

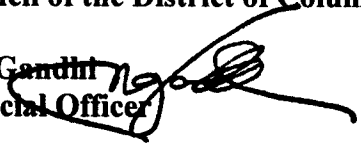
**Government of the District of Columbia
Office of the Chief Financial Officer**



Natwar M. Gandhi
Chief Financial Officer

MEMORANDUM

TO: The Honorable Vincent C. Gray
Chair, Council of the District of Columbia

FROM: Natwar M. Gandhi
Chief Financial Officer 

DATE: July 15, 2008

SUBJECT: Fiscal Impact Statement: "Pedestrian Safety Reinforcement Amendment Act of 2007"

REFERENCE: Bill Number 17-539

Conclusion

Funds are sufficient in the FY 2008 budget and the proposed FY 2009 through FY 2012 budget and financial plan to implement the proposed legislation.

Background

Bill 17-539 amends Section 22 of Title 18 of DC Municipal Regulations to require a driver of any vehicle to stop and give right-of-way to a pedestrian who has begun crossing on the "WALK" signal to allow the pedestrian to continue to the opposite sidewalk or safety island, whichever is nearest. Additionally, when official traffic-control signals are not in place or not in operation, the driver of a vehicle would be required to give right-of-way to a pedestrian crossing the roadway within any marked crosswalk or unmarked crosswalk at an intersection. The proposed legislation increases fines for collision with a pedestrian from \$50 to \$500, and for failure to yield to a pedestrian from \$50 to \$250. The proposed legislation creates two new infractions, namely, failure to yield to pedestrian in the sidewalk, and overtaking another vehicle stopped at a crosswalk or intersection for a pedestrian. The fines associated with these infractions are \$250 each.

Furthermore, the proposed legislation requires the District Department of Transportation (DDOT) to develop and implement a plan to create and post special signs with the following or substantially similar notation: "D.C. Law: Failure to stop for pedestrians in crosswalk punishable by \$250 fine". The Director of DDOT would be responsible for determining which crosswalks and intersections shall have such signs.

Finally, the legislation proposes that all receipts from fines and penalties collected due to the increase in the schedule of civil infractions, all interest earned, and all other funds so designated shall be deposited into the Pedestrian and Bicycle Safety and Enhancement Fund, created under Section 6021 of the Fiscal Year 2009 Budget Support Act of 2008 (D.C. Act 17-419).

Given the significant increase in the fines, historical data on fine collection would be a poor estimator for these revenues. Indeed, the main objective of the fine increases is to deter infractions, not raise revenue. Therefore the legislation is not likely to generate substantial increases in revenues. Since this revenue stream is not currently supporting a specific program activity, lack of collections would not result in a negative fiscal impact on the District's budget and financial plan.

Financial Plan Impact

Funds are sufficient in the FY 2008 budget and the FY 2009 - FY 2012 budget and financial plan to implement the proposed legislation.

The legislation allows for DDOT to determine the number of crosswalks that would have signs to enhance pedestrian safety. Of the total intersections in DC, DDOT has concluded that 1200 locations have the highest probability for pedestrian accidents. Each location would have 4 signs installed at an approximate cost of \$425 per sign, including labor and materials. Thus, DDOT estimates that the total cost of the project would be \$2,032,000.

DDOT can implement the sign improvements recommended by this legislation within its current budget. The budgeted amount for the Street Sign Improvements Project in FY 2008 and FY 2009 is \$2 million for each year. This indicates that DDOT would be able to fully implement the project over a number of years.

Because the fines would be increased substantially, past collections do not provide a reliable estimate of the funds that could be deposited in the Pedestrian and Bicycle Safety and Enhancement Fund, as required by this legislation. The Council already approved \$1.5 million in FY 2009 for the Bicycle Safety and Enhancement Fund from existing revenues; therefore, lack of increased collections would not result in a negative fiscal impact on the District's Budget and Financial Plan.