



MURIEL BOWSER
MAYOR

April 23, 2024

The Honorable Phil Mendelson
Chairman
Council of the District of Columbia
John A. Wilson Building
1350 Pennsylvania Avenue, NW, Suite 504
Washington, DC 20004

Dear Chairman Mendelson:

Enclosed for consideration and approval by the Council of the District of Columbia is the “Bus Lanes and Zones Fines Rules Approval Resolution of 2024”. This resolution will approve the proposed final rules of the Director of the District Department of Transportation (“DDOT”) to amend Chapter 26 (Civil Fines for Moving and Non-Moving Infractions) of Title 18 (Vehicles and Traffic) of the District of Columbia Municipal Regulations.

The proposed rules lower the civil fines for bus lane infractions from \$200 to \$100 to more appropriately align them with fines for other safety-related infractions. This new fine amount also makes consistent the civil fines for all infractions that relate to interfering with the safe, reliable, and accessible movement of the bus. The proposed rules also clarify the civil fine categories for bus lane, bus stand, and bus zone infractions and remove a category that refers to a redundant regulation.


By clarifying and simplifying these fine schedule regulations, these rules will help make the District’s more than 13.3 lane-miles of bus lanes and 3,000 bus zones clearer and safer for bus riders. By enhancing bus speeds and reliability, DDOT aims to increase mobility and access to opportunities for District residents, workers, and visitors. Keeping bus zones clear from unauthorized use will also increase safety and accessibility at bus stops, allowing buses to pull fully to the curb and supporting accessible boarding for all bus riders.

If you have any questions regarding the proposed final rules, please contact Sharon Kershbaum, Acting Director, DDOT, at sharon.kershbaum@dc.gov.

Sincerely,

A handwritten signature in black ink that reads "Muriel Bowser".

Muriel Bowser


Chairman Phil Mendelson
at the request of the Mayor

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To approve proposed final rules to lower the civil fines for bus lane infractions from \$200 to \$100, clarify the civil fine categories for bus lane, bus stand, and bus zone infractions, and remove a category that refers to a redundant rule.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Bus Lanes and Zones Fines Rulemaking Approval Resolution of 2024”.

Sec. 2. Pursuant to section 105 of the District of Columbia Traffic Adjudication Act of 1978, effective September 12, 1978 (D.C. Law. 2-104(a)(1); D.C. Official Code § 50-2301.05(a)(1)), the Council approves the proposed final rules of the Director of the District Department of Transportation, which amend Chapter 26 (Civil Fines for Moving and Non-Moving Infractions) of Title 18 (Vehicles and Traffic) of the District of Columbia Municipal Regulations, published at 71 DCR 001295 on February 2, 2024, to lower the civil fines for bus lane infractions from \$200 to \$100; clarify the civil fine categories for bus lane, bus stand, and bus zone infractions; and remove a category that refers to a redundant rule.

Sec. 3. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 4. Fiscal impact statement.

33 The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal
34 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
35 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

36 Sec. 5. Effective date.

37 This resolution shall take effect immediately.

DISTRICT DEPARTMENT OF TRANSPORTATION

NOTICE OF FINAL RULEMAKING

[as transmitted to the Council for its review and approval pursuant section 105 of the District of Columbia Traffic Adjudication Act of 1978, effective September 12, 1978 (D.C. Law. 2-104; D.C. Official Code § 50-2301.05)]

The Acting Director of the District Department of Transportation (“DDOT”), pursuant to the authority set forth in Sections 3(b) (delegating to the Director of DDOT authority over agency functions and personnel), 5(a) (allocating and regulating on-street parking, developing a city-wide parking management program, and establishing citywide parking and curbside management regulations), and 6(c) (transferring to DDOT the authority and function to make traffic rules and regulations previously delegated to the Department of Public Works under Section IV(A) of Reorganization Plan No. 4 of 1983, the Department of Transportation under Section IV(G) of Reorganization Plan No. 2 of 1975 and the Director of Highways and Traffic under Commissioner Order No. 68-554) of the Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.02(b), §§ 50-921.04(a)(3)(Q), (R), and (S), and § 50-921.05(c)) hereby gives notice of her adoption of the following amendments to Chapter 26 (Civil Fines for Moving and Non-Moving Infractions) of Title 18 (Vehicles and Traffic) of the District of Columbia Municipal Regulations (“DCMR”).

This final rulemaking lowers the civil fines for bus lane infractions from \$200 to \$100 to more appropriately align them with fines for other safety-related infractions. The expected increase in enforcement of bus lane and bus zone violations necessitated a reevaluation of the appropriateness and impact of these fines. This new fine amount also makes consistent the civil fines for all infractions that relate to interfering with the safe, reliable, and accessible movement of buses.

This final rulemaking also clarifies the civil fine categories for bus lane, bus stand, and bus zone infractions and removes a redundant category.

A Notice of Proposed Rulemaking was published in the *District of Columbia Register* on February 2, 2024, at 71 DCR 001295, with a 30-day public comment period and a forty-five (45) day period of Council review.

DDOT received one comment on these rules from a resident concerned about driver education around right turn on red and pick-up/drop-off rules in bus lanes. The concern falls outside the scope of this rulemaking, which is narrowly focused on lowering the fines for driving or parking in a bus lane. DDOT recommends referencing the Clear Lanes website at <https://ddot.dc.gov/clearlanesprogram> for additional information.

No changes were made to the text of the proposed rules.

In accordance with section 105 of the District of Columbia Traffic Adjudication Act of 1978, effective September 12, 1978 (D.C. Law. 2-104; D.C. Official Code § 50-2301.05), the proposed final rules were transmitted to the Council for its review and approval through the Bus Lanes and

Zones Fines Rulemaking Approval Resolution of 2024, introduced ---- (Prop. Res. 25----). The proposed final rules were deemed approved by the Council on -----, 2024.

The Acting Director adopted these rules as final on DATE, and they shall become effective upon publication of this notice in the *District of Columbia Register*.

Title 18, VEHICLES AND TRAFFIC, of the DCMR is amended as follows:

Chapter 26, CIVIL FINES FOR MOVING AND NON-MOVING INFRACTIONS, is amended as follows:

Section 2600, CIVIL FINES FOR MOTOR VEHICLE MOVING INFRACTIONS, is amended as follows:

Subsection 2600.1 is amended as follows:

The infraction category “Unauthorized vehicle driving in a [§2217.5]” under “Bus lane” is amended to read as follows:

Unauthorized vehicle operating in [§ 2217.5]	\$100
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Section 2601, PARKING AND OTHER NON-MOVING INFRACTIONS, is amended as follows:

Subsection 2601.1 is amended as follows:

The infraction category “Bus lane, unauthorized vehicle parked in [§ 2405.1(i)]” is amended to read as follows:

Bus lane, unauthorized vehicle stopping, standing, or parking in [§ 2405.1(i)]	\$100
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The infraction category “Bus stand or zone [§ 2409.3]” is amended to read as follows:

Bus stand or zone, unauthorized vehicle stopping, standing, or parking in [§ 2409.2]	\$100
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The infraction category “Bus stand, stop, or zone adjacent to rush or specific hour restriction [§§ 2000, 4020]” is repealed.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF THE ATTORNEY GENERAL



Legal Counsel Division

MEMORANDUM

TO: Kathleen Miskovsky Black
Attorney Advisor
District Department of Transportation

FROM: Megan D. Browder
Deputy Attorney General
Legal Counsel Division

DATE: March 15, 2024

RE: Legal Sufficiency Review of the “Bus Lanes and Zones Fines Rulemaking Approval Resolution of 2024”
(AD-24-226 B)

This is to Certify that the Office of the Attorney General has reviewed the above-referenced legislation and determined that it is legally sufficient. If you have any questions, please do not hesitate to call me at (202) 724-5524.

A handwritten signature in black ink that reads "Megan D. Browder".

Megan D. Browder