

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



Jeffrey S. DeWitt  
Chief Financial Officer

**MEMORANDUM**

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

**FROM:** Jeffrey S. DeWitt  
Chief Financial Officer 

**DATE:** April 25, 2016

**SUBJECT:** Fiscal Impact Statement – Motor Vehicle Collision Recovery Act of 2016

**REFERENCE:** Committee Print as shared with the Office of Revenue Analysis on April 6, 2016

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**Conclusion**

Funds are sufficient in the fiscal year 2016 budget and the proposed fiscal year 2017 through fiscal year 2020 budget and financial plan to implement the bill.

**Background**

The bill limits the application of a contributory negligence defense in civil cases involving collisions between a motor vehicle and a pedestrian, or bicycle.<sup>1</sup> Contributory negligence, in layman's terms, mean that the person hurt in an accident contributed to the injury.

The bill limits the defendant's use of a contributory negligence defense to situations where a plaintiff's negligence is greater than the aggregated total amount of negligence of all defendants. The bill does not change the doctrine of joint and several liability or reduce legal protections provided to pedestrians and bicyclists under the law.<sup>2</sup>

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<sup>1</sup> Or other types of non-motorized vehicles or devices.

<sup>2</sup> Section 3 of An Act to Enable the Blind and Otherwise Physically Disabled to Participate Fully in the Social and Economic Life of the District of Columbia, effective March 5, 1981 (86 Stat. 971; D.C. Official Code § 7-1004), or section 2(b) of the Child Helmet Safety Amendment Act of 2000, effective May 23, 2000 (D.C. Law 13-112; D.C. Official Code § 50-1606).

The Honorable Phil Mendelson

FIS: "Motor Vehicle Collision Recovery Act of 2016," Bill 21-4, Committee Print provided to the Office of Revenue Analysis on April 6, 2016.

**Financial Plan Impact**

Funds are sufficient in the fiscal year 2016 budget and the proposed fiscal year 2017 through fiscal year 2020 budget and financial plan to implement the bill. There is no cost to limiting the application of a contributory negligence defense in civil cases.