

Testimony of the DC Pedestrian Advisory Council
DC Council, Committee on Transportation & the Environment
Public Hearing on B24-566 - Walk Without Worry Amendment Act of 2021 and
B24-565 - Safe Routes to School Expansion Regulation Amendment Act of 2021
March 14, 2022

The Pedestrian Advisory Council (PAC) was created by DC law in 2009 to advise “the Mayor, Council. . . and District agencies” on how to improve “pedestrian safety and accessibility.”¹ I am J. Swiderski, and I represent Ward 1 on the PAC.

As we have said several times, “Effective implementation of Vision Zero requires a fundamental, systemic paradigm shift away from the traditional engineering standards that have ruled our lives for decades.”² Creating standard plans for traffic-calming road designs and implementing them systematically citywide, as these bills would do, would be one such fundamental, systemic shift, and the PAC welcomes it. So, while these bills could be improved in several ways, which I will address, I want to say first and foremost that the Pedestrian Advisory Council **supports these bills** and urges that they be *passed quickly, funded completely, and implemented quickly and completely*.

Last year

Although police press releases and the coverage that follows them are all too quick to note when a person who was struck was not in a crosswalk, crosswalks are not magic—“paint is not protection”, as we say of bike lanes. Several of the 17 pedestrians killed on DC roads last year, including Nina Larson here in Adams Morgan—and even two of those killed while on their bikes, Armando Martinez-Ramos and 5-year-old Allison Hart—were in crosswalks with the right of way when they were struck by drivers, as were many who were hit but survived.

Crosswalks are not magic, so we need more to protect people from reckless drivers—and in several of the places where people were killed last year, DDOT *has* begun to make changes. But too often we see changes made only to specific locations where incidents have already occurred—these bills would require improvements where Nina, Armando, and Allie were killed *and* at similar locations across the District.

Improvements needed

Of course, no bill is perfect as introduced, so we have a few improvements we’d like to see, and things we’ll be following up on as these bills are funded and implemented:

- Tying the changes required to make our streets safer to our annual paving plan may make it easier to fund and implement them, but we worry that it may also concentrate changes in particularly vocal and well-resourced areas of the District, which we already know are more likely to get repaved more frequently.

Conversely, while the Walk Without Worry Act allows DDOT to “Enumerate any locations where” traffic calming is “inappropriate or not feasible” and name “alternative measures [to be] taken”, it does not put boundaries on what makes a location “inappropriate or not feasible”. Since the entire point is to make dangerous roads safer to cross, for example, it should not be allowable to deny calming measures due to Level of Service or traffic counts, or “failure to meet Warrants”—indeed, if anything, high-count, free-flowing traffic makes a street more dangerous for everyone not in a car and should move it up the list, not be grounds

¹—DC Law 18-111, §6061 (“Pedestrian Advisory Council Establishment Act of 2009”), DC Code §50-1931, 57 DCR 181 (Mar. 3, 2010).

²—DC PAC, “Testimony at Public Roundtable on Implementation of the Vision Zero Initiative” (Sept. 27, 2018), <https://drive.google.com/file/d/oBy58YTubhf4fcWRPeE5xeTQ2eG01QkpPMFFocHEzbnVabm5R/view>; “Comment on the Vision Zero Enhancement Omnibus Amendment Act of 2019” (Sept. 1, 2020), <https://drive.google.com/file/d/1f1wVnWzY67QSPTvy5g5vjLZYMouu3Nnl/view>; “Testimony at FY 2022 DDOT Budget Oversight Hearing” (June 10, 2021), <https://drive.google.com/file/d/1q6d4AdWNNTLG32OEnrnsGZ4DVmOBwddp/view>; among others.

for removal from it. The text also does not provide an opportunity for residents to challenge the Department's assessment or propose alternatives. **A balance must be found which results in more, rather than less, traffic calming**, particularly in those same under-resourced, less-frequently-paved neighborhoods which have suffered under decades of changes to make them more car-oriented, and where the majority of DC's traffic fatalities occur, even as half or more of their residents do not own vehicles.

- Walk Without Worry also calls for raised intersections where there is “substantial pedestrian activity” or “adjacent to” Metrorail and school facilities, but does not define what constitutes “substantial” or “adjacent”. It is too easy to think of potential loopholes and exceptions—does the service road exiting Brookland Station to 10th St NE, officially part of Bunker Hill Road, mean Michigan Avenue, less than 100 yards away, isn't actually “adjacent” to the facility?—so **these terms should be defined**.
- From the Language Access Act to Safe Accommodations and beyond, we have too often seen this Council pass laws requiring Executive action, then simply stand aside and watch the Agencies ignore them or find ways to evade the requirements. Council must make a point of ensuring the Department is held accountable for implementing—with a particular eye to the equitable implementation of—these requirements. Council should **include performance metrics**, such as mandating a number or proportion of eligible locations be included each year.
- While the improvements mandated by these bills in areas around public and charter schools are important, **other areas that are also frequented by children should be included as well**, such as libraries, playgrounds, and recreation centers. *Private* schools, daycares, senior centers, and care homes should also be able to request to be included.
- Finally, as the PAC has noted repeatedly, DDOT's process for identifying and repairing problems on our sidewalks is both inequitable and insufficient.³ It often requires repeated personal contacts by ANC Commissioners and Advisory Council members to get crosswalks repainted, and sidewalk work often violates Safe Accommodations requirements. Council should include a **requirement for ongoing inspection and maintenance**.

Conclusion

PAC continues to believe that “unless we as a city are ready to change how we view and use our streets, we will not eliminate traffic deaths and serious injuries. . . . Our streets must be designed to protect everyone from death and serious injury, even if this means that people driving will not be able to travel as quickly or conveniently as they might like.”⁴

We live in a city, and our streets must be designed to protect everyone using them, including those who are unable to drive and those who have chosen not to.

As we said last year at this Committee's Roundtable on Transportation in the District After the Pandemic, “the City should take proactive steps to shape post-pandemic transportation in ways that align with its goals for equity, safety, and sustainability.”⁵ These bills, which compel DDOT to implement changes to our roads that will slow drivers so that those who are not driving can access their city safely and fully, are such a proactive step. They will not get us to the finish line, but they will move us forward.

³—DC PAC, “Testimony at FY 2022 DDOT Budget Oversight Hearing” (June 10, 2021), <https://drive.google.com/file/d/1q6d4AdWNNTLG3zOEnrngSZ4DVmOBwddp/view>

⁴—DC PAC, “Testimony at Public Roundtable on Implementation of the Vision Zero Initiative” (Sept. 27, 2018), <https://drive.google.com/file/d/0By58YTubhf4fcWRPeE5xeTQ2eGo1QkpPMFFoCHEzbmVabm5R/view>

⁵—DC PAC, “Testimony at Post-Pandemic Transportation Roundtable” (March 23, 2021), <https://drive.google.com/file/d/1x11mytZl6WtVIII9Zimo122pc5dsZh3/>