

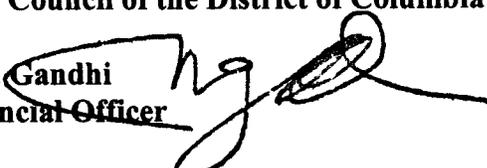
Government of the District of Columbia  
Office of the Chief Financial Officer



Natwar M. Gandhi  
Chief Financial Officer

**MEMORANDUM**

**TO:** The Honorable Vincent C. Gray  
Chairman, Council of the District of Columbia

**FROM:** Natwar M. Gandhi   
Chief Financial Officer

**DATE:** JAN 22 2008

**SUBJECT:** Fiscal Impact Statement: "Vending Regulation Act of 2007"

**REFERENCE:** DRAFT<sup>1</sup>: No Bill Number Available

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**Conclusion**

Funds are sufficient in the FY 2008 through FY 2011 budget and financial plan to implement the proposed legislation. The proposed legislation is not anticipated to have a fiscal effect on the District's budget and financial plan.

**Background**

The proposed legislation would amend the District of Columbia Official Code by repealing existing vending legislation (§ 1-303.01(3) and §47-2834) and authorizing the Mayor to regulate vending in the District of Columbia. Specifically, the proposed legislation would:

- Require vendors to hold a "vending site permit"<sup>2</sup> in addition to the basic business license properly endorsed for vending that current law requires;
- Allow for vending locations to be assigned by lottery, with preference given to District of Columbia residents;
- Allow for the creation, by the Mayor, of Vending Development Zones;
- Allow the Mayor to establish fees for the application for and issuance of each license, permit and authorization required by the proposed legislation;

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<sup>1</sup> Dated December 14, 2007

<sup>2</sup> A permit or other authorization issued by the Mayor setting forth the specific location on public space from which the person may vend.

- Establish the Vending Regulation Fund ("Fund"), a non-lapsing, unrestricted fund dedicated to paying the costs of administering and enforcing the vending laws and regulations of the District of Columbia;
- Require fees paid for the application for, and issuance or renewal of licenses, permits or other authorizations issued by the Mayor for vending, and interest on these funds, be deposited into the Fund; and
- Allow the Mayor to establish civil fines for the violation of vending laws and regulations.

### **Financial Plan Impact**

Funds are sufficient in the FY 2008 through FY 2011 budget and financial plan to implement the proposed legislation. It is estimated that the proposed legislation would have no fiscal impact.

The establishment and implementation of a vending site permit program, as well as the Vending Development Zones, was provided for in the FY2008 to FY2011 budget and financial plan, as it was previously authorized by L16-0252 "District of Columbia Department of Transportation and Department of Consumer and Regulatory Affairs Vending Consolidation of Public Space and Licensing Authorities Temporary Act of 2006"<sup>3</sup>, effective March 8<sup>th</sup>, 2007.<sup>4</sup>

The establishment and use of a dedicated, non-lapsing Fund for the deposit of all related fees would have no impact on the General Fund, as current basic business license fees for the existing vending program are deposited into a similar O-type fund, the Basic Business License Fund (BBL), and current expenses for the program draw on this fund. The proposed legislation would move vending revenues and expenses from the BBL Fund to the Vending Regulation Fund, thus having no fiscal impact on the FY2008 – FY2011 budget and financial plan.

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<sup>3</sup> Responsibility and funding for the vending site permit program was assigned to the Department of Transportation upon enactment. Should the Mayor reassign the program to another agency within the District of Columbia government, reprogramming of funds may be necessary.

<sup>4</sup> N.B.: L16-0252, enacted by temporary legislation, expired on October 19<sup>th</sup>, 2007.