

AN ACT

Bill 19-795
Act 19-629
effective
January 18,
2013

Codification
District of
Columbia
Official Code
2001 Edition

To amend the Office of Administrative Hearings Establishment Act of 2001 to expand the jurisdiction of the Office of Administrative Hearings to include infractions of rules promulgated pursuant to the Department of Transportation Establishment Act of 2002; to amend the Department of Transportation Establishment Act of 2002 to authorize the District Department of Transportation to plan, develop, and operate a local light rail service to be known as the DC Streetcar, and to establish the DC Streetcar Fund; and to require the Mayor's DC Streetcar Financing and Governance Task Force to issue a comprehensive financing and governance plan for DC Streetcar to the Council.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “District Department of Transportation DC Streetcar Amendment Act of 2012”.

District
Department of
Transporta-
tion DC
Streetcar
Amendment
Act of 2012

Sec. 2. Section 6(a) of the Office of Administrative Hearings Establishment Act of 2001, effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code § 2-1831.03(a)), is amended as follows:

Amend
§ 2-1831.03

(a) Paragraph (9) is amended by striking the phrase “; and” and inserting a semicolon in its place.

(b) Paragraph (10) is amended by striking the period and inserting the phrase “; and” in its place.

(c) A new paragraph (11) is added to read as follows:

“(11) Adjudications involving infractions of rules established pursuant to Title V of the Department of Transportation Establishment Act of 2002, passed on 2nd reading on December 4, 2012 (Enrolled version of Bill 19-795).”.

Sec. 3. The Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.01 *et seq.*), is amended by adding a new Title V to read as follows:

“TITLE V. DC STREETCAR SERVICE.

“Sec. 11m. Definitions.

“For the purposes of this title, the term:

“(1) “DC Streetcar” means a local fixed guideway transit network offering rail passenger service operated by the District government or its agent.

“(2) “DC Streetcar Fund” or “Fund” means the fund established by section 11o.

New
Subchapter
IV,
Chapter 9,
Title 50

New
§ 50-921.71

“(3) “Ticket” includes a pass, token, or any other form of payment, including payments sold in bulk for resale, which may be used in lieu of cash.

“Sec. 11n. DC Streetcar.

New
§ 50-921.72

“The Department shall have the power to:

“(1) Plan, develop, operate, control, and regulate the DC Streetcar, including establishing fares, charges, tickets, fines, and routes and schedules; and

“(2) Sell space on and within DC Streetcar vehicles or other assets for the display of advertisements and enter into agreements with entities to sell space on vehicles or other assets in return for a fee, or as a gift or donation of services approved by the Mayor.

“Sec 11o. DC Streetcar Fund establishment.

New
§ 50-921.73

“(a) There is established as a special fund the DC Streetcar Fund (“Fund”), which shall be administered by the Department in accordance with subsection (c) of this section.

“(b) The Fund shall consist of revenue from the following sources:

“(1) Revenue collected pursuant to sections 11n and 11p by the District or its agents;

“(2) Revenue collected from DC Streetcar financing districts to be established; and

“(3) Monetary gifts and grants intended to be used to fund the DC Streetcar.

“(c) The Fund shall be used to pay for goods, services, property, or for any other authorized purpose for the administration of the DC Streetcar.

“(d)(1) All funds deposited into the Fund, and any interest earned on those funds, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time, but shall be continually available for the uses and purposes set forth in subsection (c) of this section without regard to fiscal year limitation, subject to authorization by Congress.

“Sec. 11p. Fares; structure; purpose.

New
§ 50-921.74

“(a) The Department shall set the rates and fares for the DC Streetcar.

“(b) Nothing in subsection (a) of this section shall prevent the Department from offering tickets at no cost or at discounted prices as part of the Department's marketing of the DC Streetcar.

“(c) The Department shall provide quality service at reasonable fares.

“Sec. 11q. Labor negotiations with streetcar operators and technicians.

New
§ 50-921.75

“If federal funds are used to operate the Streetcar program, the Department shall ensure that employee protective arrangements for employees of the DC Streetcar program comply with 49 U.S.C. § 5333(b).

“Sec. 11r. Rulemaking; enforcement; and adjudication.

New
§ 50-921.76

“(a) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to implement the provisions of this title, including the manner and amount of a fare, fee, or fine,.

“(b) Civil fines, penalties, and fees may be imposed as sanctions for an infraction of a rule promulgated under subsection (a) of this section pursuant to the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801.01 *et seq.*).

“Sec. 11s. Coordination with the Washington Metropolitan Area Transit Authority.

New
§ 50-921.77

“The Department shall coordinate DC Streetcar planning and operations with the Washington Metropolitan Area Transit Authority to ensure efficient, cost-effective, and coordinated transit service throughout the District of Columbia. ”.

Sec. 4. Comprehensive financing and governance plan.

Note,
§ 50-921.71

On or before December 31, 2013, the Mayor’s DC Streetcar Financing and Governance Task Force shall develop a comprehensive financing and governance plan for DC Streetcar, and shall transmit this plan to the Council.

Sec. 5. Sunset.

This act shall expire as of September 30, 2015.

Sunset
Note,
§§ 50-921.71 – 50-921.77

Sec. 6. 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. 7. 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 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.