


OFFICE OF  
**MARY M. CHEH**

Councilmember, Ward 3 | Chair, Committee on Transportation & the Environment

**MEMORANDUM**

**TO:** Chairman Phil Mendelson  
**FROM:** Councilmember Mary M. Cheh   
**DATE:** July 15, 2020  
**SUBJECT:** Requests for the July 21, 2020 Meeting of the Committee of the Whole and Additional Legislative Meeting

I request that the following measures be agendized for the July 21, 2020 Meeting of the Committee of the Whole and Additional Legislative Meeting, should one be scheduled. These measures were marked up by the Committee on Transportation and the Environment on July 10, 2020, and have been filed with the Secretary's Office:

- Bill 23-232, Autonomous Vehicles Testing Program Amendment Act of 2020

B23-232, the Autonomous Vehicles Testing Program Amendment Act of 2020, would regulate the testing of autonomous vehicles on District roads through a testing program at the District Department of Transportation. To test an autonomous vehicle on public roads, an autonomous vehicle testing entity must submit certain information to DDOT for approval, including vehicle information for each vehicle tested; a safety and risk mitigation plan; and a description of the area and conditions under which an autonomous vehicle can function while being tested autonomously. Additionally, each autonomous vehicle must comply with federal motor vehicle safety standards; shall be capable of being operated in compliance with the District's applicable motor vehicle and traffic laws; and shall capture certain vehicle sensor data. The test entities must also meet standards for test operator training and must be able to respond to a judgment for damages, property damage, personal injury, or death in the amount of \$5,000,000.

Additionally, the bill requires crash and data reporting, including any crash of its vehicles while under autonomous operation that results in property damage, bodily injury, or death. DDOT has the authority to order an AV testing entity to restrict testing on certain roadways or District-wide under certain circumstances, including emergencies, special events, or when a roadway presents safety concerns. DDOT can levy civil penalties for violations of the law or its rules, and DDOT may modify, suspend, revoke, or deny a testing permit for violations. Finally, DDOT is required to present a report to the Council within one year of the

effective date of the law with recommendations on how the District might safely accommodate the full deployment of autonomous vehicles.

The OCFO has determined that B23-232 will cost \$1.2 million in FY 2021 and \$3.6 million over the 4-year financial plan.

- B23-288, the Vision Zero Enhancement Omnibus Amendment Act of 2020

B23-288, the Vision Zero Enhancement Omnibus Amendment Act of 2020, incorporates legislation introduced by Councilmembers Allen, Cheh, and Todd, and the Mayor, to move the District towards achieving the goals of Vision Zero. The legislation sets a number of strict mandates for DDOT, and equips the agency with new tools to better and more quickly implement bicycle and pedestrian infrastructure and other and safety-based changes, and to more broadly create safer streets. The legislation also includes provisions to increase agency transparency. Some major components of the bill include:

- i. Requiring DDOT to construct sidewalks on both sides of the street and to connect them to existing sidewalks when doing major repair on a stretch of road.
- ii. Requiring DDOT to construct a protected bicycle lane whenever doing construction on a road segment where MoveDC calls for a bike lane.
- iii. Requiring DDOT to update MoveDC for this upcoming year and every five years thereafter, and to update its complete streets policy.
- iv. Requiring DDOT to submit to the Council a Vision Zero infrastructure progress report that describes the proposed projects in each of the District's 15 most dangerous corridors for pedestrians and cyclists.
- v. Banning right-on-red at all intersections within 400 feet of a school, playground, recreation center, library, Metrorail station entrance, as well as at any intersection with a bike lane running through it, unless DDOT publishes a reasoning as to why banning right on red at a particular location would not increase safety.
- vi. Reducing the speed limit on District roads classified as local or collector to 20 miles per hour.
- vii. Requiring the Mayor to send warnings to drivers caught by ATE cameras going 8 miles per hour or more over the speed limit if the Mayor chooses not to issue a citation.
- viii. Requiring DDOT to add additional red light cameras, bus lane enforcement cameras, and stop sign cameras.
- ix. Requiring drivers converting an out-of-state drivers license to take a test illustrating their knowledge of how to drive safely in the District.

- x. Requiring the Executive to enter into negotiations with Maryland and Virginia to establish reciprocity for parking and ATE camera infractions.

The OCFO has determined that B23-288 will cost \$41,743,000 in FY 2021 and \$3171,485,000 over the 4-year financial plan.

Lastly, I request that the following emergency measures be agendized for the additional legislative meeting, should one be scheduled:

- Student Activity Fund Theatrical and Music Performance Expenditures Emergency Declaration Resolution of 2020
- Student Activity Fund Theatrical and Music Performance Expenditures Emergency Act of 2020
- Student Activity Fund Theatrical and Music Performance Expenditures Temporary Act of 2020

On October 8, 2019, Councilmember Mary M. Cheh introduced the Student Activity Fund Theatrical and Music Performance Expenditures Act of 2019; the Committee on Education and the Committee of the Whole held a joint hearing on the legislation on March 10, 2020. On October 8, 2019, the Council passed the Student Activity Fund Theatrical and Music Performance Expenditures Emergency Act of 2019, which was effective October 23; that emergency legislation expired on January 21, 2020. On October 22, 2019, the Council passed the Student Activity Fund Theatrical and Music Performance Expenditures Temporary Act of 2019, which was effective January 10, 2020; the temporary legislation will expire on August 22, 2020.

This emergency legislation is substantively identical to the emergency and temporary acts. Immediate legislative action is necessary to prevent a gap in the law between the expiration of the temporary act and the passage of permanent legislation by the Committee on Education and the Committee of the Whole.

Draft copies of the emergency legislation are attached. Please contact Michael Porcello in my office at 724-8062 or mporcello@dccouncil.us if you have any questions.