Re: Vision Zero Enhancement Omnibus Amendment Act (B23-0288)

Dear Councilmembers:

On July 11, 2019 at a regularly scheduled, duly noticed monthly meeting of ANC 6C, with a quorum of 6 out of 6 commissioners and the public present, the above-mentioned item came before us. The commissioners voted 5:0, with 1 abstention, to send this letter with our comments on the provisions of the Vision Zero Enhancement Omnibus Amendment Act (B23-0288).

ANC 6C is glad to see Council taking the initiative to address the rising injuries and deaths on our city’s streets. As indicated in our letter to you on May 16 of this year, we support creative and aggressive measures to help ensure the safety of all road users. At our July meetings, ANC 6C reviewed in detail the Vision Zero Enhancement Omnibus Amendment Act (B23-0288). Overall, we support the effort, but have some specific recommendations regarding some of the proposed actions.

Ten-Day Notice for Safety Improvements at High-Risk Intersections

Beginning on line 84, the bill describes requiring only a ten-day notice period for safety improvements to intersections deemed high-risk in the Multimodal Long-Range Transportation Plan. While we support the attempt at speeding up necessary safety improvements, we object to the lack of public input this allows. Regardless of an urgent need for improvements to an intersection, designs need to be vetted by the public, including the relevant ANC. In the past, DDOT has, while acting in good faith, implemented changes without consultation that are confusing and may not be helpful, or may even be worse than current conditions. An example is the bicycle path roadway markings at 3rd and H St. NE. Implemented quickly after the death of Malik Habib at the same intersection, and without consultation with our ANC, the non-standard markings are confusing to drivers and cyclist alike and do not improve safety at the intersection.
Likewise, the signage installed (e.g., warning of a “bike tripping hazard”) is awkwardly worded and unclear (and the initial version contained a typo, now corrected). ANCs and the community should always be engaged in design discussions, and we recommend this section be removed from the bill.

Loading Activity Report Requirement for Building Permits

Beginning on line 106, the bill describes a proposed requirement for new construction of 10 or more dwelling units to receive a report from the District Department of Transportation (DDOT) on how pick-up and drop-off by vehicles for hire and deliveries of commercial products “will not create unsafe conditions for user of the public right of way,” or else a building permit will not be issued. We feel that this requirement is both onerous and overly narrow. Rather than having DDOT study and issue a report for each building application, it would be more efficient and effective to study the issue broadly and issue standards that need to be followed to ensure loading/unloading do not create unsafe conditions. Additionally, the application only to residential construction seems arbitrary to us—applying any such requirement based on floor-area ratio instead of number of units might make more sense.

Citizen Safety Enforcement Pilot

ANC 6C recognizes the controversial nature of the proposed Citizen Safety Enforcement Pilot. We appreciate that the Council is trying creative solutions and feel the program has the potential to be successful. However, we have some concerns as well as recommendations on how to improve the pilot program and best set it up for success.

1) If the District proceeds with the program, it should also include violations for blocking the sidewalk (including parking on the sidewalk). This is a common occurrence and creates an equally dangerous hazard as the other violations included in the program.

2) Membership should be more selective, especially when more potential participants apply than can be included in the pilot. People seeking to participate in the program may not intend to apply the law equally or may not be well distributed geographically. Additionally, as the proposed pilot program has generated a lot of opposition, individuals may seek to participate with no intent of acting in good faith and instead attempt to disrupt the program from within. The ward councilmember’s office should play a role in selecting pilot participants, and the program should not rely on a lottery for selection.

3) The Department of Public Works (DPW) should monitor participant performance and be able to remove people from the pilot. Reasons for removal may include abuse or other malfeasance or lack of participation.

4) The District should have flexibility in the mechanism for issuing citations. While the bill states DPW will create a mobile app specific for the pilot (line 284), we want it to be clear that the most cost-effective and efficient development pathway be used, including potentially integrating the pilot program into existing services (e.g., 311) if appropriate.

5) Line 286 of the bill should be revised to include all applicable violations. As stated, it only references obstruction of a bicycle lane.
Achieving Modeshare Goals

In addition to the proposed regulations contained in the bill, ANC 6C recommends Council take creative and proactive measures to achieving modeshare goals. Beginning on line 365, the bill requires the Mayor to submit a plan to ensure the District meets transportation modeshare goals. We recommend that the District consider specific mechanisms that tie programmatic funding to achieving those goals. The District could look to Seattle as an example of a recent attempt to do so.

We are glad to see that Councilmember Cheh is holding community meetings to solicit more input on this bill, and we hope you will consider this input alongside the feedback from those meetings. Thank you for giving great weight to the recommendations of ANC 6C.

On behalf of ANC 6C,

Karen Wirt
ANC 6C Chair