

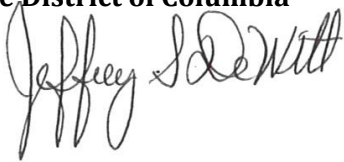
Government of the District of Columbia  
Office of the Chief Financial Officer



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:** November 29, 2017

**SUBJECT:** UPDATED Fiscal Impact Statement – Bicycle and Pedestrian Safety  
Clarification Amendment Act of 2017

**REFERENCE:** Bill 22-13, Draft Committee Print as shared with the Office of Revenue  
Analysis on November 28, 2017

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*This updated fiscal impact statements reflects changes made to the all-terrain vehicle provisions in an updated draft committee print shared with the Office of Revenue Analysis on November 28, 2017. This statement replaces the one issued on November 28, 2017.*

**Conclusion**

Funds are sufficient in the fiscal year 2018 through fiscal year 2021 budget and financial plan to implement the bill.

**Background**

In 2016, the Council approved the Bicycle and Pedestrian Safety Act, a comprehensive pedestrian and bicycle safety effort.<sup>1</sup> Among other things, the Act imposed reporting requirements for crashes and violations on various District agencies, tightened the restrictions on all-terrain vehicle use in the District, and expanded eligibility for the ignition interlock program. The bill amends these provisions.

The bill reduces the frequency<sup>2</sup> and amends the required elements of the regular report the Mayor must submit on moving violations, ensures that demographic data in the monthly collision report excludes any personally identifiable information, and makes various technical changes to other reporting and notification requirements. The Act bans all-terrain vehicles from public space, but the bill allows a vehicle to be operated or parked on public space while it is loaded onto another vehicle

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<sup>1</sup> Bicycle and Pedestrian Safety Act of 2015, effective October 8, 2016 (D.C. Law 21-155; 63 DCR 12927).

<sup>2</sup> The bill decreases the frequency of the moving infractions report from monthly to quarterly.

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UPDATED FIS: Bill 22-13, "Bicycle and Pedestrian Safety Clarification Amendment Act of 2017," Draft Committee Print as shared with the Office of Revenue Analysis on November 28, 2017

or portable storage for transport to another jurisdiction or private property. Further, the bill maintains the prohibition on parking an all-terrain vehicle on public space, but eliminates any penalties for doing so.

The bill clarifies that the Department of Motor Vehicles will double a moving violation fine or increase by one category any criminal penalties in any work zone, whether or not workers are present in the zone.

The bill also requires the Department of Motor Vehicles (DMV) to issue a restricted license to a person guilty of a covered offense<sup>3</sup> and requires that person to enroll in the ignition interlock program. Current law<sup>4</sup> only requires a person to enroll in the ignition interlock program as a condition of receiving a restricted license from DMV.

### **Financial Plan Impact**

Funds are sufficient in the fiscal year 2018 through fiscal year 2021 budget and financial plan to implement the bill. There are no costs associated with reducing the frequency or items included in the moving violation reports or clarifying the terminology in other reports. The proposed changes to the all-terrain vehicle restrictions impose no new costs, but the parking penalty elimination may impact the enforceability of the parking prohibition.

Currently, the District subjects a driver to double the moving violation penalty in a work zone when workers are present. Eliminating the requirement will reduce some staff time reviewing contested tickets, but the impact will be minimal.

The bill requires DMV to issue a restricted license to offenders for alcohol- and drug-related driving offenses and for those offenders to enroll in the ignition interlock program. However, DMV does not expect all eligible individuals to participate because some offenders may not own a vehicle and other, non-indigent offenders<sup>5</sup> may not want to pay to participate in the ignition interlock program. DMV has sufficient resources to issue restricted licenses to those who choose to participate in the ignition interlock program.

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<sup>3</sup> Covered offenses are alcohol and drug related driving offenses as defined in D.C. Official Code § 50-2201.05a(a).

<sup>4</sup> D.C. Official Code § 50-2201.05a(b).

<sup>5</sup> The District covers the cost of enrollment and participation for indigent residents per D.C. Official Code § 50-2201.05a(e)(2).