

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency with respect to the need to reappoint Christopher A. Hart to the Board of Commissioners of the Washington Metrorail Safety Commission.

RESOLVED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Board of Directors of the Washington Metrorail Safety Commission Christopher A. Hart Reappointment Emergency Declaration Resolution of 2022”.

Sec. 2. (a) On February 9, 2018, Christopher A. Hart was appointed to the Board of Directors of the Washington Metrorail Safety Commission for a four-year term to expire February 8, 2022.

(b) Mr. Hart was first elected Chair of the Board in 2018 and has served in that capacity continuously since that time, being elected to the position twice by the other members of the Board. Mr. Hart has been the only Chair of the Board since the WMSC’s inception.

(c) Mr. Hart also has extensive experience working on transportation and transportation safety issues in both the public and private sectors, including serving two terms as a member of the National Transportation Safety Board (NTSB) from 1990 to 1993 and 2009 to January 2018 (including as chairman of the NTSB from 2014 to 2017); Deputy Administrator of the National Highway Traffic Administration and Assistant Administrator for System Safety and Deputy

32 Director of the Air Traffic Safety Oversight Service at the Federal Aviation Administration; and
33 managing partner for the law firm Hart & Chavers.

34 (d) Mr. Hart has guided, and continues to guide, the WMSC through several milestone
35 activities including obtaining formal approval from the Federal Transit Administration (FTA) in
36 2019 to begin oversight of the safety of the WMATA system and developing WMSC's response
37 to the serious safety concerns related to WMATA 7000 series rail cars.

38 (e) WMSC's bylaws state that "The Board shall elect its officers biennially to each serve
39 a two (2)-year term commencing on a date the Board shall specify. *An officer's term may not*
40 *supersede the overall term limit of the Board member serving in that office.*" (Italics added)

41 (f) WMSC interprets the provision noted subsection (c) of this section to mean that any
42 Board member who would be elected as an officer must be serving a current term. Under this
43 interpretation of the WMSC bylaws, Mr. Hart would be ineligible to serve as an officer until
44 formal reappointment.

45 (g) In order to ensure that the WMSC is able to operate at its full capacity, and with
46 proven and qualified leadership during a critical time related to the safety of the WMATA
47 system, it is necessary to approve emergency legislation.

48 Sec. 3. The Council of the District of Columbia determines that the circumstances
49 enumerated in section 2 constitute emergency circumstances making it necessary that the Board
50 of Directors of the Washington Metrorail Safety Commission Christopher A. Hart
51 Reappointment Emergency Resolution of 2022 be adopted after a single reading.

52 Sec. 4. This resolution shall take effect immediately.