



Councilmember Charles Allen



Councilmember Mary M. Cheh



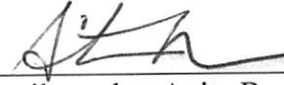
Councilmember David Grosso



Councilmember Jack Evans



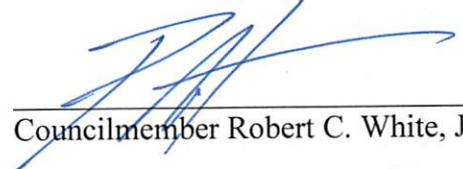
Councilmember Elissa Silverman



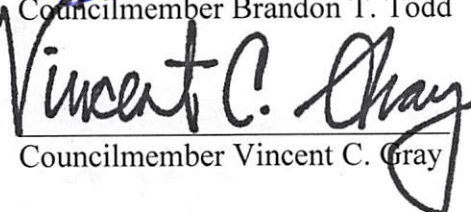
Councilmember Anita Bonds



Councilmember Brandon T. Todd



Councilmember Robert C. White, Jr.



Councilmember Vincent C. Gray



Councilmember Brianne K. Nadeau

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend Title I of the District of Columbia Comprehensive Bicycle Transportation and Safety Act of 1984 to require DDOT to construct a protected bicycle lane or cycle track on road segments included in the Recommended Bicycle Network in the District of Columbia's Multimodal Long-Range Transportation Plan where DDOT is otherwise engaging in road reconstruction, major repair, or curb or gutter replacement on that road segment, and to require the Mayor to provide notice to affected parties of the proposed construction 60 days prior to its commencement, and to provide a mechanism by which DDOT may disapprove of construction of a bicycle lane or cycle track where the Director determines construction would be impractical or unnecessary.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this

act may be cited as the "Mandatory Protected Cycling Lane Amendment Act of 2019".

46 Sec. 2. Title I of the District of Columbia Comprehensive Bicycle Transportation and
47 Safety Act of 1984, effective March 16, 1985 (D.C. Law 5-179; D.C. Official Code § 50-1601 *et*
48 *seq.*), is amended by adding new sections 9a and 9b to read as follows:

49 “Sec. 9a. Bicycle lane installation requirements.

50 “(a) Except as provided in subsection (c), for road segments that were included in the
51 Recommended Bicycle Network in the District of Columbia’s Multimodal Long-Range
52 Transportation Plan, the District Department of Transportation (“DDOT”) shall construct a
53 protected bicycle lane or cycle track on that road segment when DDOT engages in any road
54 reconstruction, major repair, or curb and gutter replacement on that road segment. To the greatest
55 extent feasible, DDOT shall make efforts to ensure the bicycle lanes and cycle tracks constructed
56 are contiguous with other portions of the bicycle lanes and cycle tracks that are already
57 completed.

58 “(b)(1) At least 60 days before construction begins, the Mayor shall provide notice to
59 affected parties, the affected Advisory Neighborhood Commissions, and the Councilmembers of
60 the affected Wards. At a minimum, this notice shall include:

61 “(A) A statement of intent to construct a new bicycle lane or cycle track,
62 including the proposed design;

63 “(B) A statement describing a 30-day period for public comment on the
64 proposed bicycle lane or cycle track and how affected parties can comment on the proposed
65 bicycle lane or cycle track, including a statement on how Advisory Neighborhood Commissions
66 can submit resolutions on the potential impact of the proposed bicycle lane; and

67 “(C) A construction schedule.

68 “(2) The Mayor shall maintain for public review comments from affected parties
69 received pursuant to paragraph (1)(B) of this subsection and responses thereto.

70 “(3) The recommendations of the affected Advisory Neighborhood Commission
71 shall be given great weight, as that term is described in section 13(d)(3)(A) of the Advisory
72 Neighborhood Commissions Act of 1975, effective October 10, 1975 (D.C. Law 1-21; D.C.
73 Official Code § 1-309.10(d)(3)(A)).

74 “(c)(1) The requirements of this section shall not apply if the Director of DDOT
75 determines, in writing, that it is impractical or unnecessary to install a bicycle lane or cycle track
76 because:

77 “(A) The physical site conditions would make it unduly expensive to
78 construct the bicycle lane or cycle track;

79 “(B) The bicycle lane would not be used by cyclists;

80 “(C) The Director of DDOT certifies that, due to the specific nature or
81 design of the road segment under consideration, cycling can be safely accommodated without a
82 bicycle lane or cycle track, including travel by children and people with disabilities; or

83 “(D) The District would be required to acquire an easement or property
84 interest to establish the bicycle lane or cycle track.

85 “(2) The written determination required by paragraph (1) of this subsection shall
86 be posted on the DDOT website and made available to the Council and the affected Advisory
87 Neighborhood Commissions.

88 “(d) It is the intention of the Council that DDOT will not forgo road reconstructions or
89 repair otherwise necessary to meet the goals of the DDOT Paving Plan.

90 “(e) For the purposes of this section, the term “affected parties” means residents with
91 property abutting the road segment under consideration.”.

92 Sec. 3. Fiscal impact statement.

93 The Council adopts the fiscal impact statement in the committee report as the fiscal
94 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
95 approved October 16, 2006 (12 Stat. 2038; D.C. Official Code § 1-301.47a).

96 Sec. 4. Effective date.

97 This act shall take effect following approval by the Mayor (or in the event of veto by the
98 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
99 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
100 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
101 Columbia Register.