


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



**Fitzroy Lee**  
Chief Financial Officer

**MEMORANDUM**

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

**FROM:** Fitzroy Lee  
Chief Financial Officer 

**DATE:** July 13, 2022

**SUBJECT:** Fiscal Impact Statement – Safer Streets Amendment Act of 2022

**REFERENCE:** Bill 24-673, Committee Print as provided to the Office of Revenue  
Analysis on June 29, 2022

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**Conclusion**

Funds are not sufficient in the fiscal year 2022 budget and fiscal year 2023 through fiscal year 2026 budget and financial plan to implement the bill.

The bill's implementation will cost approximately \$1.5 million in fiscal year 2023 and \$3.4 million over the four-year financial plan period. Approximately \$122,000 annually can be absorbed within the District Department of Transportation's (DDOT) existing budgeted resources, while the remaining \$1.3 million in fiscal year 2023 and \$2.9 million over the four-year financial plan period must be included in an approved budget and financial plan.

**Background**

DDOT manages a shared fleet device (SFD) program whereby the agency permits operators to make shared electric bicycles and scooters available to residents and visitors. SFD operators are required to meet certain operational parameters, including deployment, parking, and reporting requirements.<sup>1</sup>

The bill allows DDOT to decline to issue any SFD permits, but maintains that if permits are issued, DDOT must issue permits to at least two operators. The bill also exempts operators from fleet

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<sup>1</sup> Shared Fleet Devices Amendment Act of 2020, effective March 21, 2020 (D.C. Law 23-203; D.C. Official Code § 50-2201.03c).

deployment requirements if the DDOT Director temporarily suspends SFD operations to preserve public safety.

The bill expands allowances for bicycle, scooter, and other personal mobility device riders to safely pass through intersections in the District when existing traffic control elements restrict movement. Current law allows bicyclists to move through an intersection consistent with a pedestrian indicator, including a leading pedestrian interval.<sup>2</sup> The bill authorizes a rider to proceed straight through or turn through an intersection that is controlled by a stop sign if the rider is travelling at a reasonable speed that allows them to assess hazards, no immediate hazard is detected, and they yield the right-of-way to other lawful traffic at the intersection. The bill authorizes riders to pass through intersections controlled by a steady red traffic control signal (red light) if they come to a complete stop, determine that no immediate hazards exist, and they yield the right-of-way to other lawful traffic at the intersection. Except for a right turn at a red light, DDOT must post signage authorizing left turns and straight movements at red lights at a given intersection.

The bill also addresses right-turns-on-red for vehicle traffic. The Council passed legislation, but did not fully fund the costs, that prohibited right-turns-on-red at intersections within 400 feet of various destinations, such as a schools, parks, Metro stations, or libraries.<sup>3</sup> DDOT is required to post signs that the turns are prohibited or justify why they should be allowed under that legislation. The bill eliminates the ability for DDOT to justify why a right-turn-on-red at these locations should be allowed and establishes a citywide prohibition on right-turns-on-red as of January 1, 2025. Once the citywide prohibition is in place, the bill allows DDOT to justify and install signs allowing a right-turn-on-red at intersections<sup>4</sup> while maintaining a publicly available list of intersections where these turns are allowed and when signs were installed. The bill also requires DDOT to launch a public education campaign around right-turns-on-red by January 1, 2025.

The bill requires DDOT to implement several policy and planning changes to the District's public space infrastructure. The bill requires DDOT to establish and implement an annual plan, beginning in 2023, to convert tactical safety projects<sup>5</sup> into permanent streetscapes and to assess the safety and durability of the District's bicycle lanes. The plan should include inventories and maps of both tactical safety elements and bicycle lanes. DDOT should set a target of the number of tactical safety elements it will transition to permanent streetscapes and the locations of planned conversions. DDOT should also identify the materials used to delineate a bicycle lane and assess the viability of design changes that will improve safety and comfort. Beginning in 2024, DDOT must annually report to Council on its tactical safety project conversions, whether the agency met its goals, and any changes made to bicycle lanes.

The bill also requires DDOT to reassess its design and engineering standards to make raised crosswalks, continuous sidewalks, and raised intersections standard safety elements in the design and implementation of traffic safety infrastructure. DDOT's manuals should consider these safety

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<sup>2</sup> Bicycle Safety Amendment Act of 2013, effective December 13, 2013 (D.C. Law 20-49; D.C. Official Code § 50-2201.04d).

<sup>3</sup> Vision Zero Enhancement Omnibus Amendment Act of 2020, effective December 23, 2020 (D.C. Law 23-158; D.C. Official Code § 50-2201.04e).

<sup>4</sup> The bill does not allow DDOT to use vehicle delays, vehicle capacity, or congestion as a basis for allowing a right-turn-on-red.

<sup>5</sup> The bill defines a tactical safety project as a streetscape project (curb extensions, pedestrian islands, vehicle lane closures, etc.) that is constructed with temporary or semi-durable materials such as flex posts.

elements for all roadway classifications, emergency routes, and transit corridors and identify when each type of safety element is most appropriate. Since these safety elements must be the standard treatment, the bill requires DDOT to justify on the project website why a continuous sidewalk, raised crosswalk, or raised intersection is inappropriate or infeasible and what other safety measures will be taken. The bill requires DDOT to update its manuals to include these standard safety elements by January 1, 2024 and every five years thereafter.

### **Financial Plan Impact**

Funds are not sufficient in the fiscal year 2022 budget and fiscal year 2023 through fiscal year 2026 budget and financial plan to implement the bill. The bill's implementation will cost approximately \$1.5 million in fiscal year 2023 and \$3.4 million over the four-year financial plan period.

DDOT can implement some of the bill's provisions within the agency's existing budgeted resources. First, DDOT has the existing staff and operational flexibility to amend the SFD program to conform to the bill's program changes around permit issuances and operational restrictions. Second, the bill makes changes to the way that personal mobility riders and cyclists may pass through stop sign and red light restricted intersections. The bill requires DDOT to post signage if it allows a rider to turn left or pass straight through a red light-controlled intersection, but the bill does not require DDOT to allow these movements. DDOT does not intend to post signage allowing these movements at this time, but has flexibility under the bill to do so if the agency's perspective changes.

The bill establishes, as of January 1, 2025, a District-wide ban on right-turns-on-red for vehicles at all intersections. To support this ban, DDOT must implement a public education campaign and alter or install signage, as needed, to ensure the ban is effective. A public education campaign will cost \$235,000 in both fiscal year 2024 and fiscal year 2025. The bill does not require DDOT to post no-turn-on-red signs at intersections, but existing signs that prohibit turns during some hours and allow them during others will need to be changed. DDOT may also need to evaluate signal timings that could be impacted by changing the policy at these intersections. Additionally, DDOT will need to install signage at gateways to the District alerting motorists to the District's policy for right-turns-on-red that is likely inconsistent with their home jurisdictions. DDOT requires \$150,000 in fiscal year 2024 and \$550,000 over the four-year financial plan period to design and implement sign changes and installations. The bill also allows DDOT to allow right-turns-on-red after an evaluation of an intersection and the installation of appropriate signage. DDOT requires \$50,000 annually beginning in fiscal year 2025 to perform these evaluations. If DDOT does allow for these turns, it must post on its website the locations and when the signs were installed. DDOT can absorb this posting cost within its existing budgeted resources.

The bill requires DDOT to develop an annual plan, beginning in 2023, assessing existing roadway tactical safety projects and bicycle lanes. DDOT must first undertake an inventory of tactical safety projects at a cost of \$160,000. Then DDOT needs to annually assess these projects and evaluate them for permanent streetscape improvements. This annual planning costs \$148,000 in fiscal year 2023 and \$685,000 over the four-year financial plan period, including an annual \$122,000 for the planning document and personnel support. DDOT does have approximately \$122,000 in annual funding for the planning document, but the agency does not have funds to cover the remaining costs.<sup>6</sup> DDOT has funding in its capital program for the conversion of temporary tactical safety projects to permanent

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<sup>6</sup> The remaining costs are \$26,000 in fiscal year 2023 and \$197,000 over the four-year financial plan period.

projects, but the more prescribed planning required by the bill may result in different allocations of those dollars than originally planned.

DDOT also requires \$50,000 annually and one new bicycle specialist to inventory and assess the District's bike lanes for conversion into safer and more comfortable lanes. These assessments must also be included in the annual plans. The new specialist will cost \$93,000 in fiscal year 2023 and \$393,000 over the four-year financial plan period. Any bike lane changes that are made as a result of these assessments included in the annual plan could alter DDOT's overall plans to install or enhance bike lanes in the District based on how much capital funding is available for bike lane projects.

The bill requires DDOT to update its design and engineering manuals and other standard drawings to include vertical traffic calming devices as standard treatments for road projects. These standard safety treatments include raised crosswalks, continuous sidewalks, and raised intersections. These updates need to occur every five years with DDOT completing the first update by January 1, 2024. It will cost DDOT \$1.01 million for each update of these manuals and drawings. These treatments are more expensive than current crosswalk and intersection standard treatments, so making these treatments the new standard will result in projects with more limited scopes, fewer projects overall, or more expensive projects. However, the impacts will need to be evaluated on a project-by-project basis and the bill does allow DDOT to provide a justification on the project-specific website if the new vertical safety standards are inappropriate or infeasible.

<b>Safer Streets Amendment Act of 2022</b> <b>Bill 24-673</b> <b>Implementation Costs</b> <b>Fiscal Year 2023 – Fiscal Year 2026</b> <b>(\$ thousands)</b>					
	<b>FY 2023</b>	<b>FY 2024</b>	<b>FY 2025</b>	<b>FY 2026</b>	<b>Total</b>
<b>Right-turn-on-red Ban</b>					
<b>Education Campaign<sup>a</sup></b>	\$0	\$235	\$235	\$0	\$470
<b>Gateway signs and conversions</b>	\$0	\$150	\$400	\$0	\$550
<b>Evaluations</b>	\$0	\$0	\$50	\$50	\$100
<b>Tactical Safety Project Annual Planning</b>					
<b>Inventory</b>	\$160	\$0	\$0	\$0	\$160
<b>Annual Planning<sup>b</sup></b>	\$148	\$177	\$179	\$181	\$685
<b>Bicycle Lane Annual Planning<sup>c</sup></b>	\$143	\$146	\$150	\$154	\$593
<b>Manual and Standard Drawing Update</b>	\$1,012	\$0	\$0	\$0	\$1,012
<b>Total Costs</b>	<b>\$1,463</b>	<b>\$708</b>	<b>\$1,014</b>	<b>\$385</b>	<b>\$3,410</b>

Table Notes

<sup>a</sup> This includes \$200,000 for campaign implementation and \$35,000 for consulting services each year.

<sup>b</sup> This includes the \$122,000 annual plan costs and consulting services support. DDOT can annually absorb the \$122,000 cost within its existing budget.

<sup>c</sup> This cost includes \$50,000 for annual planning and one bicycle specialist.