

AN ACT

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New Chapter
9A, Title 50**

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To establish the Department of Transportation and provide for its organization, staff, powers and duties; to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978, to add the Department of Transportation to the list of subordinate agencies; and to amend the Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996, to increase the members of the Storm Water Advisory Panel from 5 to 7.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Department of Transportation Establishment Act of 2002".

**Note,
New Section
50-921.01**

Sec. 2. Establishment of the Department of Transportation.

**New Section
50-921.01**

Pursuant to section 404(b) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 787; D.C. Official Code §1-204.04(b)), the Council establishes the Department of Transportation ("DOT") as an agency within the executive branch of the government of the District of Columbia to improve the District's economic competitiveness and quality of life by planning and coordinating the transportation system, and managing and maintaining the transportation infrastructure, to ensure the safe, efficient movement of people, goods and information along public rights-of-way.

Sec. 3. Director.

**New Section
50-921.02**

(a) The DOT shall be headed by a Director. The Director shall be appointed by the Mayor with the advice and consent of the Council, pursuant to section 2(a) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(a)).

(b) The Director shall have authority over DOT, its functions and personnel, including the power to re-delegate to employees authority as, in the judgment of the Director, is warranted in the interests of efficiency and sound administration.

New Section

Sec. 4. Organization.

(a) There is hereby established within DOT the following offices and divisions:

(1) The Office of the Director, consisting of the Offices of Human Resources and Legal Affairs with subordinate staff responsible for:

- (A) Technology and information services;
- (B) Contracting and procurement; and
- (C) Budget and financial services;

(2) The Infrastructure Project Management Administration, with the following subordinate staff offices:

- (A) Project Management, to coordinate and manage:
 - (i) Design and engineering; and
 - (ii) Street and bridge construction project management;
- (B) Quality Control and Quality Assurance, to coordinate:
 - (i) Material inspection;
 - (ii) Material testing; and
 - (iii) Project materials specification review;
- (C) Project Management Support, to coordinate and manage:
 - (i) Construction project review and coordination;
 - (ii) Construction contract execution;
 - (iii) Design and engineering support; and
 - (iv) Street and bridge construction support; and
- (D) Asset Management;

(3) The Transportation Policy and Planning Administration, with the following coordinate subordinate staff offices:

- (A) Internodal Planning;
- (B) Financial Planning and Management;
- (C) Project Identification and Development;
- (D) Transportation System Data Management;
- (E) State Transportation Environmental Compliance; and
- (F) Mass Transit Policy, with functions to include supporting the

Washington Metropolitan Area Transit Authority ("WMATA") Board members and acting as a liaison between WMATA and the District government including on matters involving;

- (i) Alternative transportation; and
- (ii) School transit subsidy;

(4) The Traffic Services Administration and the Office of Traffic Signal Systems to coordinate and manage:

- (A) Traffic operations and safety;
- (B) Intelligent transportation systems; and
- (C) Transportation systems management;

(5) The Rights-of-Way Management Administration, with subordinate staff to coordinate and manage:

- (A) Public space permits and records;
- (B) Investigations and inspections;
- (C) Bridge and street maintenance; and
- (D) Traffic sign fabrication and installation;

(6) The Tree Management Administration, with the following subordinate staff offices:

- (A) Tree Planting; and
- (B) Tree Inventory Management.

Sec. 5. Duties.

**New Section
50-921.04**

The offices of the DOT shall plan, program, operate, manage, control, and maintain systems, processes, and programs to meet transportation needs as follows:

(1) Infrastructure Project Management Administration shall:

(A) Manage and implement transportation improvement plans and projects;

(B) Manage capital projects related to the design and construction of streets, alleys, curbs, gutters, bicycle lanes, sidewalks, and medians;

(C) Conduct studies, review and approve construction materials utilization and ensure that the transportation system is maintained to the highest standards; and

(D) Administer the full range of processing required to execute construction contracts for transportation, from initial preparation of bid documents through final construction completion;

(2) Transportation Policy and Planning Administration shall:

(A) Develop and update the Internodal State Transportation Plan, corridor management plans and other traffic studies on a regular basis, focusing on the safe and efficient movement of people, goods, and information;

(B) Conduct planning studies on the condition and quality of the District's transportation system to locate areas where future investment is required;

(C) Develop alternative methods of financing transportation projects and services to achieve financial self-sufficiency;

(D) Develop historic district streetscape standards;

(E) Develop and implement transportation safety programs;

(F) Develop and maintain a performance monitoring system to measure the quality and effectiveness of transportation services;

(G) Develop and maintain the transportation elements of the Geographic Information System;

(H) Develop paratransit systems, water taxis, tour bus support services,

light rail systems and other transportation services to provide for safe and efficient movement of persons throughout the city;

(I) Operate the District of Columbia School Transit Subsidy Program;

(J) Prepare studies on mass transit needs of District residents, including rail and bus services, review and revise bus routes, support WMATA Board members, and act as a liaison between WMATA and the District government; and

(K) Develop policies and programs to encourage and provide for the safe use of bicycles for recreational and work related travel;

(3) Traffic Services Administration shall:

(A) Provide a safe transportation system by maintaining a high quality traffic control system, including traffic signals and street lights;

(B) Incorporate transportation safety features in the development, design, and construction of pedestrian, bicycle, motor vehicle, and mass transportation facilities and programs;

(C) Maintain the mechanical and electrical systems which support the transportation infrastructure; and

(D) With the signed approval of the Director of the Department of Public

Works:

(i) Allocate and regulate on-street parking;

(ii) Develop a city-wide parking management program to balance the needs of parking in support of economic development; and

(iii) Establish parking and curb regulations;

(4) Rights-of-Way Management Administration shall:

(A) Review and approve public space permit requests for work within public rights-of-way, including private use and utility work public space requests, to ensure that transportation services are maintained and that the infrastructure is restored after the work is complete;

(B) Maintain official public space records;

(C) Perform regular inspections of the transportation system infrastructure;

(D) Perform routine repair and maintenance activities to maintain a high quality of transportation infrastructure;

(E) Coordinate seasonal snow removal operation on major arterial in conjunction with the Department of Public Works; and

(F) With the consent of the Director of the Office of Property Management, acquire real property, by purchase or lease, grant or gift for use by DOT, and dispose of real property through sale, lease, or other authorized method, and exercise other acquisition and property disposition authority delegated to the Mayor;

(5) Tree Management Administration shall:

- (A) Maintain a tree inventory system;
- (B) Perform routine tree maintenance;
- (C) Review transportation related construction plans to ensure the provision of adequate rights-of-way for tree planting; and
- (D) Plant, remove, and trim trees citywide.

**New Section
50-921.05**

Sec. 6. Transfers.

(a) All positions, personnel, property, records, and unexpended balances of appropriations, allocations, and other funds available or to be made available to the Department of Public Works for transportation and other functions, as set forth in section III(A), III(B), III(C), III(D) (not including supply and fuel distribution), III(E), III(F) (not including the ensuring proper and sanitary collection and disposal of refuse in an environmentally sound manner), III(H)(not including parking enforcement, and vehicle and driver licensing, registration, and control), III(I) (including only streets and bridges), III(J) (not including the control of building systems and the provision of repair and improvement services), and III(L) of Reorganization Plan No. 4 of 1983, effective March 1, 1984 are hereby transferred to the DOT.

(b) All of the functions assigned and authorities delegated to the Department of Public Works, with respect to transportation and other functions, as set forth in section III(A), III(B), III(C), III(D) (not including supply and fuel distribution), III(E), III(F) (not including ensuring proper and sanitary collection and disposal of refuse in an environmentally sound manner), III(H)(not including parking enforcement, and vehicle and driver licensing, registration, and control), III(I) (including only streets and bridges), III(J) (not including the control of building systems and the provision of repair and improvement services), and III(L) of Reorganization Plan No. 4 of 1983, effective March 1, 1984 are hereby transferred to the DOT.

(c) All of the functions of the Department of Public Works as set forth in section IV (A) of Reorganization Plan No. 4 of 1983, effective March 1, 1984 are hereby transferred to the DOT.

**New Section
50-921.06**

Sec. 7. Delegation and redelegation of authority.

Except as provided in section 5, the Director of DOT is the successor to all transportation related authority delegated to the Director of the Department of Public Works and is authorized to act, either personally or through a designated representative, as a member of any committees, commissions, boards, or other bodies which presently include as a member the Director of the Department of Public Works.

**New Section
50-921.07**

Sec. 8. Reorganization.

The Director of DOT is authorized to organize the personnel and property transferred herein within any organizational unit of DOT as the Director deems appropriate.

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Sec. 9. Repealer.

**New Section
50-921.08**

All orders and parts of orders in conflict with any of the provisions of this act are hereby repealed, except that any regulations adopted or promulgated by virtue of the authority granted by such orders, shall remain in force until properly revised, amended or repealed.

Sec. 10. Subordinate agency status.

**Section
1-603.01**

Section 301(q) of the District of Columbia Comprehensive Government Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-603.01(17)), is amended as follows:

(a) Paragraph (49) is amended by striking the phrase "; and" at the end and inserting a semicolon in its place.

(b) Paragraph (50) is amended by striking the phrase "Child and Family Services." and inserting the phrase "Child and Family Services; and" in its place.

(c) A new paragraph (51) is added to read as follows:

“(51) Department of Transportation.”.

Sec. 11. Section 206c(b) of the Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996, effective June 13, 2001 (D.C. Law 13-311; D.C. Official Code § 34-2202.06c(b)), is amended as follows:

**Section
34-2202.06c**

(a) Strike the figure "5" and insert the figure "7" in its place.

(b) Paragraph (4) is amended by striking the phrase "; and" and inserting a semicolon in its place.

(c) Paragraph (5) is amended by striking the period and inserting a semicolon in its place.

(d) New paragraphs (6) and (7) are added to read as follows:

"(6) The Director of the Department of Transportation; and

"(7) The Chief Financial Officer.".

Sec. 12. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 13. Effective date.

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), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

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24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

Chairman
Council of the District of Columbia

Mayor
District of Columbia