

# **K** PRIORITY SIDEWALK ASSURANCE ACT OF 2010

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District of Columbia Law 18-227 “Priority Sidewalk Assurance Act of 2010” requires the District to ensure a safe and accessible environment for pedestrians and persons with disabilities. During road reconstruction or curb and gutter replacement projects on a roadway that lacks a sidewalk, the District will install a sidewalk on at least one side of the street. When a roadway lacks a sidewalk, the District is required to prioritize sidewalk installation for routes that provide access to schools, parks and recreational facilities, transit stops, and locations where substantial safety risks exist, as well as areas where District residents submit a petition to request a sidewalk. The law was enacted on July 7, 2010 and effective on September 24, 2010. A copy of the Act is presented on the following pages.

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A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To require the installation of sidewalks to ensure a safe and accessible environment for pedestrians and persons with disabilities; to establish minimum design and consultation requirements; and to provide for exemptions.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,

That this act may be cited as the “Priority Sidewalk Assurance Act of 2010.”

Sec. 2. Sidewalk installation requirements.

(a) For road segments that lack sidewalks on both sides of the street, road reconstruction or curb and gutter replacement shall include installation of a sidewalk on at least one side of the street.

(b) For roadways that are missing sidewalks, but are not undergoing major construction, sidewalk installation shall be prioritized for the following areas:

- (1) Missing sidewalks in school areas;
- (2) Routes that provide access to parks and recreational facilities;
- (3) Transit stops;
- (4) Locations where the absence of a sidewalk creates substantial pedestrian safety risks; and



1                   (1) The physical site conditions would make it unduly expensive to  
2 construct the sidewalk;

3                   (2) The sidewalk would be not used by pedestrians; or

4                   (3) The Director of the District Department of Transportation certifies  
5 that, due to the specific nature or design of the road segment under consideration,  
6 pedestrian travel can be safely accommodated without sidewalks, including travel by  
7 children and people with disabilities.

8                   (b) The written finding required in subsection (a) of this section shall be posted  
9 on the District Department of Transportation website and made available to the Council  
10 and the affected Advisory Neighborhood Commissions.

11                  Sec. 5. Fiscal impact statement.

12                  The Council adopts the fiscal impact statement in the committee report as the  
13 fiscal impact statement required by section 602(c)(3) of the District of Columbia Home  
14 Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02  
15 (c)(3)).

16                  Sec. 6. Effective date.

17                  This act shall take effect following approval by the Mayor (or in the event of veto  
18 by the Mayor, action by Council to override the veto), a 30-day period of Congressional  
19 review as provided in section 602(c)(1) of the District of Columbia Home Rule Act,  
20 approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and  
21 publication in the District of Columbia Register.