

AN ACT

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Columbia
Official Code

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the Pedestrian Protection Amendment Act of 1987 to permit civil enforcement of violations of the failure to yield to pedestrians; to amend Title 18 of the District of Columbia Municipal Regulations to create infractions for failure to yield to pedestrians, and to increase the amount of fines and points for civil infractions for failure to yield to pedestrians; to require the District Department of Transportation to create and post special signs to alert motorists of the penalties for failure to yield to pedestrians; and to amend the Pedestrian and Bicycle Safety and Enhancement Fund Establishment Act of 2008 to require that the funds collected as a result of the increased fines and the new infractions be deposited in the Pedestrian and Bicycle Safety and Enhancement Fund.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Pedestrian Safety Reinforcement Amendment Act of 2008”.

Sec. 2. Section 2 of the Pedestrian Protection Amendment Act of 1987, effective October 9, 1987 (D. C. Law 7-34; D. C. Official Code § 50- 2201.28), is amended by adding a new subsection (c-1) to read as follows:

Note,
§ 50-2201.28

“(c-1) Civil fines, penalties, and fees may be imposed as alternative sanctions for any infraction of the provisions of this section, or the rules or regulations issued under the authority 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.*) (“Civil Infractions Act”). Adjudication of any infractions shall be pursuant to the Civil Infractions Act.”.

Sec. 3. Title 18 of the District of Columbia Municipal Regulations is amended as follows:.

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(a) Section 303.2 is amended by adding new paragraphs (bb) and (cc) to read as follows:

“(bb) Failing to stop and give right-of-way to a pedestrian . . . 3 points

“(cc) Colliding with a pedestrian in the process of failing to stop and give right-of-way . . . 6 points”.

(b) Section 2208 is amended as follows:

(1) The section heading is amended by adding the phrase “and Crosswalks” after the word “Intersections”.

(2) New subsections 2208.11 and 2208.12 are added to read as follows:

- “2208.11 A driver of any vehicle shall stop and give the right-of-way to a pedestrian who has begun crossing on the "WALK" signal to continue to the opposite sidewalk or safety island, whichever is nearest.
- “2208.12 When official traffic-control signals are not in place or not in operation, the driver of a vehicle shall stop and give the right-of-way to a pedestrian crossing the roadway within any marked crosswalk or unmarked crosswalk at an intersection.”.

(c) Section 2600.1 is amended as follows:

(1) The infraction “With pedestrian [§ 2300.2]” under the caption “Colliding” is amended by striking the figure “50.00” and inserting the figure “500.00” in its place.

(2) The infraction “Failure to yield to pedestrian [§ 2303.1] . . . 50.00” under the caption “Right-of-way” is amended to read as follows: “Failure to stop and give right-of-way to pedestrian in roadway [§ 2208] . . . 250.00”.

(3) Three new infractions under the caption “Right-of-way” are added to read as follows:

- “Failure to yield to pedestrian in the sidewalk [§ 2207.2] . . . 250.00
- “Overtaking another vehicle stopped at a crosswalk or intersection for a pedestrian [§ 2221.5] . . . 250.00”
- “Stopping, standing, or parking a vehicle in a bicycle lane [§ 2405.1] . . . 65.00.”.

Sec. 4. Special signs for failure to yield to a pedestrian.

The District Department of Transportation shall develop and implement a plan to create and post special signs with the following or substantially similar notation: “D.C. Law: Failure to stop for pedestrians in crosswalk punishable by \$250 fine”. The signs shall be posted at selected District crosswalks and intersections to alert motorists of the fine for this infraction. The Director of the District Department of Transportation shall be responsible for determining which crosswalks and intersections shall have the signs.

Sec. 5. Section 6021(a) of the Pedestrian and Bicycle Safety and Enhancement Fund Establishment Act of 2008, effective August 16, 2008 (D.C. Law 17-219; 55 DCR 7602), is amended by inserting a new second sentence to read as follows: “In addition, all receipts from fines and penalties collected due to increases in civil fines and new civil infractions established by section 3 of the Pedestrian Safety Reinforcement Amendment Act of 2008, passed on 2nd reading on September 16, 2008 (Enrolled version of Bill 17-539), shall be deposited into the fund.”.

Sec. 6. Fiscal impact statement.

The Council adopts the July 15, 2008 fiscal impact statement of the Chief Financial Officer 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.

Chairman
Council of the District of Columbia

Mayor
District of Columbia