

DISTRICT OF COLUMBIA DEPARTMENT OF TRANSPORTATION

NOTICE OF EMERGENCY AND PROPOSED RULEMAKING

DOCKET NO. 04-69-TS

The Director of the Department of Transportation, pursuant to the authority in sections 3, 5(3), and 6 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, 50-921.04(3) and 50-921.05), and sections 6(a)(1), 6(a)(6) and 6(b) of the District of Columbia Traffic Act, approved March 3, 1925 (43 Stat. 1121; D.C. Official Code § 50-2201.03(a)(1), (a)(6) and (b)), hereby gives notice of the adoption of the following emergency rulemaking which amends Chapter 40 of the Vehicles and Traffic Regulations (18 DCMR) to establish a No Stopping restriction on Pennsylvania Avenue, S.E. between Anacostia Freeway and Southern Avenue.

Emergency rulemaking action, pursuant to section 6(c) of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1206; D.C. Official Code § 2-505(c)), is justified in an effort to facilitate traffic flow, improve safety for pedestrians and motorists alike, and to enhance the quality of life for residents of the area, we propose to establish a "No Stopping, 7-9:30 AM and 4-6:30 PM, Monday through Friday restriction on the north and south sides of Pennsylvania Avenue, S.E., between the Anacostia Freeway and Southern Avenue.

This emergency action was taken to provide for the immediate preservation of the public health, safety and welfare. The emergency rulemaking was adopted on December 15, 2004 and became effective immediately upon that date.

The Director also gives notice of intent to take final rulemaking action to adopt this amendment in not less than thirty (30) days from the date of publication of this notice in the D.C. Register.

These emergency rules became effective immediately and shall remain in effect until April 14, 2005, or until publication of a Notice of Final Rulemaking in the D.C. Register, whichever occurs first.

The following rulemaking action is proposed:

Title 18 DCMR, Section 4019, Parking Restrictions, Subsections 4019.1 (d) Southeast Section, is amended by deleting the following from the list of locations where Parking Restrictions are installed:

PENNSYLVANIA AVENUE, S.E.

"From Anacostia Freeway to Branch Avenue, on both sides";

“No Parking 7-9:30 AM and 4-6:30 PM, Monday-Friday”;

“From Branch Avenue to Southern Avenue, on the north side,
No Parking 7-9:30 AM, Monday- Friday”;

“From Branch Avenue to Southern Avenue, on the south side,
No Parking 4-6:30 PM, Monday- Friday”.

Title 18 DCMR, Section 4019, Standing Restrictions, Subsection 4020.1, (d) Southeast Section, is amended by deleting the following from the list of locations and by substituting the following:

PENNSYLVANIA AVENUE, S.E.

“From Anacostia Freeway to Branch Avenue, on both sides, No
Standing 7-9:30 AM and 4-6:30 PM, Monday- Friday”;

“From Branch Avenue to Southern Avenue, on the north side, No
Standing 7-9:30 AM, Monday-Friday”.

Title 18 DCMR, Section 4035, “No Stopping” Restrictions, Subsection 4035.1, (d) Southeast Section, is amended by adding the following to the list of locations where parking is to be limited as specified:

PENNSYLVANIA AVENUE, S.E.

“From Anacostia Freeway to Branch Avenue, on both sides,
No Stopping 7-9:30 AM and 4-6:30 PM, Monday -Friday”;

“From Branch Avenue to Southern Avenue, on the north side,
No Stopping 7-9:30 AM, Monday- Friday”;

“From Branch Avenue to Southern Avenue, on the south side,
No Stopping 4-6:30 PM, Monday- Friday”.

All persons interested in commenting on the subject matter in this emergency and proposed rulemaking action may file comments in writing, not later than thirty days (30) days after the publication of this notice in the D.C. Register, with the District Department of Transportation, Traffic Services Administration, 2000 14th Street, N.W., 7th Floor, Washington, D.C. 20009 (Attention: Docket No. 04-69-TS). Copies of this proposal are available, at cost, by writing to the above address.