

## DISTRICT OF COLUMBIA DEPARTMENT OF TRANSPORTATION

NOTICE OF EMERGENCY AND PROPOSED RULEMAKING

DOCKET NO. 04-59-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). The emergency rulemaking was adopted on November 1, 2004.

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 by the following circumstances:

In order to prevent conflicts between pedestrians and vehicular traffic and to provide a safer crossing point for pedestrians using the new mid-block crosswalk on 10<sup>th</sup> Street, N.W., between E and F Streets, it is necessary to install stop signs as a interim measure until new traffic and pedestrian signals have been installed.

This emergency action is being taken to provide for the immediate preservation of the public health, safety and welfare.

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.

This emergency rule became effective on the date of adoption and shall remain in effect until March 1, 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 4008, stop signs, Subsection 4008.1, (a) Northwest Section, is amended by adding to the list of locations where the Director has authorized the placement of stop signs:

“On 10<sup>th</sup> Street, N.W., so as to stop at the mid-block crosswalk between E and F Streets”.

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 Department of Transportation, Traffic Services Administration, 2000 14<sup>th</sup> Street, N.W., 7<sup>th</sup> Floor, Washington, D.C. 20009 (Attention: Docket No. 04-59-TS). Copies of this proposal are available, at cost, by writing to the above address.

## DISTRICT OF COLUMBIA DEPARTMENT OF TRANSPORTATION

NOTICE OF EMERGENCY AND PROPOSED RULEMAKING

DOCKET NO. 04-63-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 new subsection and restrict all truck traffic on 10<sup>th</sup> Street, S.W. between Independence Avenue and D Street.

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 necessary due to concerns of officials of the Department of Energy on security and truck bomb threats to the complex. Officials have requested that the Department of Transportation restrict all trucks from the portion of 10<sup>th</sup> Street that travels under the building span. Therefore, to protect the public and the employees, the Department of Transportation has made an independent determination to restrict all truck traffic from traveling on 10<sup>th</sup> Street, S.W. between Independence Avenue and D Street. This emergency action was taken to provide for the immediate preservation of public health, safety and welfare. This emergency rulemaking was adopted on October 26, 2004.

This emergency action was taken to provide for the immediate preservation of the public health, safety and welfare.

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 on the date of adoption and shall remain in effect until February 23, 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 4002, TRUCK RESTRICTIONS, is amended by adding a new Subsection to read as follows:

4002.5            “No person shall operate any truck on 10<sup>th</sup> Street, S.W., between Independence Avenue and D Street”.

Title 18 DCMR, Section 4002, TRUCK RESTRICTIONS, Subsection 4002.5, (d) Southwest Section, is amended by adding the following:

“On 10<sup>th</sup> Street, N.W., between Independence Avenue and D Street”.

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 Department of Transportation, Traffic Services Administration, 2000 14<sup>th</sup> Street, N.W., 7<sup>th</sup> Floor, Washington, D.C. 20009 (Attention: Docket No. 04-63-TS). Copies of this proposal are available, at cost, by writing to the above address.