

DISTRICT OF COLUMBIA
OFFICIAL CODE

TITLE 9.
TRANSPORTATION SYSTEMS.

CHAPTER 11B.
STREET CARS, 2010.

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CHAPTER 11B. STREET CARS, 2010.

§ 9-1171. AERIAL WIRES FOR STREETCARS.

(a) Notwithstanding any other law, the Mayor is authorized to install aerial wires in accordance with this chapter for the sole purpose of powering or supporting wires that power streetcar transit where aerial wire power is necessary or, in the Mayor's determination, is more feasible than other currently available forms of propulsion.

(b) The installation of aerial wires authorized by this section is limited to the H Street/Benning Road streetcar transit line, between the intersection of North Capitol Street and H Street, N.E. on the west and the Anacostia River on the east until the requirements of § 9-1173 are met.

(Mar. 31, 2011, D.C. Law 18-339, § 2, 58 DCR 618.)

HISTORICAL AND STATUTORY NOTES

Temporary Addition of Section

Sections 2 and 3 of D.C. Law 18-258 added a section to read as follows:

"Sec. 2. Aerial wires for streetcars.

"(a) Notwithstanding any other law, the Mayor is authorized to install aerial wires in accordance with this act for the sole purpose of powering or supporting wires that power streetcar transit where aerial wire power is necessary or, in the Mayor's determination, is more feasible than other currently available forms of propulsion.

"(b) The installation of aerial wires authorized by this section is limited to the H Street/Benning Road streetcar transit line, between the intersection of North Capitol Street and H Street, N.E., on the west and the Anacostia River on the east until the requirements of section 4 are met.

Emergency Act Amendments

For temporary (90 day) addition, see § 2 of Transportation Infrastructure Emergency Amendment Act of 2010 (D.C. Act 18-486, July 19, 2010, 57 DCR 7164).

For temporary (90 day) addition, see § 2 of Transportation Infrastructure Congressional Review Emergency Amendment Act of 2010 (D.C. Act 18-583, October 19, 2010, 57 DCR 10129).

Legislative History of Laws

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.

§ 9-1172. WIRE-FREE ZONES.

No aerial wires for streetcar transit shall be installed in the following areas:

- (1) Along the National Mall in the cross-axis area that extends from the U.S. Capitol on the east to the Lincoln Memorial on the west and from the White House on the north to the Jefferson Memorial on the south, including federal properties abutting this cross-axis area; and
- (2) Along Pennsylvania Avenue between the Capitol and the White House.

(Mar. 31, 2011, D.C. Law 18-339, § 3, 58 DCR 618.)

HISTORICAL AND STATUTORY NOTES

Temporary Addition of Section

Section 3 of D.C. Law 18-258 added a section to read as follows:

"Sec. 3. Wire-free zones.

"No aerial wires for streetcar transit shall be installed in the following areas:

"(1) Along the National Mall in the cross-axis area that extends from the U.S. Capitol on the east to the Lincoln Memorial on the west and from the White House on the north to the Jefferson Memorial on the south, including federal properties abutting this cross-axis area; and

"(2) Along Pennsylvania Avenue between the Capitol and the White House."

Section 7(b) of D.C. Law 18-258 provides that the act shall expire after 225 days of its having taken effect.

Emergency Act Amendments

For temporary (90 day) addition, see § 3 of Transportation Infrastructure Emergency Amendment Act of 2010 (D.C. Act 18-486, July 19, 2010, 57 DCR 7164).

For temporary (90 day) addition, see § 3 of Transportation Infrastructure Congressional Review Emergency Amendment Act of 2010 (D.C. Act 18-583, October 19, 2010, 57 DCR 10129).

Legislative History of Laws

For history of Law 18-339, see notes under § 9-1171.

§ 9-1173. AERIAL WIRE PLANNING REQUIREMENTS.

(a) Prior to the expansion or construction of aerial wire-powered streetcar transit beyond the H Street/Benning Road line, authorized pursuant to § 9- 1171, the Mayor shall develop a plan for the use of aerial wires for each phase or extension of the streetcar transit system and submit the plan to the Council, along with a written report that includes:

- (1) An evaluation of the impact of aerial wires on federal property, including federal buildings and infrastructure; commemorative works of art, as that term is defined in 40 U.S.C. § 8902(1); congressionally mandated historic districts; historic properties as defined in section 301(5) of the National Historic Preservation Act, approved December 12, 1980 (94 Stat. 3001; 16 U.S.C. § 470w(5)); and the vistas, streets, avenues, and public reservations identified as contributing elements of the L'Enfant Plan of the City of Washington.
- (2) The possible effect, including the visual effect, of aerial wires on the character of any historic district, including comments, if any, from the State Historic Preservation Officer;
- (3) All applicable review requirements pursuant to District and federal law;
- (4) Designation of any additional wire-free zones within the proposed phase or extension, as identified in coordination with impacted agencies and authorities; and
- (5) The feasibility of using non-aerial power as a means of propulsion for the phase or extension.

(b) The Mayor shall submit each proposed plan to the Council for a 45-day period of review, excluding Saturdays, Sundays, holidays, and days of Council recess. If the Council does not approve or disapprove of a proposed plan, by resolution, within the 45-day review period, the plan shall be deemed disapproved.

(c) The Council shall hold a hearing on each plan before the plan shall be approved or disapproved.

(Mar. 31, 2011, D.C. Law 18-339, § 4, 58 DCR 618.)

HISTORICAL AND STATUTORY NOTES

Emergency Act Amendments

For temporary (90 day) addition, see § 4 of Transportation Infrastructure Congressional Review Emergency Amendment Act of 2010 (D.C. Act 18-583, October 19, 2010, 57 DCR 10129).

Legislative History of Laws

For history of Law 18-339, see notes under § 9-1171.

§ 9-1174. COMPREHENSIVE ASSESSMENT.

(a) By January 1, 2014, and by that date every 3 years thereafter, the Mayor shall submit to the Council an assessment on the:

- (1) Advances in propulsion technology;
- (2) Feasibility, including cost, of converting to non-aerial motive power where aerial wiring has been installed;
- (3) Feasibility, including cost, of using non-aerial motive power on such segments of the streetcar system where construction has yet to be initiated; and

(4) Any recommended amendments to this chapter, including a potential sunset date.

(b) The Council shall hold a public hearing on this report.

(Mar. 31, 2011, D.C. Law 18-339, § 5, 58 DCR 618.)

HISTORICAL AND STATUTORY NOTES

Emergency Act Amendments

For temporary (90 day) addition, see § 5 of Transportation Infrastructure Congressional Review Emergency Amendment Act of 2010 (D.C. Act 18-583, October 19, 2010, 57 DCR 10129).

Legislative History of Laws

For history of Law 18-339, see notes under § 9-1171.