

To: Councilmember Mary Cheh

From: Ward 3 Bicycle Advocates

May 1, 2019

Councilmember Cheh:



The recent deaths of a pedestrian and a cyclist have repeatedly illustrated that the District is failing to provide the safe streets needed to achieve the Vision Zero's goals. Ward 3, as evidenced by recent actions from every ANC, is supportive of efforts to protect cyclists and pedestrians, and we ask you to take the lead as a lawmaker to make these efforts a reality. We request that you focus on three main issues:

1. Full funding of all planned Ward 3 bike infrastructure in the five-year capital budget
2. Tightening the requirements in the "Mandatory Protected Cycling Lane Amendment Act of 2019" to prevent DC's Department of Transportation (DDOT) from opting out of its requirements
3. Continued focus on innovative policy ideas to help reduce car dependency in tandem with making the road environment safer for the most vulnerable users

#### **Five-Year Capital Budget:**

The five year capital budget approved by the Council can help ensure that DDOT has the funds needed to implement all planned protected bicycle lanes and trails throughout Ward 3. We urge you to make sure that funds for all of the projects in Ward 3 laid out in the MoveDC are included in the budget. We would specifically highlight the need for funds for:

- A protected bicycle lane on Connecticut Avenue;
- Off-street bicycle trails on Massachusetts and Nebraska Avenue;
- Restoring/Refurbishing the Foundry Branch Bridge and installing a 10 ft path on the Palisades Trolley Trail<sup>1</sup> from Galena PL to Prospect & 37th St.;

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<sup>1</sup> We are concerned that comments you made during the recent DDOT hearing suggest that you do not support installation of the Palisades Trolley Trail. This three mile trail represents one of the few opportunities in the District to implement a new trail for cyclists and pedestrians where cars are not present, and is an opportunity for both recreation and commuting. Currently, there are no bike lanes within the Palisades that permit cyclists to safely connect with downtown, particularly since MacArthur Blvd is devoted solely to the throughput of car commuters. We hope you will support this important piece of the bicycle infrastructure.

- Option 4 of the Broad Branch Road reconstruction, which includes a climbing bicycle lane and was supported by the three adjacent ANCs.

In addition, we also urge you to support full funding for bicycle lanes on Connecticut Avenue south of Woodley Park and for DDOT's "20th/21st/22nd Streets NW" bicycle lane project. Although outside of Ward 3, these bicycle lanes will be used in large part by Ward 3 residents.

### **"Mandatory Protected Cycling Lane Amendment Act of 2019"**

Thank you for sponsoring this bill to require DDOT to implement protected bike lanes on streets whenever those streets are repaired. However, it does not sufficiently address the challenges that the city faces, and the exceptions that are contained within the current draft will permit DDOT and the Mayor to sidestep its requirements. Given the Mayor's failure to enforce existing traffic laws, the Council should close loopholes before they are exploited.

- We would take out the reference to "major" repairs, as we believe a repaving of the road itself should warrant installation of a protected bike lane.
- While we understand the need to give great weight to ANC resolutions, we would broaden the existing language to request abutting ANCs to also be provided notice of the intended actions. Bike lanes move people from one ANC to the next, therefore the interests of those who would use those lanes and are most vulnerable if not installed also should be heard. This is fair and consistent with the language in Sec. 9a (a) that states "DDOT shall make efforts to ensure the bicycle lanes and cycle tracks constructed are contiguous with other portions of the bicycle lanes and cycle tracks that are already completed." To reflect this intent, Sec. 9a (e) should be amended to provide "the term 'affected parties' means residents whose property is within the ANC or those ANC's bordering the road segment under consideration."
- We would suggest the legislation include a provision that provides a rebuttable presumption that a protected bike lane must be installed once DDOT embarks on a repair or reconstruction, that must be overcome by clear and compelling evidence presented by DDOT in the written record. We would also remove the references in Sec. 9a(c)(1) under the listed items for the reasons noted:
  - Item (B) suggests that it is provable that cyclists will not use a bike lane. It seems impossible to prove a negative before installation and, even if it were provable, that evidence would reflect that insufficient bike infrastructure exists on streets leading to and from this location. We think this would be an absurd result - "we can't install a bike lane here because there are no other bike lanes contiguous to it." This would mean no bike lane could ever be built where they do not currently exist.
  - Item (C) seems similarly absurd. We do not understand how an argument can be made that on-road cycling can be safely accommodated without a bicycle lane or cycle track, including travel by children and people with disabilities. In order to promote cycling by the least confident bicyclists, we must set the legal standard that if a car can encroach into a vulnerable user's lane, it is not a safe cycling facility.

- Item (D)'s reference to acquiring an easement seems too loose. If this was modified by reference to "unduly expensive" or "unduly time-consuming," this would be a better standard.

## **Innovative Policy Ideas**

We applaud your efforts last year to make DC a true leader on energy-related issues that can help reduce the impacts of climate change. We see the requests that are listed below to be a continuation of that effort, in that car exhaust is the largest generator of pollutants within Washington, DC. Reduction of car usage also has the benefit of reducing potential interactions with the most vulnerable road users, our primary focus, so that these two laudable goals can and should be viewed in tandem. The Council should consider action in the following areas:

- *Reducing the city's dependence on automobiles*
  - A congestion surcharge for cars driving into the downtown core that does not exempt taxis or ride-hailing vehicles.
  - Following the Barcelona example of closing streets within the downtown core. Private properties like City Center and the Wharf should not be the only parts of the city where pedestrians feel welcome. Let's bring back places like F Street as great shopping destinations, as in the 1960s when portions were closed to car traffic.
  - Significantly increasing the price of residential parking permits, especially for households that have permits for more than one car. The leading argument against bike lanes is that they take away effectively free street parking from residents who own a car. That mindset must change and we must stop subsidizing use of our public space for private vehicle storage.
- *Slowing vehicular speeds and better curbside management*
  - Lowering the District-wide speed limit to 20 mph on any street abutting a private residence that is not a primary road.
  - Banning right-on-red District-wide in order to prevent right-hook crashes.
  - Expanding the number of leading pedestrian intervals (LPIs) so that pedestrians and cyclists can establish their presence in the intersection before cars.
  - Requiring ride-hailing companies regulated by the city, such as Uber and Lyft, to require their drivers to install and operate devices to restrict the speeds of their vehicles to the speed limit. There is no rationale to arbitrarily restrict the speeds at which scooters and electric bicycles can operate while allowing automobiles--which are much more of a safety hazard--to operate above the legal speed limit.
  - Prohibiting ride-hailing companies from allowing rides to start or stop in locations where stopping is prohibited, such as on Connecticut Avenue during rush hour.
  - Every block should have a portion of existing parking places eliminated in favor of pick off and drop off spots for ride-hailing and delivery. Preferably, these spaces would be mid-block so that they do not block intersections. Too often, these vehicles block bike and car lanes, creating dangerous situations for cyclists.

- Additionally, new large developments should have sufficient space for delivery vehicles and ride-hailing services to pull off the road. Elimination of alleys in the downtown core was never mitigated as alleys closed, which has exacerbated this problem.
- Where appropriate, replacing intersections with traffic lights with traffic circles, as intersections are one of the most dangerous places on the road for all users.
- *Promoting the use of bicycles*
  - Replace existing paint only bike lanes with protected bike lanes in the downtown core. Protected bicycle lanes must use materials sufficient to prevent a car from entering the bicycle lane.
  - Commit to construction of only protected bike lanes when installing bike lanes on any street with more than one lane of traffic in each direction.
  - New developments should be required to fund the installation of a Capital Bikeshare station if one is not close by.
  - Reduce the ability of ANCs to slow down important transportation improvements. Too often, ANCs have opposed the addition of new bicycle lanes or other improvements. ANCs should be explicitly required to weigh the interests of residents who bike or walk through their boundaries when acting on resolutions involving transportation infrastructure.

This is a critical opportunity to make concrete improvements in DC's transportation infrastructure. We look forward to further discussions on this. Please do not hesitate to contact Josh Rising at [joshrising@gmail.com](mailto:joshrising@gmail.com) or 203-535-0093 to schedule a meeting.

Sincerely,

Ward 3 Bicycle Advocates (W3BA)

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