



GOVERNMENT OF THE DISTRICT OF COLUMBIA
Dupont Circle Advisory Neighborhood Commission 2B

June 29, 2022

Councilmember Brooke Pinto
Councilmember, Ward 2
Council of the District of Columbia
1350 Pennsylvania Avenue NW, Suite 106
Washington, DC 20004
bpinto@dccouncil.us

RE: Notice and Safe Accommodation for Roadwork Projects

Dear Councilmember Pinto,

At its regular meeting on June 8, 2022, the Dupont Circle Advisory Neighborhood Commission (“ANC 2B” or “Commission”) considered the above-referenced matter. With 6 of 8 Commissioners in attendance, a quorum at a duly-noticed public meeting, the Commission approved the following resolution by a vote of (6-0-0):

WHEREAS, DC regulations require properly posted advance public notice of planned road work or closure, including details such as the name of the company that the work is for, the contractor, and contact information,

WHEREAS, DC regulations require that safe accommodation be provided for pedestrians and bicyclists for work zones affecting streets or sidewalks,

WHEREAS, 24 DCMR § 3315 defines safe accommodation as “a safe and convenient route for pedestrians and bicyclists that ensures an accommodation through or around a work zone that is equal to the accommodation that was provided to pedestrians and bicyclists before the blockage of the sidewalk, bicycle lane, or other public bicycle path,”

WHEREAS, many “pop-up” work zones and resulting detours or street closures have no advance notification; no declaration of who the work is being done for or by; no contact information; and no legally required safe accommodation,

WHEREAS, many large, long-term work zones, such as the Rehabilitation of Massachusetts Avenue NW Project, for which the District Department of Transportation (DDOT) promised the public and ANC 2B on multiple occasions that complete safe accommodation would be provided, fail to provide the legally required safe accommodation,

WHEREAS, even after numerous well-documented complaints regarding inadequate or non-existent safe accommodation at road work projects that imperils everyone, including pedestrians, cyclists, and drivers, such as at the intersection of Massachusetts Avenue and Florida Avenue NW and the intersection of Q Street and 22nd Street NW, DDOT has not acted,

WHEREAS, notwithstanding injuries directly caused by inadequate attention to work zone safety, intervention by ANC commissioners or Councilmembers yielded only corrections at the locations cited, not the project footprint as a whole, and

WHEREAS, DDOT fails to provide a satisfactory, or even any, explanation as to why safe accommodation is routinely inadequate or not provided at all; or why the agency is not adequately inspecting and promptly correcting plainly visible safety issues or issuing stop work orders in order to make corrections.

THEREFORE, BE IT RESOLVED that ANC 2B respectfully requests that Ward 2 Councilmember Brooke Pinto pursues emergency legislation by the DC Council ordering DDOT to immediately comply with legally required advance notice of planned road work and provision of safe accommodation at all current and upcoming road work projects.

BE IT FURTHER RESOLVED that ANC 2B requests that the emergency legislation includes requirements that DDOT ensures that all road work permits issued are correctly and timely entered into the Transportation Online Permitting System (TOPS), including contact information; compels DDOT to provide regular safety inspection and timely remedial action, including issuing stop work orders if necessary, for all construction projects involving road or sidewalk work zones within its purview; and compels DDOT to confirm that after-job restoration of pavement, sidewalks, and crosswalks was satisfactorily performed.

BE IT FURTHER RESOLVED that ANC 2B requests that the emergency legislation requires DDOT to provide a written public report within ninety days that details issues found, corrected, and outstanding.

BE IT FURTHER RESOLVED that ANC 2B requests that the DC Council enhances its oversight process of DDOT to ensure that DDOT documents its compliance with public notification of planned road work, including closures, detours, and the safe accommodation to be provided; and to ensure DDOT's compliance with and responsiveness to the public regarding safe accommodation requirements and work zone safety matters.

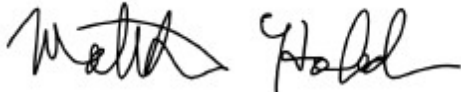
BE IT FURTHER RESOLVED that ANC 2B requests that the DC Council enhances its oversight process of DDOT to include meaningful measures that compel DDOT's continuing compliance with safe accommodation regulations and accountability to the DC Council and the residents of the District of Columbia.

BE IT FURTHER RESOLVED that ANC 2B requests that the DC Council considers permanent updates to the regulations regarding DDOT's road work and work zone management practices so that the practices require the involvement of ANCs and provide specific remedies and timetables for DDOT to remedy safe accommodation inadequacies or defects reported to the agency.

Commissioners Jeffrey Rueckgauer (2B02@anc.dc.gov) and Matthew Holden (2B08@anc.dc.gov) are the Commission's representatives in this matter.

ON BEHALF OF THE COMMISSION.

Sincerely,

A handwritten signature in black ink, appearing to read "Matt Holden", written in a cursive style.

Matthew Holden
Chair