

**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: MAR 4 2008

SUBJECT: Fiscal Impact Statement: "Transit Operator Protection and Enhanced Penalty Amendment Act of 2008"

REFERENCE: Bill Number 17-233 – Committee Print Dated 2/26/08

Conclusion

Funds are sufficient in the FY 2008 through FY 2011 budget and financial plan to implement the proposed legislation. Implementation of the proposed legislation can be absorbed with existing agency resources.

Background

The proposed legislation would amend the Taxicab Drivers Protection Act of 2000¹ to provide enhanced penalties for the commission of certain enumerated offenses against a transit operator or Metrorail station manager while in the performance of duty. The proposed bill would also amend section 3 of An Act for the preservation of the public peace and the protection of property within the District of Columbia² to provide that a person throwing a stone or other missile at a vehicle may be charged with assault.

Further, the proposed bill would direct that notices of the enhanced penalties for the commission of certain enumerated offenses against a transit operator or Metrorail station manager be posted on Metrobuses and Metrorail trains, in Metrorail stations, and on DC Circulator buses. The proposed legislation clarifies that the absence of such a notice would not constitute a defense to or otherwise invalidate or prevent the imposition of the enhanced penalties provided in the bill.

¹ Effective June 9, 2001. D.C. Official Code §22-3751 *et seq.*

² Approved July 29, 1892. 27 Stat. 322; D.C. Official Code § 22-1309.

Financial Plan Impact

Funds are sufficient in the FY 2008 through FY 2011 budget and financial plan to implement the proposed legislation.

The cost of posting notices of enhanced penalties on Metrobuses and Metrorail trains, in Metro stations, and DC Circulator buses can be absorbed with existing Washington Metropolitan Area Transit Authority (WMATA) and District Department of Transportation (DDOT) resources. WMATA indicated in a letter dated October 10, 2007 submitted to the Committee on Public Safety and the Judiciary that it would place placards on mass transit vehicles warning of the enhanced penalties. DDOT has reported that the cost of posting notices on Circulator buses would likely be less than \$1,000 and could be absorbed within the existing Circulator budget.

The marginal costs due to increased prison sentences or marginal revenues due to increased fines resulting from the implementation of this bill cannot be reliably estimated.