


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



**Glen Lee**  
Chief Financial Officer

**MEMORANDUM**

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

**FROM:** Glen Lee  
Chief Financial Officer 

**DATE:** December 3, 2024

**SUBJECT:** Fiscal Impact Statement – Restoration of Covenanted Roads and Alleys  
by the District Government Amendment Act of 2024

**REFERENCE:** Bill 25-920, Draft Committee Print as provided to the Office of Revenue  
Analysis on November 26, 2024

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**Conclusion**

Funds are sufficient in the fiscal year 2025 through fiscal year 2028 budget and financial plan to implement the bill.

**Background**

The District Department of Transportation (DDOT) is responsible for repairing and maintaining public roadways in the District. Other roadways are under private covenants or easements and are not maintained by DDOT.

The bill authorizes the Mayor to repair or restore privately owned roadways, including alleys and other right-of-way, that are necessary for the passage of District government-owned or operated vehicles. The bill establishes that the Mayor can repair these roads if the roadway owner has covenanted that an easement exists for the passage of vehicles, the District government frequently uses or is likely to use the roadway, the private owner has failed to properly maintain the roadway, and the Mayor has been unable to locate the roadway's private owner. The bill allows the Mayor to seek a release of liability and indemnification related to the roadway work.

If the covenant requires the private owner to maintain the roadway in a way that is suitable for vehicle traffic and the owner fails to do so, the District can recover up to three times the cost and expenses incurred by the District to perform the repair work.

The Honorable Phil Mendelson

FIS: Bill 25-920, "Restoration of Covenanted Roads and Alleys by the District Government Amendment Act of 2024," Draft Committee Print as provided to the Office of Revenue Analysis on November 26, 2024

### **Financial Plan Impact**

Funds are sufficient in the fiscal year 2025 through fiscal year 2028 budget and financial plan to implement the bill. The District does not presently maintain or repair these private roads. The District is authorized, but not required, to repair any roadways that meet the bill's criteria within its existing capital budget. However, any unplanned work performed on these roadways will delay or divert funding from other planned projects in DDOT's capital budget.