

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



Jeff DeWitt
Chief Financial Officer

MEMORANDUM

TO: The Honorable Phil Mendelson
Chairman, Council of the District of Columbia

FROM: Jeff DeWitt
Chief Financial Officer

DATE: November 4, 2014

SUBJECT: Fiscal Impact Statement – Vulnerable User Recovery Act of 2014

REFERENCE: Bill 20-884, Draft Committee Print as shared with the Office of Revenue Analysis on October 31, 2014

A handwritten signature in black ink that reads "Jeffrey S. DeWitt".

Conclusion

Funds are sufficient in the FY 2015 through FY 2018 budget and financial plan to implement the bill.

Background

Vulnerable users of roadways are pedestrians, roadway workers, bicyclists, and others using mobility devices such as wheelchairs, skateboards, mopeds, and roller-skates. Currently, District courts apply the principle of contributory negligence to accidents involving vulnerable users. That is to say that if a vulnerable user is partially at fault in the accident and contributed to the harm they suffered, the user will be unlikely to recover any damages from a defendant.

The bill establishes the District as a comparative fault jurisdiction under which a vulnerable user can be partially at fault, but recover damages from a defendant in proportion to the defendant's involvement in causing the accident. If the vulnerable user is not at fault, then the defendant will be liable for total damages.

Financial Plan Impact

Funds are sufficient in the FY 2015 through FY 2018 budget and financial plan to implement the bill. Implementation of the bill has no impact on the District's budget or financial plan.