

DISTRICT DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED RULEMAKING

The Director of the District Department of Transportation (DDOT), pursuant to the authority in sections 3(b) and 6(b) of the Department of Transportation Establishment Act of 2002 (“DDOT Establishment Act”), effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code §§ 50-921.02(b), and 921.05(b) (2009 Supp.)) (transferring the traffic management function previously delegated to the Department of Public Works under section III (H) of Reorganization Plan No. 4 of 1983), and 50-921.05(b) and (c)), and section 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) (2009 Supp.)) which was delegated to the Director of DPW pursuant to Mayor’s Order 96-175, dated December 9, 1996 and subsequently transferred to the Director of the Department in section 7 of the DDOT Establishment Act (transferring to the Director of the Department all transportation-related authority previously delegated to the Director of the Department of Public Works) (D.C. Official Code § 50-921.06 (2009 Supp.)), hereby gives notice of the intent to adopt the following rulemaking that amends Chapters 12 (Bicycles, Motorized Bicycles, and Miscellaneous Vehicles) and 99 (Definitions) of Title 18 (Vehicles and Traffic) of the District of Columbia Municipal Regulations (DCMR). The Director gives notice of the intent to take final rulemaking action in not less than thirty (30) days after the date of the publication of this notice in the *D.C. Register*.

The proposed regulations will establish safety standards and operating standards for pedicabs.

Title 18 (Vehicles and Traffic) of the DCMR is amended as follows:

Chapter 12 (Bicycles, Motorized Bicycles, and Miscellaneous Vehicles) is amended by adding a new section 1213 to read as follows:

1213 PEDICABS

- 1213.1 Pedicabs shall be operated in accordance with the safe operation of bicycle regulations set forth in § 1201.
- 1213.2 Notwithstanding § 1213.1, pedicabs shall be operated only on public streets.
- 1213.3 Each pedicab shall meet the following safety requirements:
- (a) The maximum width of the pedicab shall be fifty-five inches (55 in.);
 - (b) The maximum length of the pedicab shall be ten feet (10 ft.);
 - (c) The pedicab shall provide seating for no more than three (3) passengers;
 - (d) The pedicab shall be equipped with:
 - (1) An individual seat belt for each passenger;

- (2) Hydraulic or mechanical disc or drum brakes, which shall be unaffected by rain or wet conditions;
 - (3) At least one and no more than two battery-operated head lamps capable of projecting a beam of white light for a distance of three hundred feet (300 ft.) in front of the pedicab, under normal atmospheric conditions at the times that use of the head lamp is required;
 - (4) Battery-operated tail lamps mounted on the rear of the pedicab, which, when operated, shall emit a red beam of light visible from a distance of five hundred feet (500 ft.) to the rear, under normal atmospheric conditions at the times that use of the head lamp is required;
 - (5) Turn lights;
 - (6) A bell or other device capable of giving a signal audible for a distance of at least one hundred feet (100 ft.); and
 - (7) Reflectors on the spokes of the wheels of the pedicab.
- (e) Reflective tape that meets the following requirements shall be affixed on the side and back of the pedicab:
- (1) The tape shall be at least two inches (2 in.) wide;
 - (2) The tape shall be at least twelve inches (12 in.) long; and
 - (3) There shall be at least two (2) pieces of tape on each side and on the back of the pedicab.

1213.4 Each pedicab shall be operated in accordance with the following provisions:

- (a) The maximum number of passengers a pedicab may transport shall not exceed the number of available seats.
- (b) All passengers shall be seated while the pedicab is in motion.
- (c) All passengers shall have a seatbelt securely fastened while the pedicab is in motion.
- (d) A pedicab shall not be operated on a roadway with a posted speed limit of more than thirty miles per hour (30 mph).
- (e) A pedicab may not be operated or parked on a sidewalk.

- (f) Pedicab passengers shall be loaded and off-loaded while the pedicab is stopped.
- (g) No pedicab operator shall stop to load or unload passengers on the traffic side of the street, while occupying any intersection or crosswalk, or in such a manner as to unduly interfere with the orderly flow of traffic. All pedicab operators shall pull as close to the curb or edge of the roadway as possible to take on or discharge passengers.
- (h) A pedicab shall not be parked in any restricted zones identified for other vehicles, including, but not limited to, parking meter zones, residential permit parking zones, valet parking zones, bus zones, taxicab zones and sightseeing zones.
- (i) A pedicab shall not be tied, cabled, or otherwise attached to a parking meter, street light pole, or other public space asset.
- (j) At any time from one half (1/2) hour after sunset to one-half (1/2) hour before sunrise, and at any other time when, due to insufficient light or unfavorable atmospheric conditions, persons and vehicles on the highway are not clearly discernible at a distance of five hundred feet (500 ft.) ahead, a pedicab shall be operated with a headlamp of sufficient intensity to reveal a person or a vehicle three hundred feet (300 ft.).
- (k) At any time from one half (1/2) hour after sunset to one-half (1/2) hour before sunrise, and at any other time when, due to insufficient light or unfavorable atmospheric conditions, persons and vehicles on the highway are not clearly discernible at a distance of five hundred feet (500 ft.) ahead, a pedicab shall be operated with tail lamps capable of being seen from a distance of five hundred feet (500 ft.).

1213.5 No one shall operate or be in control of a pedicab while the person's alcohol concentration is eight hundredths of a gram (0.08 g) or more either per one hundred milliliters (100 ml) of blood or per two hundred and ten liters (210 L) of breath or is one tenth of a gram (0.10 g) or more per one hundred milliliters (100 ml) of urine, or while under the influence of intoxicating liquor or any drug or any combination thereof, or while the ability to operate a vehicle is impaired by the consumption of intoxicating liquor.

1213.6 A pedicab operator shall wear a reflective vest whenever operating a pedicab. The vest shall meet the American National Standards Institute requirements for class II or class III safety standards.

Chapter 99 (Definitions), Section 9901 is amended by added a new definition for Pedicabs in alphabetical order to read as follows:

Pedicab – a bicycle with two (2) rear wheels and one (1) front wheel that is designed to be ridden by one (1) or more persons, that transports, or is capable of transporting, passengers on seats attached to the bicycle, and that is used for transporting passengers for hire.

All persons interested in commenting on the subject matter in this proposed rulemaking may file comments in writing, not later than thirty (30) days after the publication of this notice in the *D.C. Register*, with Karina Ricks, Associate Director, District Department of Transportation, 2000 14th Street, N.W., 7th Floor, Washington, D.C. 20009. An interested person may also send comments electronically to publicspace.committee@dc.gov. Copies of this proposed rulemaking are available, at cost, by writing to the above address, and are also available electronically, at no cost, on the District Department of Transportation's website at www.ddot.dc.gov.

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF PROPOSED RULEMAKING**

Z.C. Case No. 09-18

(Text Amendment – 11 DCMR)

**(Text Amendment to Expressly Authorize More than One Regular Monthly Zoning
Commission Meeting)**

The Zoning Commission for the District of Columbia (the “Commission”), pursuant to its authority under §§ 1 and 3 of the Zoning Act of 1938, approved June 20, 1938 (52 Stat. 797, 798, as amended; D.C. Official Code §§ 6-641.01 and 641.03), hereby gives notice of its intent to amend § 3005.6 of the Zoning Regulations (Title 11 DCMR).

The proposed text amendment would clarify that the Commission may convene more than one regular monthly meeting.

Final rulemaking action shall be taken in not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*.

The following amendments to Title 11 of the District of Columbia Municipal Regulations (ZONING) are proposed:

CHAPTER 30, ZONING COMMISSION RULES OF PRACTICE AND PROCEDURE, § 3005 Meeting and Hearings, § 3005.6, is amended by inserting the phrase “at least” so that the provision will read as follows:

3005.6 A meeting of the Commission shall be held at least once each month in accordance with a schedule to be established by the Commission, and additional meetings as needed may be called by the presiding officer or by three (3) members.

All persons desiring to comment on the subject matter of this proposed rulemaking action should file comments in writing no later than thirty (30) days after the date of publication of this notice in the *D.C. Register*. Comments should be filed with Sharon Schellin, Secretary to the Zoning Commission, Office of Zoning, 441 4th Street, N.W., Suite 200/210-S, Washington, D.C. 20001. Copies of this proposed rulemaking action may be obtained at cost by writing to the above address.