

## DISTRICT DEPARTMENT OF TRANSPORTATION

### NOTICE OF FINAL RULEMAKING

The Director of the District Department of Transportation (DDOT), pursuant to the authority in Sections 3(b), 5(a)(3)(Q) (allocating and regulating on-street parking), 6(b) and (c) (transferring certain transportation related functions to DDOT), and 7 (delegating and re delegating all transportation related authority to DDOT) 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(b), 50-921.04(a)(3)(Q), 50-921.05(b) and (c), and 50-921.06 (2014 Repl. & 2018 Supp.)), and Section 6(a)(1), (a)(6), and (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) (2014 Repl.)), hereby gives notice of this action to adopt rules that amend Chapters 24 (Stopping, Standing, Parking, and Other Non-Moving Violations), 26 (Civil Fines For Moving And Non-Moving Infractions), and 99 (Definitions) of Title 18 (Vehicles and Traffic) of the District of Columbia Municipal Regulations (DCMR).

These regulations will: (1) revise and add definitions to related terms identified in this rulemaking; (2) clarify the criteria for the modification of residential permit parking (“RPP”) and resident-only parking restrictions on established RPP streets; (3) establish a fine for parking unlawfully in a resident-only parking area without a visitor parking permit or annual visitor parking pass; (4) remove any provisions in Chapter 24 with location-specific details; (5) update citations to violations in Chapter 26 of Title 18 DCMR; (6) repeal Section 2403, Emergency Parking Permits; (7) include parking meters as a traffic control device to indicate the times that parking, stopping, or standing applies according to Chapter 24; (8) add a no parking, stopping, or standing with no sign required reference for a shared use path; and (9) repeal references to specific visitor permits issued to residents in Performance Parking Pilot Zone.

A Notice of Proposed Rulemaking was published in the *D.C. Register* at 63 DCR 10480 (August 12, 2016); in response to comments, a Notice of Second Proposed Rulemaking was published on October 12, 2018 at 65 DCR 11504.

DDOT received public comments from three commenters and two Advisory Neighborhood Commission (ANC) resolutions.

#### Public Comments

Commenters submitted the following germane recommendations: (1) resident-only RPP parking should be in operation 24 hours a day/7 days a week in high-demand areas of the city; (2) DDOT should prioritize residents’ parking needs when applying criteria for resident-only parking determinations; and (3) DDOT should explicitly define “resident-only” to clarify who may park in those zones. These suggestions are addressed below.

Regarding the first recommendation, extending RPP hours overnight is currently not a feasible policy given the operational and resource strain that it would impose on enforcement agencies. Enforcement at that level would impose a significant fiscal impact.

In response to the second recommendation, DDOT believes that parking needs of residents are sufficiently addressed in the proposed regulations through the ANC petition system for resident-only parking zones.

Regarding the third recommendation, this final rulemaking clarifies the definition of “resident-only” to eliminate any confusion. A definition of “resident-only parking” has been added to 18 DCMR § 9901.

One commenter expressed support for the resident-only criteria as it pertains to “major traffic generators.”

Finally, one commenter sought clarification on the meaning of § 2414.11 as amended, which refers to annual visitor parking pass eligibility for residents in an enhanced residential permit parking (“ERPP”) area. DDOT is clarifying that the provision in § 2414.11 that refers to annual visitor parking passes should be read in conjunction with § 2414.9, a provision that this rulemaking does not amend. Thus, this rulemaking does not impact a resident’s eligibility to receive an annual visitor parking pass. The final rulemaking contains new clarifying language in § 2414.11 to highlight this connection.

#### ANC 2B Resolution

The resolution from ANC 2B expressed opposition to resident-only parking as general District policy. The ANC did, however, support the rulemaking’s reduction of these zones to a five (5) block minimum, as compared to the ANC-wide minimum zone proposed under the First Proposed Rulemaking. The resolution also specifically notes that the ANC is working with DDOT on a series of recommendations from a curbside management study from July 2018.

DDOT will continue to work with the ANC on addressing the recommendations made via their resolution in July, 2018. Regarding the general opposition to resident-only parking zones, the agency has determined that this policy furthers curbside management objectives. DDOT has received requests for resident-only parking zones from other ANCs.

#### ANC 6C Resolution

The resolution from ANC 6C expressed concern with the criteria and standards for resident-only designation of RPP zones, mechanisms for reviewing ANC applications, clarity over whether temporary visitor permits would qualify for resident-only parking, tension between residential and non-residential uses in potential resident-only RPP zones, the provision restricting parking on sidewalks, and the provision allowing vehicles with RPP stickers to park within 25 feet of an intersection. The resolution also asked DDOT to add a provision limiting vehicles to thirty (30) days’ worth of temporary visitor parking permits in any one (1) year period. These points are addressed in order below.

The resolution suggested that the language in § 2437.1(b), which requires a majority of blocks within the requesting ANC to be designated as RPP blocks before a petition can be made to DDOT for resident-only status, is ambiguous and confusing. The subsection is meant to require at least fifty-one percent (51%) of blocks within the ANC to be designated as RPP blocks for at least one (1) year before such a petition can be made. This is the intent of the program, since

blocks that are not yet designated as RPP blocks are not eligible to become resident-only blocks. DDOT requires residential streets with parking difficulties to petition for RPP status as a first attempt to alleviate the difficulties. ANCs that do not meet this standard will first need to obtain RPP status on a majority of its blocks before a resident-only request can be made.

The resolution also suggested that the introductory language in § 2437.1 contained an erroneous reference to designating “all blocks” as resident-only RPP blocks as a possible holdover from the First Notice of Proposed Rulemaking. However, the language in the introductory paragraph of the subsection does not require all blocks to be designated as resident-only blocks, and the reference to “all” blocks in § 2437.1(a) allows the ANC to petition for “all *or a portion of* blocks” to be resident-only. The subsection is drafted as intended.

The ANC was also concerned with the evaluation schedule for ANC petitions for resident-only status. The language in § 2437.7 sets a biannual review schedule and does not mandate a schedule or frequency for ANC submission. Further specificity in the schedule or frequency is unnecessary to add to the regulatory text as it will be communicated to ANCs through the normal channels of communication as well as via the DDOT website.

The ANC suggested that the rulemaking is unclear whether temporary visitor parking permits are effective in resident-only parking zones alongside RPP stickers and annual visitor parking passes. DDOT agrees that the language in § 2432.1(b) and § 2439.1 found in the proposed rule is unclear. DDOT has updated the language in § 2432.1(b) to align with § 2439.1. This clarification also aligns with DDOT’s standard operating procedure of treating temporary visitor parking permits the same as annual visitor parking passes for purposes of RPP and resident-only parking privileges.

The resolution also questioned the criteria for implementation of resident-only parking zones and the treatment of non-residential uses in residential zones. Specifically, the resolution asks that the RPP eligibility determination for blockfaces adjacent to places of worship, healthcare facilities, schools, parks, or recreational facilities be restricted to the portion of the curb that directly abuts the property, rather than applying to the entire block on which the property rests. However, RPP designation is performed at the blockface level, which means that any determination affecting a portion of the block will affect the entire block (except in the case where part of the block is metered).

In addition, the resolution suggested that higher parking demand from these non-residential uses should be a factor in favor of resident-only parking zones, rather than against. However, the regulatory structure concerning the specific non-residential uses found in the rulemaking is intended to ensure that at least some parking will be available to visitors from outside of that RPP zone who wish to access that amenity or public facility. DDOT also notes that the determination only impacts the blockface on which the property rests, and so the number of spaces affected by this provision is physically very limited.

The resolution recommended the removal of the proposed § 2405.7, which would prohibit the parking of a vehicle within a sidewalk where the sidewalk intersects a legal driveway. The ANC’s objection is based on potential enforcement difficulties arising from the inclusion of a

reference to zoning regulations that define a legal driveway. However, the reference to Title 11-C only serves to clarify residential parking standards—something that will not impact the operations of DPW parking enforcement officers.

The ANC recommended changes to § 2440.2, which allows vehicles with RPP stickers for the proper zone to be parked slightly closer to intersections than non-RPP vehicles. This provision was intended to provide another way to relieve a small amount of pressure on neighborhood parking stock by providing one to two additional parking spaces per blockface. However, the resolution stresses the potential dangers associated with having vehicles parked closer to crosswalks, reducing the sight lines of pedestrians, bicyclists, and approaching drivers. DDOT takes seriously the safety concerns expressed by the ANC and has therefore removed § 2440.2 and § 2440.3 from this final rulemaking. The result is that all vehicles must be parked within the area designated by signage, where applicable, and are otherwise subject to the general parking distance standards already found in 18 DCMR § 2405.2.

Finally, the resolution asks DDOT to limit the use of temporary visitor parking permits to 30 days' worth per vehicle per year. This proposal is outside of the scope of this rulemaking and was not considered for this final rulemaking.

The Director adopted these rules as final on January 29, 2019, and they shall become effective upon publication of this notice in the *D.C. Register*.

**Chapter 24, STOPPING, STANDING, PARKING, AND OTHER NON-MOVING VIOLATIONS, of Title 18 DCMR, VEHICLES AND TRAFFIC, is amended as follows:**

**Section 2400, PROPER PARKING: GENERAL REQUIREMENTS AND PROHIBITIONS, is amended as follows:**

**Subsection 2400.6 is amended to read as follows:**

2400.6       The provisions of this chapter prohibiting the stopping, standing, or parking of a vehicle shall apply at all times, or at those times herein specified, or as indicated on official signs and parking meters, except when it is necessary to stop a vehicle to avoid conflict with other traffic or when complying with the direction of a police officer or official traffic control device.

**Section 2401, LOADING AND UNLOADING VEHICLES, is amended by repealing Subsection 2401.9 in its entirety.**

**Section 2403, EMERGENCY PARKING PERMITS, is repealed in its entirety.**

**Section 2405, STOPPING, STANDING, OR PARKING PROHIBITED: NO SIGN REQUIRED, is amended as follows:**

**Subsection 2405.1(g) is amended to read as follows:**

2405.1

...

- (g) In a bicycle lane or shared use path;

...

**Subsection 2405.2(c) is amended to read as follows:**

2405.2

...

- (c) Except as provided in § 2440.2 of this title, within forty feet (40 ft.) of the intersection of curb lines of intersecting streets or within twenty-five feet (25 ft.) of the intersection of curb lines on the far (non-approach) side of a one-way street; except that trucks vending ice cream shall park curbside when stopping to make a sale, as close as possible to a pedestrian crosswalk without entering the intersection or obstructing the pedestrian crosswalk and without unduly interfering with the flow of traffic.

**A new Subsection 2405.7 is added to read as follows:**

2405.7 A motor vehicle parked within a legal driveway pursuant to 11-C DCMR § 710 shall not extend into or obstruct the sidewalk.

**Section 2411, RESIDENTIAL PERMIT PARKING, Section 2412, ESTABLISHMENT AND APPROVAL OF RESIDENTIAL PERMIT PARKING AREAS, and Section 2413, ISSUANCE OF RESIDENTIAL PARKING PERMITS, are repealed in their entirety, and replaced by new Sections 2431 through 2441. Insert new Sections 2411 through 2413 to read as follows:**

2411 [RESERVED]

2412 [RESERVED]

2413 [RESERVED]

**Section 2414, VISITOR OR TEMPORARY PERMITS, is amended as follows:**

**Subsection 2414.11 is amended to read as follows:**

2414.11 Each housing unit located on a residential permit parking block within the areas described under § 2414.9 or an enhanced residential permit parking (“ERPP”) block as defined by § 2438 in the VPP program area shall be eligible to receive one (1) annual visitor parking pass.

**Section 2416, PENALTY, is amended as follows:**

**Subsection 2416.1 is amended to read as follows:**

2416.1 It shall be a violation of the provisions of §§ 2414, 2415, and 2432 through 2441, for any person to falsely represent himself or herself as eligible for a residential permit parking sticker or permit, annual visitor parking pass, or temporary visitor parking permit, or to furnish any false information in an application for a residential permit parking sticker or permit, annual visitor parking pass, or temporary visitor parking permit. A violation of this subsection shall be punishable by a fine of three hundred dollars (\$300) and any sticker or permit issued as a result of false information shall be void.

**Subsection 2416.3 is amended to read as follows:**

2416.3 Failure, when requested, to surrender a residential permit parking sticker or permit, annual visitor parking pass, or temporary visitor parking permit revoked by the Director or the Chief of Police shall constitute a violation of the provisions under §§ 2414, 2415, and 2432 through 2441.

**Subsection 2416.4 is amended to read as follows:**

2416.4 Any person who violates any of the provisions of §§ 2414, 2415, and 2432 through 2441 shall, upon determination of liability, be subject to a civil fine established pursuant to the District of Columbia Traffic Adjudication Act of 1978, effective September 12, 1978 (D.C. Law 2-104; D.C. Official Code §§ 50-2301.01 *et seq.*).

**Section 2424, PERFORMANCE PARKING PILOT ZONE, is amended as follows:**

**The section heading is amended to read as follows:**

**2424 PERFORMANCE PARKING ZONE**

The section is also amended by striking the word “Pilot” wherever it appears in the body of the section, Subsections 2424.1 through 2424.12.

**Subsection 2424.2(c) is amended to read as follows**

2424.2

...

- (c) DDOT shall publish online a map showing the boundaries of the Ballpark Performance Parking Zone.

**The lead-in text of Subsection 2424.4 is amended to read as follows:**

2424.4 Notwithstanding §§ 2402, 2404, 2414, and 2431 through 2441, the operator of a motor vehicle shall pay the rate posted on the applicable parking meter and abide by the associated time restrictions in the Ballpark Performance Parking Zone, except as provided below:

**Subsection 2424.5 is amended to read as follows:**

2424.5 Notwithstanding §§ 2402, 2404, 2414, and 2431 through 2441, the Director at his or her discretion may designate any blocks within the Ballpark Performance Parking Zone to be included in the residential permit parking program. A current listing of the designated blocks shall be posted for public access on the DDOT website.

**Subsection 2424.6 is amended to read as follows:**

2424.6 All blocks within the Ballpark Performance Parking Zone that are west of South Capitol Street will be restricted where appropriate to state “Zone 6 Resident Parking Only, 7 A.M. to Midnight, Monday through Sunday, Zone 6 Residential Parking Permit Holders and Zone 6 Visitor Pass Permit Holders Exempt”. All blocks within the Ballpark Performance Parking Zone that are east of South Capitol Street will be restricted where appropriate to state “Zone 6 Resident Parking Only, 7 A.M. to 9:30 P.M., Monday through Saturday, Zone 6 Residential Parking Permit Holders and Zone 6 Visitor Pass Permit Holders Exempt”.

**The lead-in text of Subsection 2424.8 is amended to read as follows:**

2424.8 Notwithstanding §§ 2402, 2404, 2414, 2424.7, 2428, and 2431 through 2441, the initial rates for parking meters in the Ballpark Performance Parking Zone shall be as follows:

**Subsection 2424.9 is repealed in its entirety.**

**Insert new Sections 2431 through 2441 to read as follows:**

**2431 [RESERVED]**

**2432 RESIDENTIAL PERMIT PARKING – GENERAL**

2432.1 The residential permit parking (“RPP”) program is established to restrict parking on designated blocks in the District as follows:

- (a) Parking on a block may be restricted so that only motor vehicles registered to residents who live in the applicable RPP parking zone may be parked on the block; provided that motor vehicles not registered to residents who live in the applicable RPP parking zone may be parked on the block for up to two (2) hours; and
- (b) Parking on a block may be restricted so that only motor vehicles registered to residents who live in the applicable RPP parking zone, or motor vehicles with annual visitor parking passes or temporary visitor parking permits as established in § 2414 of this title, may be parked on the block.

**2433 RESIDENTIAL PERMIT PARKING – BOUNDARIES OF RESIDENTIAL PERMIT PARKING ZONES**

2433.1 Each Ward of the District shall constitute a separate residential permit parking (“RPP”) zone; provided, that census tract 79.03 (starting at the corner of Nineteenth Street, N.E., and Benning Road, N.E., east along said Benning Road, N.E., to Oklahoma Avenue, N.E.; thence in a southerly direction along said Oklahoma Avenue, N.E., to C Street, N.E.; thence west along said C Street, N.E., to Nineteenth Street, N.E.; thence north along said Nineteenth Street, N.E., to the point of beginning) shall be included in the RPP parking zone for Ward 6.

2433.2 A vehicle displaying a valid residential parking permit may park on any RPP block within one (1) block of any street that serves as the boundary of a RPP zone.

**2434 RESIDENTIAL PERMIT PARKING – STANDARDS AND PROCESS FOR DESIGNATING RESIDENTIAL PERMIT PARKING BLOCKS**

2434.1 Notwithstanding the notice requirements in §§ 6 and 10 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat 1204; D.C. Official Code §§ 2-505 and 2-509 (2016 Repl.)), the Director may at his or her discretion designate any residential block as a residential permit parking (“RPP”) block, if residents on that block petition the Director for such designation, provided that:

- (a) Based on at least three (3) distinct observations during any weekday between 7:00 a.m. and 6:30 p.m., DDOT determines that the motor vehicles parked on the street occupy at least seventy percent (70%) of the parking spaces of the block; and
- (b) Based on at least three (3) distinct observations during any weekday between 7:00 a.m. and 6:30 p.m., DDOT determines that at least ten

percent (10%) of the motor vehicles parked on the block are not registered in that RPP zone.

- 2434.2 When designating a block as part of the RPP program, the Director shall determine whether curb space abutting a place of worship, healthcare facility, school, park, or recreational facility on that block will be included in the RPP program. This determination shall be made based on the existing parking supply and the demand for parking for the place of worship, healthcare facility, school, park, or recreational facility, as well as the residential parking demand in adjacent blocks.
- 2434.3 For the Director to consider designating any residential block as an RPP block, the petition referred to in § 2434.1 must be signed by at least one (1) adult resident of a majority of the households on that block.
- 2434.4 The Director will accept petitions from residents on blocks that: (1) are subject to parking prohibitions, including but not limited to, weekday a.m. and p.m. hour restrictions; and (2) are surrounded by blocks which are designated as RPP blocks.
- 2434.5 A petition is not necessary, and the Director may at his or her discretion designate for residential permit parking, any block where any one of the following criteria is met:
- (a) The block to be designated has no residences fronting on it, and the block abuts the side or rear of residences already included in the RPP program;
  - (b) The block to be designated abuts a park or recreational facility, and the block is adjacent to a block that is in the RPP program;
  - (c) The block to be designated is within five (5) blocks of a commercial district or any other private or public facility that accommodates five hundred (500) or more people, such as a theater, concert hall, convention center, stadium, nightclub, university, or any other major traffic generator; or
  - (d) Less than twenty percent (20%) of curbside space in the block to be designated is available for resident parking.
- 2434.6 In cases where a petition represents less than a majority of the individual households on the block, but where circumstances suggest to the Director that a majority of the residents may support residential permit parking, the Director may, at his or her discretion, initiate a vote on whether or not the block shall be part of the RPP program.

2434.7 For the vote referred to in § 2434.6, one ballot shall be distributed to each household on the block. A majority of those ballots returned to DDOT within fifteen (15) days of their date of distribution shall be regarded as indicating the will of the residents of the block as to residential permit parking.

**2435 RESIDENTIAL PERMIT PARKING – DAYS, HOURS, AND RESTRICTIONS FOR RESIDENTIAL PERMIT PARKING**

2435.1 If a block is designated as a residential permit parking (“RPP”) block pursuant to § 2434 of this chapter, the times and days during which the RPP restrictions shall apply shall be from 7:00 a.m. to 8:30 p.m., Monday through Friday; unless stopping, standing, or parking is restricted during that time period pursuant to a separate provision of this chapter or by provision of law.

2435.2 During the times the RPP restrictions apply, no vehicle without a valid RPP sticker for that RPP zone may park for more than two (2) hours.

2435.3 Pursuant to § 2436, the days or hours during which RPP restrictions apply on a block designated as an RPP block may be expanded or modified.

2435.4 Pursuant to § 2437, resident-only parking restrictions may be applied to all blocks participating in the RPP program within an Advisory Neighborhood Commission; provided, that no more than one side of the street in each residential block, as determined by the Director, shall be designated with resident-only parking restrictions.

2435.5 Additional restrictions specific to parking a motor vehicle on an RPP block may be imposed within a performance parking zone. Any such restrictions shall be included in the implementation plan for the applicable performance parking zone.

**2436 RESIDENTIAL PERMIT PARKING MODIFYING THE DAYS OR HOURS OF RESIDENTIAL PERMIT PARKING RESTRICTIONS**

2436.1 Notwithstanding the notice requirements in §§ 6 and 10 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat 1204; D.C. Official Code §§ 2-505 and 2-509 (2016 Repl.)), within each residential permit parking (“RPP”) zone, the Director may re-designate, at his or her discretion, the days or hours for residential permit parking on any specific block which meets all of the following criteria:

(a) A petition has been submitted to the Director, signed by at least one (1) adult resident of a majority of the households on the block, supporting the proposed change to the days or hours for RPP restrictions for their specific block;

(b) At least one (1) year has passed between the date on which the block was

designated by DDOT as an RPP block and the date on which the petition is filed;

- (c) The petition is accompanied by a resolution from the Advisory Neighborhood Commission within which the block is located, supporting the change to the days or hours; and
- (d) The block meets the following criteria:
  - (1) Based on at least one (1) distinct observation during the requested hours, DDOT determines that the motor vehicles parked on the block occupy at least seventy percent (70%) of the parking spaces on the block; and
  - (2) Based on at least one (1) distinct observation during the requested hours, DDOT determines that at least ten percent (10%) of the motor vehicles parked on the block are not registered in that RPP zone.

2436.2 Notwithstanding § 2436.1, the Director shall determine whether a block abutting a place of worship, healthcare facility, school, park, or recreational facility shall be included in the modified RPP zone. This determination shall be made based on the existing parking supply and the demand for parking for the place of worship, healthcare facility, school, park, or recreational facility, as well as the residential parking demand in adjacent blocks.

2436.3 Before taking action on the petition, DDOT shall publish a Notice of Intent on the DDOT website.

**2437 RESIDENTIAL PERMIT PARKING – RESIDENT-ONLY PARKING**

2437.1 Notwithstanding the notice requirements in §§ 6 and 10 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat 1204; D.C. Official Code §§ 2-505 and 2-509 (2016 Repl.)), the Director may re-designate residential permit parking (“RPP”) blocks as resident-only parking blocks if all of the following criteria are met:

- (a) An Advisory Neighborhood Commission (“ANC”) passes a resolution petitioning DDOT to designate all or a portion of the blocks participating in the RPP program within that ANC, or specific Single Member Districts within the ANC as resident-only parking blocks;
- (b) At least one (1) year has passed between the date on which the majority of blocks in the ANC were designated as RPP blocks and the date of the resolution;

- (c) The resolution lists at least five (5) blocks within the ANC as being impacted by increased parking demands and requiring additional parking restrictions; and
- (d) The standards set forth in § 2437.2 are satisfied.

2437.2

After receiving a petition from an ANC requesting resident-only parking, the Director may modify the RPP restrictions on any blocks participating in the RPP program within the ANC if all of the following conditions are met:

- (a) There is a major traffic generator within or abutting the ANC;
- (b) The parking needs, in excess of two (2) hours, of visitors to any place of worship, healthcare facility, school, park, or recreational facility within the ANC are considered according to the following criteria:
  - (1) More than seventy-five percent (75%) of parking demand from the place of worship, healthcare facility, school, park, or recreational facility is unmet by off-street parking; and
  - (2) The place of worship, healthcare facility, school, park, or recreational facility does not require parking for more than twenty-five percent (25%) of the requested hours and days during which RPP restrictions would apply;
- (c) Based on at least three (3) distinct observations of the five (5) or more blocks listed in the ANC petition required by § 2437.1 during any weekday between 7:00 a.m. and 8:30 p.m., the motor vehicles parked on the block occupy at least eighty-five percent (85%) of the parking spaces; and
- (d) Based on at least three (3) distinct observations during any weekday between 7:00 a.m. and 8:30 p.m., at least fifty percent (50%) of the motor vehicles parked within the five (5) or more blocks listed in the ANC petition required by § 2437.1 are not registered in that RPP zone.
- (e) The Director may, at his or her discretion, modify the observation hours described in § 2437.2(c) and (d).

2437.3

Notwithstanding § 2437.2, the Director shall determine whether a block abutting a place of worship, healthcare facility, school, park, or recreational facility shall be included in the resident-only parking zone. This determination shall be made based on the existing parking supply and the demand for parking for the place of worship, healthcare facility, school, park, or recreational facility, as well as the residential parking demand in adjacent blocks.

- 2437.4 Pursuant to § 2437.1, resident-only parking restrictions shall be applied to all blocks participating in the RPP program within an ANC; provided, that no more than one side of the street in each residential block, as determined by the Director, shall be designated with resident-only parking restrictions.
- 2437.5 Prior to taking action on the ANC petition, DDOT shall publish a Notice of Intent on the DDOT website.
- 2437.6 DDOT will evaluate petitions received by ANCs twice during a calendar year.
- 2437.7 An Advisory Neighborhood Commission may, pursuant to a resolution passed by the ANC, petition DDOT to redesignate all or a portion of the blocks participating in the resident-only program within that ANC, back to RPP blocks.

**2438 ENHANCED RESIDENTIAL PERMIT PARKING PROGRAM**

2438.1 The Enhanced Residential Permit Parking (“ERPP”) program as established by the Residential Parking Protection Pilot Act of 2010, effective October 26, 2010 (D.C. Law 18-240; D.C. Official Code §§ 50-2551 *et seq.* (2014 Repl.)), applies only within the boundaries of Ward 1.

2438.2 The ERPP program is established as follows:

- (a) The ERPP program includes the following elements:
- (1) One side of the street in each residential block, as determined by the Director, shall be reserved for Zone 1 resident-only parking; the opposite side of each residential block shall be designated as described in § 2432.1(a);
  - (2) A motor vehicle without a valid Zone 1 resident-only parking sticker shall not park on any portion of a street in Ward 1 that has been reserved for Zone 1 resident-only Parking pursuant to this subsection; and
  - (3) Any resident owning a vehicle registered at an address within the ERPP program area shall be eligible to apply for a Ward 1 residential permit parking zone sticker as provided by the Department of Motor Vehicles.
- (b) Each Ward 1 Advisory Neighborhood Commission (“ANC”) may, by resolution voted upon in accordance with the law governing ANCs, choose not to participate in the ERPP program. Absent such a resolution, all of the provisions of paragraph (a) of this subsection shall apply to each residential block of the Ward 1 ANC unless prohibited by paragraph (c) of this subsection.

- (c) Any blocks within a streetscape construction project impact zone in Ward 1 shall be excluded from the ERPP program until the Director declares that all major construction associated with the streetscape construction project impact zone is complete.
- (d) For purposes of this section, the phrase "streetscape construction project impact zone" means an area designated by DDOT where, due to the nature and duration of a streetscape project (that is, a roadway construction project on a commercial street), a local or small business as defined in D.C. Official Code §§ 2-218.31 and 2-218.32 (2014 Repl.) may experience demonstrated losses during the construction period.
- (e) The ERPP program shall not apply within one (1) block of a residential permit parking zone boundary. Streets within one (1) block of a residential permit parking zone boundary shall instead be designated so that motor vehicles displaying a valid residential permit for either adjacent residential permit parking zone may park on any such block that was a residential permit parking block before the institution of the ERPP program.

**2439**

**RESIDENTIAL PERMIT PARKING – ENFORCEMENT**

2439.1

Except as provided in §§ 2406, 2414, and 2424, parking a motor vehicle on a residential permit parking block shall be restricted as follows:

- (a) A vehicle without the necessary residential permit parking zone sticker shall not park in the same zone for more than two (2) consecutive hours. This restriction applies even if the vehicle is moved from one location within the zone to another location in the same zone. A separate violation of this provision shall exist for each additional two (2) hour period the vehicle has been parked in the same zone.
- (b) If the restrictions on a residential permit parking block (or portion of such block) prohibit non-permit holders during posted times, a vehicle shall not park for any such period of time on that block (or portion of that block) without the necessary residential permit parking sticker for that specific zone. An initial violation shall exist when the non-permit holder first parks his or her vehicle on the restricted block and a separate violation shall exist for each additional two (2) hour period the vehicle has been parked in the same zone.

**2440 RESIDENTIAL PERMIT PARKING – ADDITIONAL RESIDENTIAL PERMIT PARKING PRIVILEGES**

2440.1 Between the hours of 9:00 p.m. and 7:30 a.m., a vehicle displaying a valid residential parking permit may park, within a designated residential permit parking (“RPP”) zone, in the following locations:

- (a) In loading zones, except loading zones used by hotels; and
- (b) In entrances, except entrances to hospitals.

2440.2 An RPP sticker shall not authorize the vehicle displaying the sticker to stand or park in any place or during any time when the stopping, standing, or parking of motor vehicles is prohibited or set aside for specific types of vehicles, nor shall it provide an exemption from the observance of any traffic regulation other than the RPP two (2) hour parking limit, where available, and the exemptions listed in §§ 2439.1 and 2440.

**2441 RESIDENTIAL PERMIT PARKING – RESIDENTIAL PERMIT PARKING STICKERS**

2441.1 Each residential permit parking (“RPP”) sticker shall indicate at least the following:

- (a) Its expiration date;
- (b) The RPP zone in which it is valid;
- (c) The identification tag number of the motor vehicle for which it is valid; and
- (d) The last six (6) digits of the motor vehicle’s VIN number.

2441.2 An RPP sticker shall be issued or reissued for a period of either one (1) year or two (2) years at the discretion of the resident, unless the Director specifies a different time period.

2441.3 An RPP sticker shall be valid only if it is affixed by its own adhesive to the lower left (driver's) side of the windshield so that its contents are clearly visible through the windshield of the vehicle; provided; that in the case of a motorcycle, motorized bicycle, or autocycle, the RPP sticker shall be affixed to a mounting tab which shall be bolted to either corner of the license plate. An expired RPP sticker shall not be left visible on a vehicle.

2441.4 A motor vehicle shall not display more than one (1) RPP sticker. Simultaneous display of current RPP stickers for more than one (1) zone shall render all the RPP stickers invalid and shall be *prima facie* evidence of misrepresentation on the RPP sticker application.

- 2441.5 An RPP sticker shall not guarantee or reserve to the holder a parking space within the designated RPP zone.
- 2441.6 No RPP sticker or permit shall be used or displayed on any vehicle other than the vehicle for which it was issued. Any sticker or permit so displayed shall be void, and any unauthorized display of stickers or permits shall constitute a violation of this section by the sticker holder and by the owner or the operator of the vehicle displaying the permit.
- 2441.7 An application for an RPP sticker shall contain the name of the owner or operator of the motor vehicle, the vehicle's make, body style, serial or VIN number, identification tag number, and, when appropriate, the vehicle's reciprocity number.
- 2441.8 The motor vehicle registration and related documentation may, at the discretion of the Director, be required to be presented when filing an application in order to verify the application.
- 2441.9 The Director may issue an RPP sticker, upon application and payment of the fee established pursuant to § 2415, to a motor vehicle owner who resides on:
- (a) Property abutting a block that normally would qualify as an RPP block but which is not eligible for residential permit parking because of existing parking restrictions, and is surrounded by streets which have been designated as RPP blocks or have other restrictions which prohibit all day parking; or
  - (b) A private street which is not eligible for residential permit parking because of its roadway designation.
- 2441.10 RPP stickers may be issued only for, and shall be valid only on, motor vehicles which are registered in the District, or which have valid reciprocity privileges in the District.
- 2441.11 Buses, commercial vehicles, sightseeing vehicles, trailers, and motor vehicles longer than twenty-two feet (22 ft.) shall not be issued RPP stickers.
- 2441.12 The Director may replace current RPP stickers, without extension of their duration, when: (1) the sticker holder changes address from one zone to a block designated for residential permit parking in a different zone; or (2) where an RPP sticker holder provides satisfactory evidence of the destruction of the original sticker.
- 2441.13 The RPP sticker shall expire on the same date that the vehicle registration expires.
- 2441.14 Notwithstanding Subsection 2441.11, a commercial vehicle registered to a business at a residential property where the business owner resides is eligible for an RPP sticker.

**Chapter 26, CIVIL FINES FOR MOVING AND NON-MOVING INFRACTIONS, Section 2600, CIVIL FINES FOR MOTOR VEHICLE MOVING INFRACTIONS, is amended as follows:**

**The chart set forth in Subsection 2600.1 is amended as follows:**

**The row labeled “Stopping, standing, or parking a vehicle in a bicycle lane [§ 2405.1]” in the section labeled “Right-of-way” is amended to read as follows:**

|  |         |
|--|---------|
| Stopping, standing, or parking a vehicle in a bicycle lane or shared use path [§ 2405.1] | \$65.00 |
|--|---------|

**Section 2601, PARKING AND OTHER NON-MOVING INFRACTIONS, is amended as follows:**

**The chart set forth in Subsection 2601.1 is amended as follows:**

**The section labeled “Residential Permit Parking” is amended to read as follows:**

| <b>Residential Permit Parking</b>  |   | <b>Fine</b>   |   |
|--|---|---|---|
| Fail to properly display current sticker [§ 2424.4, § 2424.5, § 2424.6, § 2441.3]                                    |   | \$ 15.00  |   |
| Fail to remove expired sticker [ § 2424.4, § 2424.5, § 2424.6, § 2441.3]   |   | \$ 15.00  |   |
| Improper use of annual visitor parking pass [§ 2414.18]  |   | \$ 300.00   |   |
| Resident-only permit parking block, without valid permit [ § 2432.1(b), § 2438.2(a)(2)]                              |   | In each calendar year: first offense \$30, second offense \$30, third and any subsequent offense \$60 |   |
|  | <b>Fine</b>   | <b>In Ballpark Performance Parking Zone [§ 2404.24, § 2424.12]</b>                                    | <b>During Ballpark Events [§ 2424.12]</b>                 |
| Residential permit parking block, beyond consecutive two-hour period without valid permit [§ 2439.1(a), § 2432.1(a)] | In each calendar year:<br>First offense \$35,<br>Second offense \$35, | In each calendar year:<br>First offense \$35, Second offense \$35, Third and any                      | In each calendar year: First offense \$60, Second offense |

|  |  |                         |  |
|--|--|-------------------------|--|
|  | Third and any subsequent offense \$65. | subsequent offense \$65 | \$60, Third and any subsequent offense \$60. |
|--|--|-------------------------|--|

**Chapter 99, DEFINITIONS, Section 9901, DEFINITIONS, is amended as follows:**

**Subsection 9901.1 is amended as follows:**

**The definition of “Annual Visitor Parking Pass” is amended to read as follows:**

**Annual Visitor Parking Pass** - a certificate of permission which provides the permit holder the same parking rights as those provided by a residential parking permit sticker for a period of one (1) year from the date of issuance.

**The following definition is added after the definition of “Authorized Emergency Vehicle”:**

**Autocycle** - a three (3)-wheeled motor vehicle that has a steering wheel, seating that does not require the operator or passenger to straddle or sit astride, is equipped with safety belts for all occupants, and is manufactured to comply with federal safety requirements for motorcycles.

**The following definition is added after the definition of “Emissions Recall Notice”:**

**Entrance** – the point of entry intended for the use of pedestrians into a building or other structure from a public street, private street, or alley.

**The following definition is added after the definition of “Low-speed vehicle”:**

**Major Traffic Generator** – a place of worship, healthcare facility, school, park, or recreational facility, or other group of land uses that, on regular basis, attracts five hundred (500) or more people.

**The definition of “Residential Permit Parking Sticker” is amended to read as follows:**

**Residential Permit Parking (“RPP”) Sticker** - a certificate of permission issued to a resident of a residential permit parking zone in the District to park a motor vehicle in that zone beyond the limits generally imposed upon motor vehicles parked in the zone.

**The following definition is added after the definition of “Residential Permit Parking (“RPP”) Sticker”:**

**Residential Permit Parking (“RPP”) Zone** – all residential areas located in a specific Ward, except that census tract 79.03 (starting at Nineteenth Street,

N.E., and Benning Road, N.E., east on Benning Road, N.E., to Oklahoma Avenue, N.E.; south on Oklahoma Avenue, N.E., to C Street, N.E.; west on C Street, N.E., to Nineteenth Street, N.E.; north to Nineteenth Street, N.E.) shall be included in residential permit parking Zone 6.

**The following definition is added after the definition of “Residential Permit Parking Zone”:**

**Resident-Only Parking** – a portion of a residential permit parking block where, during enforcement hours, only vehicles with the appropriate Residential Permit Parking Sticker for that zone or vehicles with a valid Temporary Visitor Parking Permit or Annual Visitor Parking Pass may park.

**The following definition is added after the definition of “Service Vehicle”:**

**Shared Use Path** – a pathway, designated for non-motorized transportation users, which is physically separated from motorized vehicular traffic by an open space or barrier and either within the highway right-of-way or within an independent right-of-way.

**The definition of “Temporary Permit” is amended to read as follows:**

**Temporary Visitor Parking Permit** - a certificate of permission which temporarily provides the permit holder the same parking rights as those provided by a residential permit parking sticker for a period of up to fifteen (15) days.

**The definition of “Visitor Permit” is repealed.**