

1 \_\_\_\_\_  
2 Councilmember Mary M. Cheh

\_\_\_\_\_   
Councilmember Tommy Wells

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Councilmember Marion Barry

9 A BILL

11 \_\_\_\_\_  
12 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
13 \_\_\_\_\_  
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17 Councilmember Tommy Wells introduced the following bill, which was referred to the  
18 Committee on \_\_\_\_\_.

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20  
21 To reduce automated traffic enforcement fines to a maximum of \$50 for certain moving  
22 violations, including speeding up to 20 mph in excess of the limit, passing a stop sign,  
23 failure to clear the intersection, failure to stop and give right- of- way to a pedestrian  
24 in a roadway, failure to come to a complete stop before turning right on red, and  
25 failure to obey a “no turn on red” sign, require the Mayor to post general automated  
26 enforcement warning signs, require the Mayor to assess the potential safety impact  
27 from lower fines, require the Mayor to evaluate the appropriateness of existing speed  
28 limits, and to require that 50% of revenue from automated enforcement fines be  
29 deposited to a fund dedicated to improvement and expansion of the automated  
30 enforcement system, additional traffic safety and education, and capital investments  
31 in improved road safety design.  
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33 BE IT ENACTED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,  
34 That this act may be cited as the “Safety-Based Traffic Enforcement Amendment Act of  
35 2012”.

36 Sec. 2. Reduced fines and warnings for automated enforcement of moving violations.  
37 (a) Fines for automated enforcement of moving violations shall be no higher than \$50  
38 for the following infractions:

39 (1) Speeding up to 20 mph in excess of limit [18 DCMR 2200];

- 1 (2) Failure to clear the intersection [18 DCMR 2201.11];
- 2 (3) Passing a stop sign [18 DCMR 2208.3];
- 3 (4) Failure to stop and give right of way to a pedestrian in a roadway. [18 DCMR
- 4 2208];
- 5 (5) Failure to come to a complete stop before turning right on red [18 DCMR
- 6 2103.7]; and
- 7 (6) Failure to of a “no turn on red” sign [18 DCMR 4013].

8 (b) The owner of each shall have a single warning period for automated enforcement  
9 of infractions listed in this section, which shall operate as follows:

10 (1) During the warning period, automated enforcement of any infraction listed  
11 in this section shall result in a warning letter being mailed or otherwise transmitted to the  
12 vehicle owner’s address of record, which shall include:

- 13 (A) The traffic violation that prompted the warning;
- 14 (B) The date and time of the violation;
- 15 (C) The fine amount for a future infraction; and
- 16 (D) A list of all of the types of moving violations that are enforced by  
17 the automated enforcement system.

18 (2) The warning period shall be 30 days after the date of the moving violation  
19 that prompted the first warning letter or 7 days after the date that the first warning letter is  
20 mailed or otherwise transmitted, whichever is longer.

21 (c) Within 18 months from the effective date of this act, the Mayor shall transmit to  
22 the Council an assessment of the safety impact, if any, resulting from the reduced fines

1 required by this section, which shall include a detailed analysis of any changes in moving-  
2 violation rates and repeat-violation rates.

3 Sec. 3. Signs identifying the District as a strict enforcement zone.

4 Within a 180 days of the effective date of this act, the Mayor shall post special signs  
5 identifying the entire District as a strict traffic enforcement zone and warning that automated  
6 cameras are used to enforce a wide range of moving violations. The signs shall be posted at  
7 major District entry points and other prominent locations, as determined by the Mayor to be  
8 necessary or appropriate.

9 Sec. 4. Speed limit assessment.

10 (a) Within 365 days of the effective date of this act, the Mayor shall transmit to the  
11 Council, a District-wide speed limit assessment that evaluates the appropriateness of speed  
12 limits and recommends changes to existing speed limits, and which includes the criteria used  
13 for establishing speed limits. Upon its completion, the assessment shall be posted to the  
14 District Department of Transportation's website.

15 Sec. 5. Automated Traffic Enforcement Road Safety Fund.

16 (a) There is established as a nonlapsing fund known as the Automated Traffic  
17 Enforcement Road Safety Fund ("Fund") into which 50% of revenue derived from automated  
18 enforcement citations and late penalties shall be deposited.

19 (b) The Fund shall be used solely for the following purposes:

20 (1) Expansion and improvement of the automated enforcement system,  
21 including increasing the number and types of automated enforcement cameras, and improved  
22 public information campaigns and signage;

1           (2) Additional traffic safety education and non-automated enforcement,  
2 including reestablishment of a dedicated traffic unit; and

3           (3) Additional traffic calming and other roadway design changes to reduce the  
4 design speed of roadways as appropriate.

5           (c) The Fund shall not be used to supplant existing funding or planned investments in  
6 the activities or purposes described in subsection (b) of this section, but shall be used only to  
7 supplement those activities or purposes.

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

13           Sec. 6. Fiscal impact statement.

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

17           Sec. 7. Effective date.

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