Law 17-248, the "Department of Transportation Establishment Amendment Act of 2008", was introduced in Council and assigned Bill No. 17-395 which was referred to the Committee on Public Works and Environment. The Bill was adopted on first and second readings on July 1, 2008, and July 15, 2008, respectively. Signed by the Mayor on August 4, 2008, it was assigned Act No. 17-495 and transmitted to both Houses of Congress for its review. D.C. Law 17-248 became effective on October 22, 2008.

For history of Law 19-21, see notes under § 50-231.

For history of Law 19-168, see notes under § 50-320.

Law 19-171, the "Technical Amendments Act of 2012", was introduced in Council and assigned Bill No. 19-397, which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on March 20, 2012, and April 17, 2012, respectively. Signed by the Mayor on May 23, 2012, it was assigned Act No. 19-376 and transmitted to both Houses of Congress for its review. D.C. Law 19-171 became effective on September 26, 2012.

Miscellaneous Notes

Short title: Section 11001 of D.C. Law 19-21 provided that title XI of the act may be cited as "Department of Transportation Capital Budget Allocation Authority Act of 2011".

§ 50-921.03. ORGANIZATION.

There is hereby established within DDOT the following offices and divisions:

(1) The Office of the Director, consisting of the Offices of Human Resources and Legal Affairs with subordinate staff responsible for:

(A) Technology and information services;

(B) Contracting and procurement; and

(C) Budget and financial services;

(2) The Infrastructure Project Management Administration, with the following subordinate staff offices:

(A) Project Management, to coordinate and manage:

(i) Design and engineering; and

(ii) Street and bridge construction project management;

- (B) Quality Control and Quality Assurance, to coordinate:
 - (i) Material inspection;
 - (ii) Material testing; and
 - (iii) Project materials specification review;
 - (C) Project Management Support, to coordinate and manage:
 - (i) Construction project review and coordination;
 - (ii) Construction contract execution;
 - (iii) Design and engineering support; and
 - (iv) Street and bridge construction support; and
 - (D) Asset Management;
- (3) The Transportation Policy and Planning Administration, with the following coordinate subordinate staff offices:
- (A) Internodal Planning;
 - (B) Financial Planning and Management;
 - (C) Project Identification and Development;
 - (D) Transportation System Data Management;
 - (E) State Transportation Environmental Compliance; and
 - (F) Mass Transit Policy, with functions to include supporting the Washington Metropolitan Area Transit Authority ("WMATA") Board members and acting as a liaison between WMATA and the District government including on matters involving:
 - (i) Alternative transportation; and
 - (ii) School transit subsidy;
- (4) The Traffic Services Administration and the Office of Traffic Signal Systems to coordinate and manage:
- (A) Traffic operations and safety;
 - (B) Intelligent transportation systems;
 - (C) Transportation systems management; and
 - (D) Concurrent with any other agency's authority to do so, the enforcement of violations of motor vehicle parking offenses and the enforcement of violations of motor vehicle moving offenses;
- (5) The Rights-of-Way Management Administration, with subordinate staff to coordinate and manage:
- (A) Public space permits and records;
 - (B) Investigations and inspections;
 - (C) Bridge and street maintenance;
 - (D) Traffic sign fabrication and installation; and
 - (E) Advertisements on parking meters, including the back of receipts printed out by multi-space parking meters;
- (6) The Tree Management Administration, with the following subordinate staff offices:
- (A) Tree Planting; and
 - (B) Tree Inventory Management.

(May 21, 2002, D.C. Law 14-137, § 4, 49 DCR 3444; Mar. 13, 2004, D.C. Law 15-105, § 20(c), 51 DCR 881; Apr. 13, 2005, D.C. Law 15-354, § 77(b), 52 DCR 2638; Sept. 18, 2007, D.C. Law 17-20, § 6032(a), 54 DCR 7052; Sept. 24, 2010, D.C. Law 18-223, § 6052(a), 57 DCR 6242.)

HISTORICAL AND STATUTORY NOTES

Effect of Amendments

D.C. Law 15-105 deleted the subsection designation "(a)"; and in par. (5), validated a previously made technical correction.

D.C. Law 15-354 substituted "DDOT" for "DOT".

D.C. Law 17-20, in par. (4), deleted "and" from the end of subpar. (B), added "and" at the end of subpar. (C), and added subpar. (D).

D.C. Law 18-223, in par. (5), deleted "and" from the end of subpar. (C); inserted "and" at the end of subpar.

(D), and added subpar. (E).

Emergency Act Amendments

For temporary (90 day) amendment of section, see § 6032(a) of Fiscal Year 2008 Budget Support Emergency Act of 2007 (D.C. Act 17-74, July 25, 2007, 54 DCR 7549).

For temporary (90 day) amendment of section, see § 6052(a) of Fiscal Year 2011 Budget Support Emergency Act of 2010 (D.C. Act 18-463, July 2, 2010, 57 DCR 6542).

Legislative History of Laws

For Law 14-137, see notes following § 50-921.01.

For Law 15-105, see notes following § 50-203.

For Law 15-354, see notes following § 50-319.

For Law 17-20, see notes following § 50-324.

Law 18-223, the "Fiscal Year 2011 Budget Support Act of 2010", was introduced in Council and assigned Bill No. 18-731, which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on May 26, 2010, and June 15, 2010, respectively. Signed by the Mayor on July 2, 2010, it was assigned Act No. 18-462 and transmitted to both Houses of Congress for its review. D.C. Law 18-223 became effective on September 24, 2010.

Miscellaneous Notes

Short title: Section 6031 of D.C. Law 17-20 provided that subtitle D of title VI of the act may be cited as the "District Department of Transportation Parking and Moving Offense Enforcement Authority Amendment Act of 2007".

Short title: Section 6051 of D.C. Law 18-223 provided that subtitle F of title VI of the act may be cited as the "Parking Meter Advertisement Amendment Act of 2010".

§ 50-921.04. DUTIES.

The offices of the DDOT shall plan, program, operate, manage, control, and maintain systems, processes, and programs to meet transportation needs as follows:

(1) Infrastructure Project Management Administration shall:

- (A) Manage and implement transportation improvement plans and projects;
- (B) Manage and construct capital projects related to the design and installation of streets, alleys, curbs, gutters, bicycle lanes, sidewalks, streetscapes, and medians;
- (C) Conduct studies, review and approve construction materials utilization and ensure that the transportation system is maintained to the highest standards; and
- (D) Administer the full range of processing required to execute construction contracts for transportation, from initial preparation of bid documents through final construction completion;

(2) Transportation Policy and Planning Administration shall:

- (A) Develop and update the Intermodal State Transportation Plan, corridor management plans and other traffic studies on a regular basis, focusing on the safe and efficient movement of people, goods, and information;
- (B) Conduct planning studies on the condition and quality of the District's transportation system to locate areas where future investment is required;
- (C) Develop alternative methods of financing transportation projects and services to achieve financial self-sufficiency;
- (D) Develop streetscape standards;
- (E) Develop and implement transportation safety programs;
- (F) Develop and maintain a performance monitoring system to measure the quality and effectiveness of transportation services;
- (G) Develop and maintain the transportation elements of the Geographic Information System;
- (H) Develop paratransit systems, water taxis, tour bus support services, light rail streetcar transit systems and other transportation services to provide for safe and efficient movement of persons throughout the city;
- (I) Operate the District of Columbia School Transit Subsidy Program;
- (J) Prepare studies on mass transit needs of District residents, including rail and bus services, review and revise bus routes, review and revise the location of bus shelter locations, support

WMATA Board members, and act as a liaison between WMATA and the District government;

(K) Develop policies and programs to encourage and provide for the safe use of bicycles for recreational and work related travel;

(L) Operate, develop, and finance the DC Circulator pursuant to subchapter II of this chapter;

(M) Develop and update the District's various transportation improvement plans, consistent with federal and local requirements; and

(N) Operate, develop, regulate, and finance the DC Streetcar.

(3) Traffic Services Administration shall:

(A) Provide a safe transportation system by maintaining a high quality traffic control system, including traffic signals and street lights;

(B) Incorporate transportation safety features in the development, design, and construction of pedestrian, bicycle, motor vehicle, and mass transportation facilities and programs;

(C) Maintain the mechanical and electrical systems which support the transportation infrastructure;

(D) With the signed approval of the Director of the Department of Public Works:

(i) Allocate and regulate on-street parking;

(ii) Develop a city-wide parking management program to balance the needs of parking in support of economic development; and

(iii) Establish parking and curb regulations; and

(E) Concurrent with any other agency's authority to do so, enforce all violations of statutes, regulations, executive orders, or rules relating to motor vehicle parking offenses and enforce violations of statutes, regulations, and rules relating to the operation of a motor vehicle, except those violations contained in § 50-2302.02.

(4) Rights-of-Way Management Administration shall:

(A) Review and approve public space permit requests for work within public rights-of-way, including private use and utility work public space requests, to ensure that transportation services are maintained and that the infrastructure is restored after the work is complete;

(B) Maintain official public space records;

(C) Perform regular inspections of the transportation system infrastructure;

(D) Perform routine repair and maintenance activities to maintain a high quality of transportation infrastructure;

(E) Coordinate seasonal snow removal operation on major arterial in conjunction with the Department of Public Works;

(F) With the consent of the Chief Property Management Officer, acquire real property, by purchase or lease, grant or gift for use by DDOT, and dispose of real property through sale, lease, or other authorized method, and exercise other acquisition and property disposition authority delegated to the Mayor; and

(G) Enter into agreements to allow the placement of advertisements on District property, under the control of DDOT, in public space and collect payments under the agreements, if:

(i) The placement of the advertisement is not in violation of District or federal laws, regulations, or orders;

(ii) The following provision is included in the advertisement agreement:

"If the Mayor or the Director of DDOT receives notice from the United States Secretary of Transportation that the future operation of the advertisement agreement may result in a reduction of the District's share of federal highway funds pursuant to section 131 of Title 23 of the United States Code, the advertiser or advertiser agency shall remove the advertisement within 30 days from the date of receipt of the notice by the District. Upon the expiration of the 30 days specified in this paragraph, if the advertiser or advertiser agency fails to cure the violation that resulted in the threatened reduction of highway funds, the Director of DDOT may terminate this agreement at no cost to the District.";

(iii) The requirements of § 1-303.22 and 12A DCMR § 3107, pertaining to outdoor signs and other forms of exterior advertising in the District of Columbia, shall not apply; and

(iv) All proceeds collected from the advertising agreement shall be paid into the DDOT Enterprise Fund for Transportation Initiatives, established under § 50-921.13.

(5) Tree Management Administration shall:

(A) Maintain a tree inventory system;

(B) Perform routine tree maintenance;

(C) Review transportation related construction plans to ensure the provision of adequate rights-of-way for tree planting; and

(D) Plant, remove, and trim trees citywide.

(May 21, 2002, D.C. Law 14-137, § 5, 49 DCR 3444; Apr. 13, 2005, D.C. Law 15-354, § 77(b), (c), 52 DCR 2638; Mar. 6, 2007, D.C. Law 16-225, § 3(d), 53 DCR 10232; Sept. 18, 2007, D.C. Law 17-20, § 6032(b), 54 DCR 7052; Oct. 22, 2008, D.C. Law 17-248, § 2(b), 55 DCR 9203; Sept. 24, 2010, D.C. Law 18- 223, § 6052(b), 57 DCR 6242; Mar. 31, 2011, D.C. Law 18-339, § 6(b), 58 DCR 618; Sept. 14, 2011, D.C. Law 19-21, § 6022, 58 DCR 6226; Sept. 26, 2012, D.C. Law 19-171, § 139, 59 DCR 6190.)

HISTORICAL AND STATUTORY NOTES

Effect of Amendments

D.C. Law 15-354 substituted "DDOT" for "DOT"; and, in par. (4)(F), substituted "Chief Property Management Officer" for "Director of the Office of Property Management".

D.C. Law 16-225, in par. (2)(J) deleted "and" at the end; in par. (2)(K), substituted "travel; and" for "travel;"; and added par. (2)(L).

D.C. Law 17-20, in par. (3), deleted "and" from the end of subpar. (C), added "and" at the end of subpar. (D)(iii), and added subpar. (E).

D.C. Law 17-248, rewrote par. (1)(D); in par. (2)(D), deleted "historic district" following "Develop"; in par. (2)(J), inserted "review and revise the location of bus shelter locations,"; in par. (2)(K), deleted "and" at the end; in par. (2)(L), substituted a semicolon for a period at the end; and added par. (2)(M).

D.C. Law 18-223, in par. (4), deleted "and" from the end of subpar. (E), inserted "and" at the end of subpar. (F), and added subpar. (G).

D.C. Law 18-339, in par. (2), substituted "light rail streetcar transit" for "light rail" in subpar. (H), deleted "and" from the end of subpar. (L), substituted "; and" for a period the end of subpar. (M), and added subpar. (N).

D.C. Law 19-21 rewrote par. (4)(G), which formerly read:

"(G) Enter into agreements to allow the placement of advertisements on parking meters, including the back of receipts printed out by multi-space parking meters, and may collect payments under the agreements."

D.C. Law 19-171 made a technical amendment to the enacting clause of D.C. Law 18-339, § 6(b)(2), that did not change the text of the section.

Temporary Amendments of Section

For temporary (225 day) amendment of section, see § 3(c) of District Department of Transportation DC Circulator Temporary Amendment Act of 2006 (D.C. Law 16- 134, June 16, 2006, law notification 53 DCR 5762).

For temporary (225 day) amendment of section, see § 3 of Department of Transportation and Department of Consumer and Regulatory Affairs Vending Consolidation of Public Space and Licensing Authorities Temporary Amendment Act of 2006 (D.C. Law 16-252, March 8, 2007, law notification 54 DCR 3037).

For temporary (225 day) amendment of section, see § 2(b) of Department of Transportation Establishment Temporary Amendment Act of 2008 (D.C. Law 17-159, May 13, 2008, law notification 55 DCR 5893).

Temporary Enactments

For temporary (225 day) addition, see § 2 of Capitol Hill District Protection Temporary Act of 2007 (D.C. Law 17-49, November 24, 2007, law notification 55 DCR 8).

Emergency Act Amendments

For temporary (90 day) amendment of section, see § 3(c) of District Department of Transportation DC Circulator Emergency Amendment Act of 2006 (D.C. Act 16- 321, March 23, 2006, 53 DCR 2557).

For temporary (90 day) amendment of section, see § 3 of Department of Transportation and Department of Consumer and Regulatory Affairs Vending Consolidation of Public Space and Licensing Authorities Emergency Act of 2006 (D.C. Act 16-564, December 19, 2006, 53 DCR 10264).

For temporary (90 day) amendment of section, see § 3(d) of District Department of Transportation DC Circulator Congressional Review Emergency Amendment Act of 2007 (D.C. Act 17-3, January 16, 2007, 54 DCR 1439).

For temporary (90 day) amendment of section, see § 6032(b) of Fiscal Year 2008 Budget Support Emergency Act of 2007 (D.C. Act 17-74, July 25, 2007, 54 DCR 7549).

For temporary (90 day) amendment of section, see § 2 of Capitol Hill Historic District Protection Emergency Act OF 2007 (D.C. Act 17-112, August 2, 2007, 54 DCR 8231).

For temporary (90 day) amendment of section, see § 2 of Capitol Hill Historic District Protection

Congressional Review Emergency Act of 2007 (D.C. Act 17- 142, October 17, 2007, 54 DCR 10743).

For temporary (90 day) amendment of section, see § 2(b) of Department of Transportation Establishment Emergency Amendment Act of 2008 (D.C. Act 17-308, February 25, 2008, 55 DCR 2522).

For temporary (90 day) addition, see § 6012 of Fiscal Year 2010 Budget Support Emergency Act of 2009 (D.C. Act 18-187, August 26, 2009, 56 DCR 7374).

For temporary (90 day) amendment of section, see § 6052(b) of Fiscal Year 2011 Budget Support Emergency Act of 2010 (D.C. Act 18-463, July 2, 2010, 57 DCR 6542).

For temporary (90 day) addition of sections, see §§ 6062, 6063 of Fiscal Year 2013 Budget Support Emergency Act of 2012 (D.C. Act 19-383, June 19, 2012, 59 DCR 7764).

For temporary (90 day) addition of sections, see §§ 6062, 6063 of Fiscal Year 2013 Budget Support Congressional Review Emergency Act of 2012 (D.C. Act 19- 413, July 25, 2012, 59 DCR 9290).

For temporary (90 day) amendment of section, see § 2(a) of District Department of Transportation Bicycle Sharing Fund Emergency Amendment Act of 2012 (D.C. Act 19-424, July 27, 2012, 59 DCR 9375).

Legislative History of Laws

For Law 14-137, see notes following § 50-921.01.

For Law 15-354, see notes following § 50-319.

For Law 16-225, see notes following § 50-921.01.

For Law 17-20, see notes following § 50-324.

For Law 17-248, see notes following § 50-921.02.

For Law 18-223, see notes following § 50-921.03.

For history of Law 18-339, see notes under § 50-921.01.

For history of Law 19-21, see notes under § 50-231.

For history of Law 19-171, see notes under § 50-921.02.

Delegation of Authority

Delegation of Authority to Capitol Hill Historic District Protection Emergency Act of 2007, see Mayor's Order 2007-185, August 9, 2007 (54 DCR 11621).

Miscellaneous Notes

Short title: Section 6021 of D.C. Law 19-21 provided that subtitle C of title VI of the act may be cited as "District Department of Transportation Advertisement Amendment Act of 2011".

Short title: Section 6061 of D.C. Law 19-168 provided that subtitle G of title VI of the act may be cited as "District Department of Transportation Policy Compendium Act of 2012".

Section 6062 of D.C. Law 19-168 provides:

"Sec. 6062. Policy compendium.

"(a) On or before September 30, 2013, the District Department of Transportation shall prepare a policy compendium listing all of the agency's policies and procedures that affect the management of the transportation network and public space.

"(b) The District Department of Transportation shall make the policy compendium available online."

§ 50-921.05. TRANSFERS.

(a) All positions, personnel, property, records, and unexpended balances of appropriations, allocations, and other funds available or to be made available to the Department of Public Works for transportation and other functions, as set forth in section III(A), III(B), III(C), III(D) (not including supply and fuel distribution), III(E), III(F) (not including the ensuring proper and sanitary collection and disposal of refuse in an environmentally sound manner), III(H)(not including parking enforcement, and vehicle and driver licensing, registration, and control), III(I) (including only streets and bridges), III(J) (not including the control of building systems and the provision of repair and improvement services), and III(L) of Reorganization Plan No. 4 of 1983 (part D of subchapter VI of Chapter 15 of Title 1, D.C. Official Code), effective March 1, 1984 are hereby transferred to the DDOT.

(b) All of the functions assigned and authorities delegated to the Department of Public Works, with respect to transportation and other functions, as set forth in section III(A), III(B), III(C), III(D) (not including supply and fuel distribution), III(E), III(F) (not including ensuring proper and sanitary collection and disposal of refuse in an environmentally sound manner), III(H)(not including parking enforcement, and vehicle and driver licensing, registration, and control), III(I) (including only streets and bridges), III(J) (not including the control

of building systems and the provision of repair and improvement services), and III(L) of Reorganization Plan No. 4 of 1983 are hereby transferred to the DDOT.

(c) All of the functions of the Department of Public Works as set forth in section IV (A) of Reorganization Plan No. 4 of 1983 are hereby transferred to the DDOT.

(May 21, 2002, D.C. Law 14-137, § 6, 49 DCR 3444; Apr. 13, 2005, D.C. Law 15-354, § 77(b), 52 DCR 2638.)

HISTORICAL AND STATUTORY NOTES

Effect of Amendments

D.C. Law 15-354 substituted "DDOT" for "DOT".

Emergency Act Amendments

For temporary (90 day) enactment, see § 6022 of Fiscal Year 2008 Budget Support Emergency Act of 2007 (D.C. Act 17-74, July 25, 2007, 54 DCR 7549).

For temporary (90 day) amendment of section, see § 6102 of Fiscal Year 2011 Budget Support Emergency Act of 2010 (D.C. Act 18-463, July 2, 2010, 57 DCR 6542).

Legislative History of Laws

For Law 14-137, see notes following § 50-921.01.

For Law 15-354, see notes following § 50-319.

Miscellaneous Notes

Short title: Section 6021 of D.C. Law 17-20 provided that subtitle C of title VI of the act may be cited as the "Civilian School Crossing Guard Function Transfer Amendment Act of 2007".

Short title: Section 6101 of D.C. Law 18-223 provided that subtitle K of title VI of the act may be cited as the "School Crossing Guard Promotion Opportunity Amendment Act of 2010".

Civilian crossing guards: Section 6022 of D.C. Law 17-20, as amended by section 6102 of D.C. Law 18-223, provides:

"(a) The authority to employ civilian crossing guards to perform the function of providing safe conduct of children traveling to and from school granted to the Chief of Police is transferred to the District Department of Transportation.

"(b) The Chief of Police shall transfer to the District Department of Transportation all employees, personal property, full-time equivalent position authority, assets, records, and all unexpended balances of appropriations, allocations, and other funds available or to be made available relating to civilian crossing guards performing the function of providing safe conduct of children traveling to and from school.

"(c) The time-in-grade restrictions of section 838 of Chapter B8 of Title 6 of the District of Columbia Municipal Regulations (6-B DCMR § 838) shall not apply to any civilian crossing guard, as defined by this section, for the purpose of being promoted to the position of civilian Traffic Control Officer."

§ 50-921.06. DELEGATION AND REDELEGATION OF AUTHORITY.

Except as provided in § 50-921.04, the Director of DDOT is the successor to all transportation related authority delegated to the Director of the Department of Public Works and is authorized to act, either personally or through a designated representative, as a member of any committees, commissions, boards, or other bodies which presently include as a member the Director of the Department of Public Works.

(May 21, 2002, D.C. Law 14-137, § 7, 49 DCR 3444; Apr. 13, 2005, D.C. Law 15-354, § 77(b), 52 DCR 2638.)

HISTORICAL AND STATUTORY NOTES

Effect of Amendments

D.C. Law 15-354 substituted "DDOT" for "DOT".

Legislative History of Laws

For Law 14-137, see notes following § 50-921.01.

For Law 15-354, see notes following § 50-319.

§ 50-921.07. REORGANIZATION.

The Director of DDOT is authorized to organize the personnel and property transferred herein within any organizational unit of DDOT as the Director deems appropriate.

(May 21, 2002, D.C. Law 14-137, § 8, 49 DCR 3444; Apr. 13, 2005, D.C. Law 15-354, § 77(b), 52 DCR 2638.)

HISTORICAL AND STATUTORY NOTES

Effect of Amendments

D.C. Law 15-354 substituted "DDOT" for "DOT".

Legislative History of Laws

For Law 14-137, see notes following § 50-921.01.

For Law 15-354, see notes following § 50-319.

§ 50-921.08. REPEALER.

All orders and parts of orders in conflict with any of the provisions of this chapter are hereby repealed, except that any regulations adopted or promulgated by virtue of the authority granted by such orders, shall remain in force until properly revised, amended or repealed.

(May 21, 2002, D.C. Law 14-137, § 9, 49 DCR 3444.)

HISTORICAL AND STATUTORY NOTES

Legislative History of Laws

For Law 14-137, see notes following § 50-921.01.

§ 50-921.09. REFERENCES TO DEPARTMENT OF TRANSPORTATION.

Any reference in law or regulation to the Department of Transportation established by this chapter, or to its former acronym DOT shall be deemed to be a reference to the District Department of Transportation and to DDOT, respectively.

(May 21, 2002, D.C. Law 14-137, § 9a, formerly § 14, as added Apr. 13, 2005, D.C. Law 15-354, § 77(d), 52 DCR 2638; renumbered Mar. 2, 2007, D.C. Law 16-191, § 48(i), 53 DCR 6794.)

HISTORICAL AND STATUTORY NOTES

Effect of Amendments

D.C. Law 16-191, in the credit, renumbered the section designation from § 14 to § 9a.

Legislative History of Laws

For Law 15-354, see notes following § 50-319.

Law 16-191, the "Technical Amendments Act of 2006", was introduced in Council and assigned Bill No. 16-760, which was referred to the Committee of the whole. The Bill was adopted on first and second readings on June 20, 2006, and July 11, 2006, respectively. Signed by the Mayor on July 31, 2006, it was assigned Act No. 16-475 and transmitted to both Houses of Congress for its review. D.C. Law 16-191 became effective on March 2, 2007.

§ 50-921.10. DISTRICT DEPARTMENT OF TRANSPORTATION OPERATING FUND.[REPEALED]

(May 21, 2002, D.C. Law 14-137, § 9b, formerly § 11a, as added Oct. 20, 2005, D.C. Law 16-33, § 6062, 52 DCR 7503; Mar. 2, 2007, D.C. Law 16-191, §§ 5(t)(1), 113, 53 DCR 6794; renumbered Mar. 2, 2007, D.C. Law 16-192, § 6014(a), 53 DCR 6899; Mar. 14, 2007, D.C. Law 16-294, § 5, 54 DCR 1086; Sept. 18, 2007, D.C. Law 17-20, § 6003(a), 54 DCR 7052; Mar. 25, 2009, D.C. Law 17-353, § 251, 56 DCR 1117; Apr. 8, 2011, D.C. Law 18-370, § 626(a), 58 DCR 1008; Sept. 26, 2012, D.C. Law 19-171, § 144, 59 DCR 6190.)

HISTORICAL AND STATUTORY NOTES

Effect of Amendments

D.C. Law 19-171 made a technical correction to D.C. Law 17-353, § 251 that did not change the repeal of this section.

Temporary Amendments of Section

For temporary (225 day) amendment of section, see § 3 of Highway Trust Fund and District Department of Transportation Temporary Amendment Act of 2005 (D.C. Law 16-66, March 8, 2006, law notification 53 DCR 2516).

Emergency Act Amendments

For temporary (90 day) addition, see § 6062 of Fiscal Year 2006 Budget Support Emergency Act of 2005 (D.C. Act 16-168, July 26, 2005, 52 DCR 7667).

For temporary (90 day) amendment of section, see § 4 of Highway Trust Fund and District Department of Transportation Emergency Amendment Act of 2005 (D.C. Act 16-206, November 17, 2005, 52 DCR 10524).

For temporary (90 day) amendment of section, see § 3 of Highway Trust Fund and District Department of Transportation Congressional Review Emergency Amendment Act of 2006 (D.C. Act 16-281, February 27, 2006, 53 DCR 1628).

For temporary (90 day) amendment of section, see § 6014 of Fiscal Year 2007 Budget Support Emergency Act of 2006 (D.C. Act 16-477, August 8, 2006, 53 DCR 7068).

For temporary (90 day) amendment of section, see § 3 of Highway Trust Fund and District Department of Transportation Second Congressional Review Emergency Amendment Act of 2006 (D.C. Act 16-498, October 23, 2006, 53 DCR 8842).

For temporary (90 day) amendment of section, see § 6014 of Fiscal Year 2007 Budget Support Congressional Review Emergency Act of 2006 (D.C. Act 16-499, October 23, 2006, 53 DCR 8845).

For temporary (90 day) amendment of section, see § 6014 of Fiscal Year 2007 Budget Support Congressional Review Emergency Amendment Act of 2007 (D.C. Act 17-1, January 16, 2007, 54 DCR 1165).

For temporary (90 day) amendment of section, see § 3 of Highway Trust Fund and District Department of Transportation Congressional Review Emergency Amendment Act of 2007 (D.C. Act 17-7, January 16, 2007, 54 DCR 1463).

For temporary (90 day) amendment of section, see § 6003(a) of Fiscal Year 2008 Budget Support Emergency Act of 2007 (D.C. Act 17-74, July 25, 2007, 54 DCR 7549).

For temporary (90 day) repeal of section, see § 626(a) of Fiscal Year 2011 Supplemental Budget Support Emergency Act of 2010 (D.C. Act 18-694, January 19, 2011, 58 DCR 662).

Legislative History of Laws

For Law 16-33, see notes following § 50-2201.03.

For Law 16-191, see notes following § 50-921.09.

For Law 16-192, see notes following § 50-921.10.

Law 16-294, the "Second Technical Amendments Act of 2006", was introduced in Council and assigned Bill No. 16-996, which was referred to Committee on the Whole. The Bill was adopted on first and second readings on November 14, 2006, and December 5, 2006, respectively. Signed by the Mayor on December 28, 2006, it was assigned Act No. 16-653 and transmitted to both Houses of Congress for its review. D.C. Law 16-294 became effective on March 14, 2007.

For Law 17-20, see notes following § 50-324.

For Law 17-353, see notes following § 50-324.

Law 18-370, the "Fiscal Year 2011 Supplemental Budget Support Act of 2010", was introduced in Council and assigned Bill No. 18-1100, which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on December 7, 2010, and December 21, 2010, respectively. Signed by the Mayor on January 27, 2011, it was assigned Act No. 18-721 and transmitted to both Houses of Congress for its review. D.C. Law 18-370 became effective on April 8, 2011.

For Law 19-171, see notes following § 50-921.02.

Miscellaneous Notes

Short title of subtitle E of title VI of Law 16-33: Section 6061 of D.C. Law 16-33 provided that subtitle E of title VI of the act may be cited as the District Department of Transportation Operating Fund Establishment Amendment Act of 2005.

Section 629 of D.C. Law 18-370 provides:

"Sec. 629. Applicability.

"This subtitle shall apply as of October 1, 2011; except, that sections 622 and 623(a)(2) shall apply as of the effective date of this act."

§ 50-921.11. DISTRICT DEPARTMENT OF TRANSPORTATION UNIFIED

FUND.[REPEALED]

(May 21, 2002, D.C. Law 14-137, § 9c, formerly § 11b, as added Oct. 20, 2005, D.C. Law 16-33, § 6062, 52 DCR 7503; renumbered Mar. 2, 2007, D.C. Law 16-191, § 5(t)(2), 53 DCR 6794; Sept. 18, 2007, D.C. Law 17-20, § 6003(b), 54 DCR 7052; Aug. 16, 2008, D.C. Law 17-219, § 6015, 55 DCR 7598; Dec. 24, 2008, D.C. Law 17-284, § 3, 55 DCR 11983; Mar. 3, 2010, D.C. Law 18-111, § 6031, 57 DCR 181; Sept. 24, 2010, D.C. Law 18-223, §§ 6002, 6023, 57 DCR 6242; Apr. 8, 2011, D.C. Law 18-370, § 626(b), 58 DCR 1008.)

HISTORICAL AND STATUTORY NOTES

Temporary Amendments of Section

For temporary (225 day) amendment of section, see § 3 of Public Space Rental Fees Temporary Amendment Act of 2008 (D.C. Law 17-263, November 19, 2008, law notification 55 DCR 12583).

For temporary (225 day) amendment of section, see § 203 of (D.C. Law 17-326, March 21, 2009, law notification 56 DCR 3037).

Section 502 of D.C. Law 18-222, in subsec. (c)(2) substituted "all revenue derived from the sales and use taxes collected by the District for parking and storing; provided, that of the first \$30 million collected each year, \$12.7 million in fiscal year 2009, \$12.2 million in fiscal year 2010, and \$10.2 million in all subsequent fiscal years shall remain in the General Fund of the District of Columbia and that any revenue in excess of \$30 million shall be deposited into the Highway Trust Fund" for "100% of the sales and use taxes collected by the District for parking and storing; provided, that any such revenues in excess of \$30 million shall be deposited into the Highway Trust Fund".

Section 2002(b) of D.C. Law 18-222 provides that the act shall expire after 225 days of its having taken effect.

Emergency Act Amendments

For temporary (90 day) addition, see § 6062 of Fiscal Year 2006 Budget Support Emergency Act of 2005 (D.C. Act 16-168, July 26, 2005, 52 DCR 7667).

For temporary (90 day) amendment of section, see § 6003(b) of Fiscal Year 2008 Budget Support Emergency Act of 2007 (D.C. Act 17-74, July 25, 2007, 54 DCR 7549).

For temporary (90 day) amendment, see § 3 of Public Space Rental Fees Emergency Amendment Act of 2008 (D.C. Act 17-460, July 28, 2008, 55 DCR 8729).

For temporary (90 day) amendment of section, see § 203 of Fiscal Year 2009 Balanced Budget Support Emergency Amendment Act of 2008 (D.C. Act 17-572, December 2, 2008, 55 DCR 12452).

For temporary (90 day) amendment of section, see § 203 of Fiscal Year 2009 Balanced Budget Support Congressional Review Emergency Amendment Act of 2009 (D.C. Act 18-13, February 23, 2009, 56 DCR 1920).

For temporary (90 day) amendment of section, see § 6031 of Fiscal Year 2010 Budget Support Second Emergency Act of 2009 (D.C. Act 18-207, October 15, 2009, 56 DCR 8234).

For temporary (90 day) amendment of section, see § 6031 of Fiscal Year Budget Support Congressional Review Emergency Amendment Act of 2009 (D.C. Act 18-260, January 4, 2010, 57 DCR 345).

For temporary (90 day) amendment of section, see § 502 of Fiscal Year 2010 Balanced Budget Support Emergency Act of 2010 (D.C. Act 18-450, June 28, 2010, 57 DCR 5635).

For temporary (90 day) amendment of section, see § 502 of Fiscal Year 2010 Balanced Budget Support Congressional Review Emergency Act of 2010 (D.C. Act 18-531, August 6, 2010, 57 DCR 8109).

For temporary (90 day) amendment of section, see §§ 6002, 6023 of Fiscal Year 2011 Budget Support Emergency Act of 2010 (D.C. Act 18-463, July 2, 2010, 57 DCR 6542).

For temporary (90 day) repeal of section, see § 626(b) of Fiscal Year 2011 Supplemental Budget Support Emergency Act of 2010 (D.C. Act 18-694, January 19, 2011, 58 DCR 662).

For temporary (90 day) addition of sections, see § 626(c) of Fiscal Year 2011 Supplemental Budget Support Emergency Act of 2010 (D.C. Act 18-694, January 19, 2011, 58 DCR 662).

For temporary (90 day) amendment of section, see § 7016 of Fiscal Year 2012 Budget Support Emergency Act of 2011 (D.C. Act 19-93, June 29, 2011, 58 DCR 5599).

Legislative History of Laws

For Law 16-33, see notes following § 50-2201.03.

For Law 16-191, see notes following § 44-151.02.

For Law 17-20, see notes following § 50-324.

Law 17-219, the "Fiscal Year 2009 Budget Support Act of 2008", was introduced in Council and assigned Bill No. 17-678, which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on May 13, 2008, and June 3, 2008, respectively. Signed by the Mayor on June 26, 2008, it was

assigned Act No. 17-419 and transmitted to both Houses of Congress for its review. D.C. Law 17-219 became effective on August 16, 2008.

Law 17-284, the "Public Space Rental Fees Amendment Act of 2008", was introduced in Council and assigned Bill No. 17-266 which was referred to the Committees on Public Services and Consumer Affairs and Public Works and the Environment. The Bill was adopted on first and second readings on July 15, 2008, and October 7, 2008, respectively. Signed by the Mayor on October 24, 2008, it was assigned Act No. 17-550 and transmitted to both Houses of Congress for its review. D.C. Law 17-284 became effective on December 24, 2008.

For Law 18-111, see notes following § 50-313.

For Law 18-223, see notes following § 50-921.03.

For history of Law 18-370, see notes under § 50-921.10.

Miscellaneous Notes

Short title: Section 6014 of D.C. Law 17-219 provided that subtitle E of title VI of the act may be cited as the "District Department of Transportation Unified Fund Amendment Act of 2008".

Section 4 of D.C. Law 17-284 provides that sections 2 and 3 shall apply as of July 1, 2008.

Short title: Section 6030 of D.C. Law 18-111 provided that subtitle D of title VI of the act may be cited as the "District Department of Transportation Establishment Amendment Act of 2009".

Short title: Section 6001 of D.C. Law 18-223 provided that subtitle A of title VI of the act may be cited as the "District Department of Transportation Unified Fund Amendment Act of 2010".

Section 629 of D.C. Law 18-370 provides:

"Sec. 629. Applicability.

"This subtitle shall apply as of October 1, 2011; except, that sections 622 and 623(a)(2) shall apply as of the effective date of this act."

§ 50-921.12. SPECIAL PURPOSE REVENUE FUNDS.

(a) Beginning October 1, 2011, the Mayor shall submit to the Council, on a quarterly basis, a report certified by the Chief Financial Officer of the District of Columbia that details the activities, budget, expenditures, and variances, at the program level, of all programs, activities, and projects undertaken by the District Department of Transportation from all available special purpose revenue funding sources.

(b) The Chief Financial Officer of the District of Columbia shall certify that project expenditures and obligations have not exceeded authorized amounts and that fund revenues are sufficient to ensure that remaining authorized project expenditures will not exceed revenues.

(May 21, 2002, D.C. Law 14-137, § 9d, as added Apr. 8, 2011, D.C. Law 18- 370, § 626(c), 58 DCR 1008.)

HISTORICAL AND STATUTORY NOTES

Legislative History of Laws

For history of Law 18-370, see notes under § 50-921.10.

Miscellaneous Notes

Section 629 of D.C. Law 18-370 provides:

"Sec. 629. Applicability.

"This subtitle shall apply as of October 1, 2011; except, that sections 622 and 623(a)(2) shall apply as of the effective date of this act."

§ 50-921.13. THE DISTRICT DEPARTMENT OF TRANSPORTATION ENTERPRISE FUND FOR TRANSPORTATION INITIATIVES.

(a) There is established as a nonlapsing fund the District Department of Transportation Enterprise Fund for Transportation Initiatives ("Fund"), which shall be administered by the Director of the District Department of Transportation and which shall be used by the District Department of Transportation to pay for goods, services, property, capital improvements, or for any other permitted purpose as authorized by § 50-921.04 and to pay into the Highway Trust Fund.

(b) All revenue from the following shall be deposited into the Fund, beginning October 1, 2011:

- (1) Fines from the enforcement of truck safety and size, weight, and noise regulations;
- (2) Advertisements on multispace parking meter receipts;

- (3) Advertisements on elements of the bikeshare system, including bicycles and stations;
- (4) Public inconvenience fees, described in 24 DCMR § 225.1(c);
- (5) Fees related to car sharing after the first \$270,000 in revenue per fiscal year.
- (6) Loading zone management program revenue, including:
 - (A) The commercial permit parking pass revenue;
 - (B) Commercial permit parking fees;
 - (C) Other related citations and fines; and
- (7) Any other revenues, including grants or gifts, as may from time-to-time be dedicated to the Fund.

(c) All funds deposited into the Fund, and any interest earned on those funds, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time, but shall be continually available for the uses and purposes set forth in subsection (a) of this section without regard to fiscal year limitation, subject to authorization by Congress.

(May 21, 2002, D.C. Law 14-137, § 9e, as added Apr. 8, 2011, D.C. Law 18-370, § 626(c), 58 DCR 1008; Sept. 14, 2011, D.C. Law 19-21, § 6052, 58 DCR 6226.)

HISTORICAL AND STATUTORY NOTES

Effect of Amendments

D.C. Law 19-21, rewrote the section, which formerly read:

"(a) There is established as a nonlapsing fund the District Department of Transportation Enterprise Fund for Transportation Initiatives ('Fund'), which shall be administered by the Director of the District Department of Transportation and used to fund the cost of capital projects of the District Department of Transportation proposed by the Mayor and approved by act of the Council.

"(b) The Fund shall consist of revenues from fines derived from the enforcement of truck safety and size, weight, and noise regulations, and any revenues, grants, or gifts as may from time-to-time be dedicated to the Fund.

"(c) All funds deposited into the Fund, and any interest earned on those funds, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time, but shall be continually available for the uses and purposes set forth in subsection (a) of this section without regard to fiscal year limitation, subject to authorization by Congress."

Emergency Act Amendments

For temporary (90 day) amendment of section, see § 2(b) of District Department of Transportation Bicycle Sharing Fund Emergency Amendment Act of 2012 (D.C. Act 19-424, July 27, 2012, 59 DCR 9375).

For temporary (90 day) addition of section, see § 2(c) of District Department of Transportation Bicycle Sharing Fund Emergency Amendment Act of 2012 (D.C. Act 19-424, July 27, 2012, 59 DCR 9375).

For temporary (90 day) amendment of section, see § 2(b) of District Department of Transportation Accessible Vehicles Fund Emergency Amendment Act of 2012 (D.C. Act 19-465, October 4, 2012, 59 DCR 11764).

Legislative History of Laws

For history of Law 18-370, see notes under § 50-921.10.

For history of Law 19-21, see notes under § 50-231.

Miscellaneous Notes

Section 629 of D.C. Law 18-370 provides:

"Sec. 629. Applicability.

"This subtitle shall apply as of October 1, 2011; except, that sections 622 and 623(a)(2) shall apply as of the effective date of this act."

Short title: Section 6051 of D.C. Law 19-21 provided that subtitle F of title VI of the act may be cited as "Department of Transportation Enterprise Fund Amendment Act of 2011".

§ 50-921.14. DISTRICT DEPARTMENT OF TRANSPORTATION PARKING METER PAY-BY-PHONE TRANSACTION FEE FUND.

(a) There is established the District Department of Transportation Parking Meter Pay-by-Phone Transaction Fee Fund ("Fund"), which shall be administered by the Director of the District Department of Transportation and used by the District Department of Transportation to pay the vendor responsible for maintaining the parking meter pay-by-phone payment system.

(b) Notwithstanding § 50-2603(8), all transaction fees added to the parking meter fees imposed upon users who pay for parking with the pay-by-phone system shall be deposited into the Fund beginning October 1, 2012.

(May 21, 2002, D.C. Law 14-137, § 9f, as added Sept. 20, 2012, D.C. Law 19-168, § 6002, 59 DCR 8025.)

HISTORICAL AND STATUTORY NOTES

Legislative History of Laws

For history of Law 19-168, see notes under § 50-320.

Miscellaneous Notes

Short title: Section 6001 of D.C. Law 19-168 provided that subtitle A of title VI of the act may be cited as "Department of Transportation Parking Meter Pay-by-Phone Transaction Fee Fund Amendment Act of 2012".

§ 50-921.15. SUSTAINABLE TRANSPORTATION FUND.

(a) There is established as a nonlapsing fund the Sustainable Transportation Fund ("Fund"), which shall be administered by the Director of the District Department of Transportation and be used by the District Department of Transportation on approved capital projects for bus-operating enhancements, including:

- (1) Unfunded recommendations in WMATA Bus Line Studies and WMATA Service Evaluations; and
- (2) Other investments determined by the Mayor to enhance bus transit operational efficiency and customer service within the District of Columbia.

(b) Fees collected for the parking of vehicles where meters or devices are installed shall be deposited into the Fund in accordance with § 50-2603(8)(C).

(c) All funds deposited into the Fund, and any interest earned on those funds, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time, but shall be continually available for the uses and purposes set forth in subsection (a) of this section without regard to fiscal year limitation, subject to authorization by Congress.

(May 21, 2002, D.C. Law 14-137, § 9g, as added Sept. 20, 2012, D.C. Law 19-168, § 6024(b), 59 DCR 8025.)

HISTORICAL AND STATUTORY NOTES

Emergency Act Amendments

For temporary (90 day) addition of section, see § 2 of District Department of Transportation Parking Meter Fund Establishment Emergency Amendment Act of 2012 (D.C. Act 19-476, October 9, 2012, 59 DCR 12101).

Legislative History of Laws

For history of Law 19-168, see notes under § 50-320.

SUBCHAPTER II. DC CIRCULATOR BUS SERVICE.

§ 50-921.31. DEFINITIONS.

For the purposes of this subchapter, the term:

- (1) "DC Circulator" means a local transit facility passenger bus service operated by the District of Columbia government that provides a network of fixed-route bus service solely within the District of Columbia.
- (2) "DC Circulator Fund" means the fund established by § 50-921.33.
- (3) "Department" means the District Department of Transportation.
- (4) "Ticket" means passes, tokens, or any other form of payment, including those sold in bulk for resale, that may be used in lieu of cash.
- (5) "WMATA" means the Washington Metropolitan Area Transit Authority created pursuant to § 9-1107.01.

(May 21, 2002, D.C. Law 14-137, § 11a, as added Mar. 6, 2007, D.C. Law 16-225, § 3(e), 53 DCR 10232.)

HISTORICAL AND STATUTORY NOTES

Temporary Addition of Section

For temporary (225 day) addition, see § 3(b) of District Department of Transportation DC Circulator Temporary Amendment Act of 2006 (D.C. Law 16-134, June 16, 2006, law notification 53 DCR 5762).

Emergency Act Amendments

For temporary (90 day) addition, see § 3(b) of District Department of Transportation DC Circulator Emergency Amendment Act of 2006 (D.C. Act 16-321, March 23, 2006, 53 DCR 2557).

For temporary (90 day) addition, see § 3(e) of District Department of Transportation DC Circulator Congressional Review Emergency Amendment Act of 2007 (D.C. Act 17-3, January 16, 2007, 54 DCR 1439).

Legislative History of Laws

Law 16-225, the "District Department of Transportation DC Circulator Amendment Act of 2006", was introduced in Council and assigned Bill No. 16-634, which was referred to Committee on Public Works and Environment. The Bill was adopted on first and second readings on November 14, 2006, and December 5, 2006, respectively. Signed by the Mayor on December 19 2006, it was assigned Act No. 16-554 and transmitted to both Houses of Congress for its review. D.C. Law 16-225 became effective on March 6, 2007.

§ 50-921.32. DC CIRCULATOR.

The Department shall have the power to:

- (1) Plan, develop, finance, operate, control, and regulate the DC Circulator, including fares, charges, tickets, fines, and the establishment of routes and schedules;
- (2) Sell space on and within DC Circulator vehicles or other assets for the display of advertisements and enter into one or more agreements with entities to sell such space on such vehicles or other assets in return for a fee, a percentage of such revenues, or as a gift or donation of services approved by the Mayor; and
- (3) Enter into contracts with third parties, including WMATA for the procurement, construction, operation, and maintenance of DC Circulator vehicles or other assets.

(May 21, 2002, D.C. Law 14-137, § 11b, as added Mar. 6, 2007, D.C. Law 16-225, § 3(e), 53 DCR 10232.)

HISTORICAL AND STATUTORY NOTES

Temporary Addition of Section

For temporary (225 day) addition, see § 3(d) of District Department of Transportation DC Circulator Temporary Amendment Act of 2006 (D.C. Law 16-134, June 16, 2006, law notification 53 DCR 5762).

Emergency Act Amendments

For temporary (90 day) addition, see § 3(d) of District Department of Transportation DC Circulator Emergency Amendment Act of 2006 (D.C. Act 16-321, March 23, 2006, 53 DCR 2557).

For temporary (90 day) addition, see § 3(e) of District Department of Transportation DC Circulator Congressional Review Emergency Amendment Act of 2007 (D.C. Act 17-3, January 16, 2007, 54 DCR 1439).

Legislative History of Laws

For Law 16-225, see notes following § 50-921.31.

§ 50-921.33. DC CIRCULATOR FUND ESTABLISHMENT.

(a) There is hereby established the DC Circulator Fund as a lapsing special purpose revenue fund, the funds of which shall be for the Department to pay for goods, services, property, or for any other authorized purpose, subject to authorization by Congress, into which shall be deposited all revenue collected pursuant to § 50-921.32 by the District, WMATA, or their agents, and all monetary gifts intended to be used to assist in the funding of the DC Circulator.

(b) Notwithstanding subsection (a) of this section, during any period of time in which a contract with WMATA is in effect, monies from the payment of fares, the purchase of tickets, and the sale of advertising space by third parties may be, with the written consent of the Chief Financial Officer for the District of Columbia and pursuant to the terms of the contract, deposited in a WMATA interest bearing account for the benefit of the District of Columbia and used by WMATA to offset its costs of contract performance, but only to the extent that Congress has appropriated funds to the District to perform or procure those services; provided, that for a period of 8 months following March 2, 2010, no DC Circulator route shall replace more than 20% of the revenue miles or revenue hours of any WMATA route.

(May 21, 2002, D.C. Law 14-137, § 11c, as added Mar. 6, 2007, D.C. Law 16-225, § 3(e), 53 DCR 10232;

May 27, 2010, D.C. Law 18-182, § 2(a), 57 DCR 3404; Sept. 14, 2011, D.C. Law 19-21, § 9093, 58 DCR 6226.)

HISTORICAL AND STATUTORY NOTES

Effect of Amendments

D.C. Law 18-182, in subsec. (b), substituted "procure those services; provided, that for a period of 8 months following May 27, 2010, no DC Circulator route shall replace more than 20% of the revenue miles or revenue hours of any WMATA route." for "procure those services."

D.C. Law 19-21, in subsec. (a), substituted "lapsing" for "nonlapsing, revolving".

Temporary Addition of Section

For temporary (225 day) addition, see § 3(d) of District Department of Transportation DC Circulator Temporary Amendment Act of 2006 (D.C. Law 16-134, June 16, 2006, law notification 53 DCR 5762).

Emergency Act Amendments

For temporary (90 day) addition, see § 3(d) of District Department of Transportation DC Circulator Emergency Amendment Act of 2006 (D.C. Act 16-321, March 23, 2006, 53 DCR 2557).

For temporary (90 day) addition, see § 3(e) of District Department of Transportation DC Circulator Congressional Review Emergency Amendment Act of 2007 (D.C. Act 17-3, January 16, 2007, 54 DCR 1439).

Legislative History of Laws

For Law 16-225, see notes following § 50-921.31.

Law 18-182, the "DC Circulator Bus Jurisdiction Expansion Amendment Act of 2010", was introduced in Council and assigned Bill No. 18-489, which was referred to the Committee on Public Works and Transportation. The bill was adopted on first and second readings on February 2, 2010, and March 2, 2010, respectively. signed by the Mayor on April 7, 2010, it was assigned Act No. 18-381 and transmitted to both Houses of Congress for its review. D.C. Law 18- 182 became effective on May 27, 2010.

For history of Law 19-21, see notes under § 50-231.

§ 50-921.34. FARES; STRUCTURE; PURPOSE.

(a) Insofar as practicable, and consistent with the provision of adequate service at reasonable fares, the rates and fares and service shall be fixed by the Department, so as to result in revenues that shall:

- (1) Pay the operating expenses and provide for repairs, maintenance, and depreciation of the DC Circulator vehicles or other assets owned or controlled by the District;
- (2) Provide for payment of all principal and interest on outstanding revenue bonds; and
- (3) Provide funds for any purpose the Department considers necessary and desirable to carry out the purposes of this section.

(b) Nothing in subsection (a) of this section shall prevent the Department from offering tickets at no cost or at discounted prices as part of the Department's marketing of the DC Circulator.

(May 21, 2002, D.C. Law 14-137, § 11d, as added Mar. 6, 2007, D.C. Law 16-225, § 3(e), 53 DCR 10232.)

HISTORICAL AND STATUTORY NOTES

Temporary Addition of Section

For temporary (225 day) addition, see § 3(d) of District Department of Transportation DC Circulator Temporary Amendment Act of 2006 (D.C. Law 16-134, June 16, 2006, law notification 53 DCR 5762).

Emergency Act Amendments

For temporary (90 day) addition, see § 3(d) of District Department of Transportation DC Circulator Emergency Amendment Act of 2006 (D.C. Act 16-321, March 23, 2006, 53 DCR 2557).

For temporary (90 day) addition, see § 3(e) of District Department of Transportation DC Circulator Congressional Review Emergency Amendment Act of 2007 (D.C. Act 17-3, January 16, 2007, 54 DCR 1439).

Legislative History of Laws

For Law 16-225, see notes following § 50-921.31.

§ 50-921.35. RULEMAKING; ENFORCEMENT.

(a) The Mayor, or his designee, may promulgate, amend, or repeal rules to implement the provisions of this subchapter, including the manner and amount of any fares, fees, or fines, pursuant to the Mayor's authority under subchapter I of Chapter 5 of Title 2.

(b) Civil fines, penalties, and fees may be imposed as sanctions for an infraction of any rule promulgated under subsection (a) of this section pursuant to Chapter 18 of Title 2.

(May 21, 2002, D.C. Law 14-137, § 11e, as added Mar. 6, 2007, D.C. Law 16-225, § 3(e), 53 DCR 10232.)

HISTORICAL AND STATUTORY NOTES

Temporary Addition of Section

For temporary (225 day) addition, see § 3(d) of District Department of Transportation DC Circulator Temporary Amendment Act of 2006 (D.C. Law 16-134, June 16, 2006, law notification 53 DCR 5762).

Emergency Act Amendments

For temporary (90 day) addition, see § 3(d) of District Department of Transportation DC Circulator Emergency Amendment Act of 2006 (D.C. Act 16-321, March 23, 2006, 53 DCR 2557).

For temporary (90 day) addition, see § 3(e) of District Department of Transportation DC Circulator Congressional Review Emergency Amendment Act of 2007 (D.C. Act 17-3, January 16, 2007, 54 DCR 1439).

Legislative History of Laws

For Law 16-225, see notes following § 50-921.31.

Delegation of Authority

Delegation of Authority-Department of Transportation Establishment Act of 2002, see Mayor's Order 2009-43, March 26, 2009 (56 DCR 6781).

§ 50-921.36. CONSOLIDATION WITH WMATA.

The District Department of Transportation shall coordinate with WMATA to evaluate whether operations under this subchapter should be consolidated with existing services provided by WMATA, while maintaining the distinctive features of the DC Circulator service.

(May 21, 2002, D.C. Law 14-137, § 11f, as added Mar. 6, 2007, D.C. Law 16-225, § 3(e), 53 DCR 10232; Mar. 25, 2009, D.C. Law 17-353, § 153, 56 DCR 1117.)

HISTORICAL AND STATUTORY NOTES

Effect of Amendments

D.C. Law 17-353 validated a previously made technical correction in the section heading.

Emergency Act Amendments

For temporary (90 day) addition, see § 3(e) of District Department of Transportation DC Circulator Congressional Review Emergency Amendment Act of 2007 (D.C. Act 17-3, January 16, 2007, 54 DCR 1439).

Legislative History of Laws

For Law 16-225, see notes following § 50-921.31.

For Law 17-353, see notes following § 50-324.

§ 50-921.37. JURISDICTIONAL APPLICABILITY.

The District Department of Transportation is authorized to plan, develop, finance, and operate the DC Circulator, as set forth in this subchapter, solely within the District of Columbia. Any expansion of the DC Circulator or such like service by another name into a jurisdiction beyond the District of Columbia shall require Council approval.

(May 21, 2002, D.C. Law 14-137, § 11g, as added Mar. 6, 2007, D.C. Law 16-225, § 3(e), 53 DCR 10232.)

HISTORICAL AND STATUTORY NOTES

Emergency Act Amendments

For temporary (90 day) addition, see § 3(e) of District Department of Transportation DC Circulator Congressional Review Emergency Amendment Act of 2007 (D.C. Act 17-3, January 16, 2007, 54 DCR

1439).

Legislative History of Laws

For Law 16-225, see notes following § 50-921.31.

§ 50-921.38. JURISDICTION EXPANSION AND EVALUATION.

(a) Pursuant to § 50-921.37, the Council approves the expansion of the DC Circulator to and from Rosslyn Metro station in Arlington, Virginia, once it assumes the route for the Georgetown Metro Connection.

(b) No later than 6 months after the initiation of service authorized in subsection (a) of this section, the Mayor shall submit to the Council a report for this route. The report shall include:

- (1) The overall ridership statistics;
- (2) The passenger origin and destination statistics;
- (3) The bus stop utilization rates;
- (4) The operating and capital costs;
- (5) The impact of DC Circulator expansion on the finances and viability of WMATA Metrobus routes;
- (6) The WMATA estimates for the cost of extending Metrobus route 38B to Dupont Circle; and
- (7) The WMATA estimates for the cost of adding new Metrobus service between the Rosslyn Metro station and Dupont Circle, with buses operating at intervals similar to buses of the DC Circulator route authorized under this section.

(May 31, 2002, D.C. Law 14-137, § 11h, as added May 27, 2010, D.C. Law 18-182, § 2(b), 57 DCR 3404.)

HISTORICAL AND STATUTORY NOTES

Legislative History of Laws

For Law 18-182, see notes following § 50-921.38.

SUBCHAPTER III. CAPITAL PROJECT REVIEW AND RECONCILIATION.

§ 50-921.51. DEFINITIONS.

For the purposes of this subchapter, the term:

- (1) "CFO" means the Chief Financial Officer of the District of Columbia.
- (2) "Director of Capital Programs" means the Director of Capital Programs within the Office of Budget and Planning of the Office of the Chief Financial Officer.
- (3) "Inactive" means that no nonpersonal service funds have been obligated or expended for a capital project during the immediately preceding months.
- (4) "Local Streets Ward-Based Capital Projects" means the District Department of Transportation's 8 local streets ward-based capital projects (Project No. SR301-SR308), which endeavor to preserve, maintain, repair, or replace the District's sidewalks, curbs, and local roads.

(May 21, 2002, D.C. Law 14-137, § 11h, as added Sept. 20, 2012, D.C. Law 19-168, § 9002, 59 DCR 8025.)

HISTORICAL AND STATUTORY NOTES

Legislative History of Laws

Law 19-168, the "Fiscal Year 2013 Budget Support Act of 2012", was introduced in Council and assigned Bill No. 19-743, which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on May 15, 2012, and June 5, 2012, respectively. Signed by the Mayor on June 22, 2012, it was assigned Act No. 19-385 and transmitted to both Houses of Congress for its review. D.C. Law 19-168 became effective on September 20, 2012.

Miscellaneous Notes

Short title: Section 9001 of D.C. Law 19-168 provided that subtitle A of title IX of the act may be cited as "District Department of Transportation Capital Project Review and Reconciliation Amendment Act of 2012".

§ 50-921.52. CRITERIA FOR CLOSING CAPITAL PROJECTS.

(a) For any capital project funded from revenues in the Local Transportation Fund, the CFO, in consultation with the Mayor, may close the project if the project:

- (1) Has obligated or expended funds in excess of its approved budget; or
- (2) Has been inactive for 12 months or longer.

(b) For any capital project funded from revenues in the District of Columbia Highway Trust Fund, the CFO, in consultation with the Mayor and the Federal Highway Administration Division, may close the project if the project:

- (1) Has been closed by the United States Department of Transportation;
- (2) Has an open balance of:
 - (A) \$500,000 or more, and has been inactive for 12 months;
 - (B) Between \$50,000 and \$499,999, and has been inactive for 24 months; or
 - (C) Less than \$50,000, and has been inactive for 36 months; or
- (3) Has obligated or expended funds in excess of its approved budget.

(c) If a capital project has a budget allotment in excess of its budget authority, the CFO, in consultation with the Mayor, may adjust the allotment to align it with the correct budget authority.

(d) The CFO may delegate the authority granted to him or her by this section to the Director of Capital Programs.

(May 21, 2002, D.C. Law 14-137, § 11i, as added Sept. 20, 2012, D.C. Law 19-168, § 9002, 59 DCR 8025.)

HISTORICAL AND STATUTORY NOTES

Legislative History of Laws

For history of Law 19-168, see notes under § 50-921.51.

§ 50-921.53. USE OF FUNDS RESULTING FROM CLOSURE.

(a) Funds resulting from the closure of a capital project pursuant to § 50- 921.52(a) shall be allocated to restore funding to the Pedestrian and Bicycle Safety Enhancement Fund, established by § 1-325.131, up to an annual level of \$1.5 million and then equally among the Local Streets Ward-Based Capital Projects.

(b) Funds resulting from the closure of capital projects pursuant to § 50- 921.52(b) shall be allocated to the Federal Highway Administration capital projects approved for the current fiscal year as part of that year's Budget Request Act.

(May 21, 2002, D.C. Law 14-137, § 11j, as added Sept. 20, 2012, D.C. Law 19-168, § 9002, 59 DCR 8025.)

HISTORICAL AND STATUTORY NOTES

Legislative History of Laws

For history of Law 19-168, see notes under § 50-921.51.

§ 50-921.54. QUARTERLY SUMMARY.

The CFO shall submit to the Mayor and the Council a quarterly summary of all capital project closures conducted pursuant to this subchapter.

(May 21, 2002, D.C. Law 14-137, § 11k, as added Sept. 20, 2012, D.C. Law 19-168, § 9002, 59 DCR 8025.)

HISTORICAL AND STATUTORY NOTES

Legislative History of Laws

For history of Law 19-168, see notes under § 50-921.51.

Miscellaneous Notes

Short title: Section 9011 of D.C. Law 19-168 provided that subtitle B of title IX of the act may be cited as "Capital Budget Reporting Requirements Act of 2012".

Section 9012 of D.C. Law 19-168 provides:

"Sec. 9012. Beginning October 1, 2012, the Mayor shall submit to the Council, on a quarterly basis, a report certified by the Chief Financial Officer of the District of Columbia providing the lists of the projects or accounts to which any budget obligations or cash expenditures have been charged or reclassified under the Office of Contracting and Procurement's Article 3 provision for emergency approval of expenditures for the District

Department of Transportation. The quarterly reports shall include documentation of sufficient capital budget to support the obligations or expenditures."