

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

*Codification
District of
Columbia
Official Code*

2001 Edition

2006 Spring
Supp.

West Group
Publisher

To amend, on a temporary basis, the Highway Trust Fund Establishment Act of 1996 to direct revenue into the Local Roads Construction and Maintenance Fund that was inadvertently directed to the District Department of Transportation Operating Fund, and to provide that up to 100% of specified revenue collected for the rental of public space may be used for debt servicing; and to amend the Department of Transportation Establishment Act of 2002 to provide that revenue from public space rental from sources not deposited into the Local Roads Construction and Maintenance Fund be deposited into the District Department of Transportation Operating Fund, and to provide that 100% of the sales and use taxes for parking and storing vehicles be directed for local roads construction and maintenance but providing that 50% may be used for debt servicing.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Highway Trust Fund and District Department of Transportation Temporary Amendment Act of 2005".

Sec. 2. Section 102a(a) of the Highway Trust Fund Establishment Act of 1996, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 9-111.01a(a)), is amended to read as follows:

Note,
§ 9-111.01a

"(a)(1) There is established the Local Roads Construction and Maintenance Fund ("Maintenance Fund"), which shall be separate from the General Fund of the District of Columbia, into which shall be deposited without regard to fiscal year limitation, pursuant to an act of Congress:

"(A) All revenue derived from the collection of the public rights-of-way user fees, charges, and penalties, established pursuant to 24 DCMR §§ 3302.8 through 3302.10, or any other regulations;

"(B) One hundred percent of the sales and use taxes collected by the District for parking and storing vehicles to source funds for the Local Roads Construction and Maintenance Fund;

"(C) One hundred percent of the revenues collected by the District for the

rental of public space that is not derived from:

- "(i) Sidewalk cafes;
- "(ii) Surface and subsurface fuel oil space; or
- "(iii) Vaults; and

"(D) All excess monies in the District of Columbia Highway Trust Fund pursuant to section 101(e).

"(2)(A) Up to 50% of the revenue collected pursuant to paragraph (1)(B) of this subsection from parking and storing vehicle taxes may be used for debt servicing and the remaining balance used for local roads construction and maintenance; and

"(B) All or any portion of the revenue collected pursuant to paragraph (1)(C) of this subsection for the rental of public space may be used for debt servicing.".

Sec. 3. Section 11a of the Department of Transportation Establishment Act of 2002, effective October 20, 2005 (D.C. Law 16-33; 52 DCR 7503), is amended as follows:

(a) Subsection (a)(2) is amended by striking the phrase "Excluding monies collected in the current year, any money deposited in the DDOT Fund in the year prior to the current year and the interest earned on that money remaining" and inserting the phrase "Excluding revenues collected in the current year, any revenue, including accrued revenue, deposited in the DDOT Fund in the year prior to the current year and the interest earned on those revenues remaining" in its place.

(b) Subsection (b) is amended as follows:

(1) Subparagraph (A) is amended to read as follows:

"(A) One hundred percent of revenue collected by the District for rental of public space that is derived from:

- "(i) Sidewalk cafes;
- "(ii) Surface and subsurface fuel oil space; and
- "(iii) Vaults;

(2) Subparagraph (B) is repealed.

(3) Subparagraph (C) is amended by striking the word "proceeds" and inserting the word "revenue" in its place.

Sec. 4. Fiscal impact statement.

(a) The Council adopts the fiscal impact statement of the Budget Director to the Council of the District of Columbia 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)).

(b) The use of funds allocated in this act are already incorporated into the District's budget and financial plan and, therefore, this legislation has no fiscal impact.

Sec. 5. Effective date.

(a) 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 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(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