

**Testimony of J. I. Swiderski for the
Council of DC Committee on Transportation & the Environment
on 2021 Performance of the Department of Transportation
February 18, 2022**

I am J. Swiderski, I am a resident of Ward 1, and I use they/them or he/him pronouns. By way of disclosure, I am the Ward 1 Representative to the Pedestrian Advisory Council, but I am here today solely in my personal capacity.

My concern today is Safe Accommodations. Those who receive permits for construction on sidewalks or in bikeways are required by DC law¹ and regulation² to provide an equivalent alternative pathway, and DDOT's Public Space division is responsible for issuing the relevant permits and enforcing the requirement.

It is far more difficult than it should be to report violations through 3-1-1 for enforcement, and I've attached my testimony to the Office of Unified Communications performance hearing about that. This Committee I simply ask: has DDOT, at any point in the eight-plus years of Safe Accommodations, attempted to work with OUC to make sure it is possible and easy to report Public Space violations and problems through 3-1-1?

My larger concerns regarding DDOT and Safe Accommodations are these: ***Why, eight years after Safe Accommodations was passed, is DDOT still approving permits for work that doesn't include any? And why is DDOT itself still not providing accommodations for its own work sites?***

¹—DC Law 20-49, the Bicycle Safety Amendment Act of 2013, §3(a), DC Code §10-1141.03(f), [https://code.dccouncil.us/dc/council/code/sections/10-1141.03.html#\(f\)](https://code.dccouncil.us/dc/council/code/sections/10-1141.03.html#(f))

²—DCMR Title 24, §3315, <http://dcrules.elaws.us/dcmr/24-3315>, <https://dcregs.dc.gov/Common/DCMR/SectionList.aspx?SectionNumber=24-3315>

For one example, see the M St NW bike lane west of New Hampshire Ave, which was blocked in mid-January by utility work.³ The Traffic Control Plan for permit PA377960, allowing Crown Castle/Level 3 Communications to close the bike lane and dig a trench down it from New Hampshire to 22nd St NW, did not require them to provide an equivalent replacement bikeway in one of the other four lanes of M St. Instead, the permit as issued allowed the company to simply tell riders to Share the Road (and apparently they didn't even do that much).

And then there's DDOT's own projects. On 16th Street NW between V and U, DDOT has just finished widening the sidewalk, which is fabulous—but they failed to provide any accommodations for people using the sidewalks, either along 16th or on the cross streets, while the work was ongoing. And work to create welcome new tree boxes along Warder Street NW in Park View has repeatedly closed both the sidewalk and the bike lane without accommodation, or even any traffic control plan at all.⁴

Director Lott has spoken about the Department's difficulty enforcing permit conditions, because they only have so many staff and they can't be at every site at all times. But why are permits even issued in the first place which allow firms to close a bike lane and just tell riders to "share the road"? Why is it that every time DDOT repairs a broken sidewalk, pedestrians have to go around the block, when the regulations specifically say "routing pedestrians to the. . . opposite side of the street shall only be approved as a last resort"?

I truly appreciate the work DDOT does to make the District more accessible on multiple axes. However, they must not make our city less accessible while they work.

Thank you for your time.

³—<https://twitter.com/kaplajk/status/1481715093066952712>

⁴—<https://twitter.com/infinitebuffalo/status/1493996424337502212>