

ENROLLMENT(S)



(5)

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 12-222

"School Proximity Traffic Calming Temporary Act of 1998"

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P.L. 93-198 "the Act", the Council of the District of Columbia adopted Bill No. 12-840, on first and second readings, November 10, 1998 and December 1, 1998, respectively. Following the signature of the Mayor on December 9, 1998, pursuant to Section 404(e) of "the Act", and was assigned Act No. 12-537 and published in the January 15, 1999, edition of the D.C. Register (Vol. 46 page 292) and transmitted to Congress on February 3, 1999 for a 30-day review, in accordance with Section 602(c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 12-222, effective April 13, 1999.



LINDA W CROPP
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

Feb. 3,4,8,9,10,11,12,22,23,24,25

Mar. 1,2,3,4,5,8,9,10,11,15,16,17,18,19,22,23,24,25

Apr. 12

AN ACT

D.C. ACT 12-537

THE COUNCIL OF THE DISTRICT OF COLUMBIA

DECEMBER 9, 1998

*Codification
District of
Columbia
Code
1999 Supp.*

To authorize, on a temporary basis, the installation of traffic control devices in and around school zones.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "School Proximity Traffic Calming Temporary Act of 1998".

*New
Chapter 21,
Title 40*

Sec. 2. Installation of traffic control devices.

*Note, Section
40-2101*

(a) The Mayor is authorized to install traffic control devices, as deemed necessary, after completing an investigation of school zones.

(b) The Mayor shall, when conducting an investigation, consider the number of persons who have been hit by a vehicle, bicycle, or motorcycle in a school zone, the likelihood of these accidents occurring in the future and the volume of traffic.

(c) The District of Columbia Public Schools and the Metropolitan Police Department shall submit monthly statistical reports to the Mayor which shall include:

(1) The number of persons who were hit by a vehicle, bicycle or motorcycle in and around school zones; and

(2) The type of injuries suffered.

(d) The information in subsection (c) of this section shall be made available, within 15 days from the date of request from the Mayor.

(e) School zones shall have a speed limit posted at 15 miles per hour and signs erected warning of the existence of children. For those school zones that have a traffic control device, signs shall be erected warning of the existence of these devices.

(f) At least 1 crossing guard shall be placed at elementary schools. Crossing guards shall be placed at middle or junior high schools, and high schools where deemed necessary by the Metropolitan Police Department.

(g) Traffic control devices, when constructed and posted pursuant to this section, shall not be deemed obstructions of the road or street. No action shall be brought on behalf of any party against the District for damages caused by a speed control device.

ENROLLED ORIGINAL

(h) The Mayor shall submit a report to the Council which shall include the findings of the investigation and the type of traffic control devices that should be installed at all school zones within 60 days from the effective date of this act.

(i) For purposes of this act, "traffic control devices" includes traffic signals, flashing red and yellow signals, stop signs, signs that warn of the existence of children, markers, speed humps or bumps, rumble strips, or signs that reduce the speed limit.

Sec. 3. Fiscal impact statement.

(a) The requirement to conduct an investigation will not have an adverse impact on the Budget and Financial Plan of the District. Pursuant to Chapter 21 of Title 18 of the District of Columbia Municipal Regulations, DPW currently installs and maintains traffic control devices in the District as deemed necessary. The "need" for traffic control devices is determined by the completion of some type of investigation. Therefore, the staffing level and resources for the investigation are appropriated in the FY 1999 budget and subsequent budgets.

(b) The requirement that the District of Columbia Public Schools ("DCPS") and the Metropolitan Police Department ("MPD") submit monthly statistical reports to the Mayor will not have an adverse impact on the Budget and Financial Plan of the District. Accidents involving students within school zones are currently reported to both the MPD and the DCPS. Additional staffing and resources are not needed to complete reports. The FY 1999 budget appropriation for MPD and DCPS includes staffing and resources that will be needed to complete the reports. The appropriation is expected to be included in subsequent fiscal year budgets.

(c)(1) In the FY 1999 Capital Budget (Highway Trust Fund), at least \$11,000,000 has been appropriated to the District for the installation, maintenance, and upgrading of various traffic control devices. According to the FY 1999 - 2004 Capital Improvement Plan and FY 1999 Capital Budget (Volume 2 - Highway Trust Fund), the District will receive similar levels of funding for traffic safety improvements for subsequent fiscal years. The traffic control devices identified in this act are found to be within the scope of work that is defined in the Capital Improvement Plan.

(2) Projects, under the FY 1999 - 2004 Capital Improvement Plan - Highway Trust Fund, are funded according to certain guidelines. These guidelines identify safety and high accidents as criteria used to determine whether a project will receive funding. Since the purpose of the legislation is to make school zones safe for our students by reducing the number of accidents involving students who cross the street, funding is available for the installation, upgrade, and maintenance of traffic control devices.

(3) The fiscal impact will vary depending on the type of traffic control device that is to be installed.

(d)(1) DPW currently has the responsibility to install signs within school zones that warn of the existence of children in the area and reduces the speed limit to 15 miles per hour. The FY 1999 capital budget and local appropriation includes staffing levels and resources that will be

needed to ensure that signs are installed and maintained at all school zones.

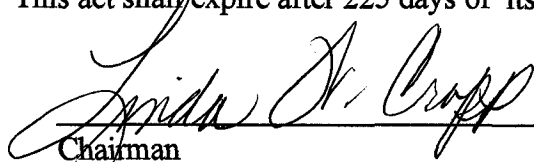
(2) The FY 1999 capital budget and local appropriation includes staffing levels and resources that are needed to install and maintain traffic signals and flashers.

(3) DPW does not install speed humps or bumps in the District because of the liability costs that are associated with these speed control devices. Since the District does not use speed humps or bumps, additional resources may be needed to ensure that the devices are installed correctly. There may also be some liability costs if the devices have a faulty design and cause personal injuries and property damage. However, if the installation of speed bumps or humps meets the guidelines in the FY 1999 - 2004 Capital Improvement Plan, the projects will be adequately funded.

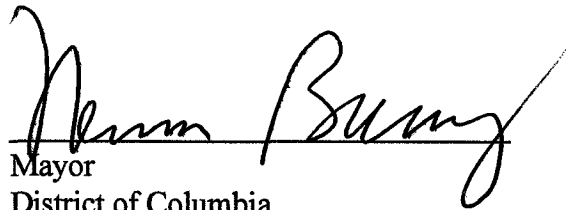
(4) DPW currently installs rumble strips in some areas as a traffic control device. If the installation of rumble strips meets the guidelines in the FY 1999 - 2004 Capital Improvement Plan, these projects will be adequately funded.

Sec. 4. This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), approval by the Financial Responsibility Management Assistance Authority as provided in section 203 (a) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, approved April 17, 1995 (109 Stat. 116; D.C. Code § 47-392.3 (a)), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-233(c)(1), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED: December 9, 1998



COUNCIL OF THE DISTRICT OF COLUMBIA

COUNCIL PERIOD TWELVE

RECORD OF OFFICIAL COUNCIL VOTE

Docket No.

B12-840

ITEM ON CONSENT CALENDAR

ACTION & DATE

ADOPTED FIRST READING, 11-10-98

VOICE VOTE RECORDED VOTE ON REQUEST

APPROVED

ABSENT

MASON AND SCHWARTZ

ROLL CALL VOTE - Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Cropp					Chavous					Schwartz				
Allen					Evans					Smith, Jr.				
Ambrose					Jarvis					Thomas, Sr.				
Brazil					Mason									
Catania					Patterson									

X - Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

Phyllis Jones / Secretary to the Council

December 3, 1998 Date

ITEM ON CONSENT CALENDAR

ACTION & DATE

ADOPTED FINAL READING, 12-01-98

VOICE VOTE RECORDED VOTE ON REQUEST

APPROVED

ABSENT

ALL PRESENT

ROLL CALL VOTE - Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Cropp					Chavous					Schwartz				
Allen					Evans					Smith, Jr.				
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 Secretary to the Council

December 3, 1998
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