

**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: June 29, 2010

SUBJECT: Fiscal Impact Statement – “Transportation Infrastructure
Amendment Act of 2010”

REFERENCE: Bill Number 18-823 – Draft Committee Print Shared on June 25, 2010

Conclusion

Funds are sufficient in the FY 2011 through FY 2014 budget and financial plan to implement the proposed legislation. The proposed legislation does not have an impact on the District’s budget and financial plan.

Background

The proposed legislation would repeal the 1888 and 1889 law¹ concerning a ban on overhead wires and re-establish the provisions as local law. The new local law, like the current federal law, would prohibit installation of any additional telephone, electric lighting, or other wires over any of the streets or avenues of the City of Washington beyond those that existed on or before July 18, 1888, but would allow an exception for those aerial wires the Mayor may authorize for the purpose of powering transportation infrastructure projects, such as streetcar transit, where aerial-wire power is necessary or, in the Mayor’s determination, is more feasible than other currently

¹ The following sections of the FY 1889 Appropriations Act and the FY 1890 Appropriations Act are repealed:

- a) The section titled “Telegraph and Telephone Service” of an Act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, eighteen hundred and eighty-nine, and for other purposes, approved July 18, 1888 (25 Stat. 323; D.C. Official Code § 34-1901.01), and
- b) The section titled “Repairs Streets, Avenues, and Alleys” of an Act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, eighteen hundred and ninety, and for other purposes, approved March 2, 1889 (25 Stat. 797).

available forms of motive power.² It would also require the Mayor to submit to Council a plan for each phase subsequent to the H Street/Benning Road streetcar transit line,³ and beginning January 1, 2014 and every three years thereafter, a report, with public comment included, on the feasibility of converting to non-aerial power where aerial wiring has been installed.

Financial Plan Impact

Funds are sufficient in the FY 2011 through FY 2014 budget and financial plan to implement the proposed legislation. The costs of the proposed legislation in terms of additional reporting requirements can be absorbed within the budget of District Department of Transportation. Therefore, the proposed legislation does not have an impact on the District's budget and financial plan.

² The installation of aerial wires authorized by this legislation would be limited to the H Street/Benning Road streetcar transit line, between the intersection of North Capitol Street and H Street NE on the west and the Anacostia River on the east, until the Mayor develops a plan for the use of aerial wires for each phase or extension of the streetcar transit system that falls within the City of Washington. Each streetcar propulsion plan would be subject to Council approval. Additionally, no aerial wires for streetcar transit would be allowed to be installed 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, and abutting Federal properties.

³ Each plan would be required to include a written evaluation of the following:

1. The impact, including visual impact, of aerial wires in areas of heightened federal interest, including the L'Enfant view corridors;
2. The impact, including visual impact, on the character of any applicable Historic District, including consultation and comments from the State Historic Preservation Officer on the undertaking; and
3. The necessity for use of aerial wire power and an evaluation of why aerial wire power is more feasible than other currently available forms of motive power.