

10. In deciding whether and where to install traffic calming devices, DDOT has vacillated between (1) comprehensive neighborhood studies that try systematically to account for spillover effects and to determine what is best for the neighborhood as a whole, and (2) *ad hoc*, block-by-block analyses.

11. DDOT completed its most recent neighborhood-wide study, the Rock Creek West Livability Study² (RCWLS), in 2011. The agency measured traffic volume and speed at sites throughout the neighborhood, and it engaged the public extensively in meetings and online. Finally, the agency issued a series of recommendations for traffic calming throughout the neighborhood.

12. DDOT did not independently implement many, perhaps most, of RCWLS' recommendations.

13. Instead, several RCWLS recommendations were only implemented because this ANC convinced private applicants for zoning relief to fund them. For instance, RCWLS recommended bulbouts on multiple blocks of 42nd Street from Van Ness to Albemarle. American University funded construction of bulbouts on streets closest to its law school but did not fund construction of bulbouts recommended at 42nd and Albemarle Streets.

14. The intersection at 42nd and Albemarle adjoins a nursery school, senior center, and major elementary school. ANC 3E highlighted this area in its resolution supporting implementation of RCWLS recommendations. Yet, DDOT still has not installed the bulbouts there.

15. We know of at least one resident struck by a car at this intersection since DDOT recommended -- but did not install -- a bulbout there.

16. Other neighborhood traffic studies have similarly resulted in poor follow-through.

17. Perhaps in light of the agency's spotty record following through on its neighborhood traffic studies, the agency has also employed an extensive case-by-case process.

18. For many years, DDOT's primary vehicle for citizens to obtain traffic calming on individual blocks was the Traffic Calming Assessment (TCA). TCAs require applicants to obtain a super-majority of block resident signatures on a petition. The agency states it will conduct extensive measurement and evaluation of speed, volume, collision data, and driver behavior, among other things. A site visit is required. The agency considers the full toolbox of traffic calming modalities during a TCA, most of which are not speed bumps or humps.

19. More recently, DDOT created a process that does away with the need to collect neighbor signatures, but otherwise parallels the TCA process, called the Traffic Safety Investigation (TSI).

20. In mid-summer 2021, DDOT notified an ANC 3E Commissioner that it intended to install speed bumps on two blocks pursuant to a TCI, and sought the ANC's support. To decide whether to give such support, the Commissioner asked DDOT to share the specific analysis it conducted. A DDOT engineer responded that no specific analysis had been conducted nor needed to be. Instead, the engineer contended, it was the "agency's prerogative" to install speedbumps. The engineer's note concluded that if the resident wanted other traffic calming options considered, they would be subject to a new 120 day waiting period.

[https://ddot.dc.gov/sites/default/files/dc/sites/ddot/publication/attachments/traffic_calming_application.pdf];
"Federal Highway Administration Traffic Calming ePrimer," at Module 3
[https://safety.fhwa.dot.gov/speedmgt/traffic_calm.cfm].

² <https://ddot.dc.gov/page/rock-creek-west-ii-livability-study>

21. The DDOT engineer's position was flatly inconsistent with DDOT's published guidelines, and would represent a sea change in DDOT policy made without prior notice to the public or ANC. Thus, the ANC 3E Commissioner wrote to DDOT's Acting Director seeking clarification. Another DDOT official, wrote at the Acting Director's request to confirm that DDOT's new policy was to install speed bumps upon request by any resident who complains about speeding on their block if the block is "eligible" (the primary criterion being apparently that the street is not a collector or arterial) and installation is "feasible" (e.g., the roadway grade is not excessive). Despite decades of prior practice and policy, she said the agency would no longer collect speed or (apparently) volume data.

22. Yet, the sole justification the official gave for installing the speed bumps under this new policy is to reduce speed.

23. The official continued that if the ANC does not pass a resolution supporting the speed bumps, "the TSI request will be closed and the citizen will be notified that their traffic calming request cannot be implemented due to a lack of ANC support."³ Thus, the agency will not consider the myriad other traffic calming modalities DDOT still publicly says are part of its toolbox, and that the federal government continues to recommend in its guidelines. Instead, if an ANC does not support speed bump installation, DDOT will end the matter there and – wrongly – tell the applicant there is nothing it can do for them because of the ANC.

Selected Substantive Reasons DDOT's New Policy is Bad

24. The reasons DDOT's new policy is bad substantively are many. Just a few are summarized below.

25. To begin, DDOT contends that it cannot collect actual speed data because it is expensive and time-consuming. Yet, DDOT and other traffic agencies around the country have collected speed data for many years without complaint that doing so should be abandoned. Indeed, DDOT this month touted its installation at points throughout the District of Driver Feedback Signs which will flash drivers' speeds to them.

26. DDOT recently asserted that it now takes 8 months, on average, to collect speed data on a single block. If this stunning delay is pandemic-related, it should be gone now. Speed data collection devices are, after all, set up in the fresh air.

27. If it still takes DDOT 8 months to collect speed data for one block, it appears that either the agency is underfunded, parts of it are broken, or both. Either way, the agency's director or acting director, the Mayor, and the Council should take quick and decisive action to fix these problems.

28. The agency has also entirely abandoned consideration of the many alternatives to speed bumps in its traffic calming toolbox, despite its longstanding stated policies and the guidance of federal agencies to do so.

29. It is rational to expect that nearly every block in the city has at least one resident who wants speed bumps on their block. Because DDOT will now recommend installation of speed bumps on the request of a single resident, ANCs will eventually need to decide, without the data DDOT and most other agencies have relied on for such decisions for decades, on the installation of speed bumps on almost every street in the city.

³ See "E-Mail from Ellen Jones to Jonathan Bender," 8/9/21 [attached hereto as Exhibit 1]

30. This policy may pit neighbor vs. neighbor and create neighborhood conflicts across the city. It offloads the work of paid, expert civil servants onto unpaid, generalist ANC members -- except the ANCs won't have the resources or knowledge of the expert agencies.

31. Although we have severe speed problems in our neighborhood, they appear most pronounced on collector and arterial roads.

32. Indeed, by DDOT's own admission, we don't have a broad speed problem on our local streets under the criterion the agency uses to make such determinations.⁴ (If the agency believes its own standard for what constitutes a speed problem is too strict, the rational solution is to change the standard, not to give up entirely on measuring speed.)

33. One of the biggest problems on local (and many collector) streets in our experience is stop sign running. That may counsel installation of raised crosswalks at intersections. Speed bumps in the middle of the road, however, may exacerbate stop sign running as motorists make up time after slowing down for the speed bumps.

34. Likewise, as the agency installs speed bumps on blocks willy-nilly, based on who happens to apply first, per DDOT's own Engineering Manual traffic can be expected to make up speed on other blocks of the same street that lack speed bumps.⁵

35. Furthermore, traffic may tend to move from streets with speed bumps to those without. Because DDOT has no system to prioritize speed bump installation except first-come, first-serve, they will in some cases move traffic from streets with lesser problems to those with greater problems.

36. Moreover, DDOT generally treats collector streets as ineligible for speed bumps. Yet our neighborhood collector streets serve some of our most vulnerable populations. 42nd and Albemarle Streets, for instance, adjoin and are pathways to Janney Elementary School, a nursery school, and a senior center. Fessenden Street adjoins and is a pathway to both Ft. Bayard and Ft. Reno parks, and it is used by many young teens to get to Deal Middle School. Van Ness Street adjoins and is a pathway to Turtle Park.

37. Surrounding these neighborhood streets (which, per DDOT and federal policy, are no more supposed to serve as commuter cut-throughs than local streets) with speed bumped streets will likely increase hazards on the streets and further threaten the vulnerable populations that use them.

38. ANCs need appropriate data collection and evaluation from expert agencies. We are not supposed or equipped to do that work ourselves. We are supposed to play an advisory and consultative role, not to serve as junior varsity expert agencies.

ANC 3E and the Role of ANCs

39. ANC 3E has long championed vigorous efforts to improve pedestrian safety, via both traffic calming measures and enforcement.

⁴ See "E-Mail from Ellen Jones to Jonathan Bender," 8/9/21 [attached hereto as Exhibit 1]

⁵ See "DDOT Design and Engineering Manual," January 2019 at 40.3.1.1. ("The decision to use speed humps should be based on the factors of inconvenience, discomfort and vehicle damage, as well as *general ineffectiveness, as cars usually accelerate to make up for such sudden speed stops.*") (emphasis added). [https://ddot.dc.gov/page/design-and-engineering-manual]

40. As noted, many traffic calming and control measures have been installed in our neighborhood only because (1) ANC 3E got a developer or other applicant for zoning relief to pay for them, or (2) ANC 3E tirelessly advocated for them.

41. Sometimes, it has taken a death to get DDOT to act on intersections it knew required said action. For instance, as far back as DDOT's 2009 "Pedestrian Master Plan" the agency knew about widespread safety issues on Wisconsin Avenue and designated it a priority area for safety upgrades.

42. Our ANC, both in e-mails to the agency and formal resolutions, called for such safety upgrades for years.

43. One of the safety measures we asked the agency to consider was signaling (either by HAWK light or traffic signal) unsignalized intersections on Wisconsin Avenue, including the intersection at Veazey Street.

44. Yet it was not until many months later, after a car killed a pedestrian in the Veazey intersection, that DDOT installed a HAWK light there.

45. In subsequent years, ANC 3E persuaded GDS to signalize Chesapeake and Wisconsin as part of its campus expansion, and, via longstanding vigorous advocacy and the involvement of CM Cheh's office, convinced DDOT to add HAWK signals at the Ingomar and Garrison Street intersections.

46. To be sure, ANCs can sometimes identify low-hanging safety fruit without DDOT-supplied data and analysis.

47. For instance, we noticed obvious and gross speeding and reckless driving on our arterial streets such as Western Avenue since the pandemic began and, earlier this year, we identified this issue to the Acting Director when he visited.

48. We have seen little evidence of change on streets such as Western since then, and calming traffic and making crossings safer on our arterials are low hanging safety fruit that the agency has not picked

49. Similarly, we heard persistent complaints about cars running stop signs around Turtle Park, and some Commissioners personally observed this. We pressed DDOT to install raised crosswalks near the park, which DDOT installed and made the area safer for the thousands of children who use it.

50. Subsequently, those raised crosswalks have worn down, and ANC 3E has not been able to get them repaired. This again is low hanging safety fruit not being picked.

51. But there are many dozens of blocks in our ANC, and in most cases, we have not heard persistent, verifiable complaints of significant safety threats or observed them on our own. Thus, if a TSI/TSA comes to us without any analysis from DDOT, we will have nothing to rely upon but newly-heard and perhaps conflicting anecdotes.

52. A few years ago, DDOT put the ANC in the position of having to decide about installation of traffic calming on blocks like these but did not supply any data or analysis to guide the decision. The results were problematic.

53. Without a formal request from the ANC, DDOT notified residents on four blocks of Yuma Street that it planned to permit parking on both sides of the street (Yuma had had parking on one side only for many years to accommodate a discontinued WMATA bus route). A DDOT official admitted at an ANC meeting that the agency collected no data, conducted no analysis to show a need for the change proposed, and considered no alternative traffic calming modalities.

54. Roughly half the families on the four blocks argued there was a pressing safety need for parking on both sides, while the other half of the families argued as forcefully that there was no such safety need.

55. Lacking any objective data or government-supplied analysis, residents doubted (often openly) the veracity and motives of their neighbors on “the other side.” Relationships between friends and neighbors ended. There were numerous reports of threats and even active harassment.

56. In the end, lacking any data or analysis from the agency, and in the face of irreconcilable, passionately made claims by the residents, a majority of ANC 3E could not agree on a substantive decision (this almost never happens).

57. ANC 3E believes it likely that had the agency collected data, conducted analysis, and considered alternatives, the ANC would have been able to vote up or down, and the majority of residents on the affected streets would have made peace with the result. Instead, DDOT’s approach sowed widespread distrust and anger, and no positive change resulted.

58. DDOT’s new policy may metastasize the Yuma Street parking misadventure across the neighborhood.

NOW THEREFORE BE IT RESOLVED:

1. ANC 3E calls upon DDOT to suspend its new policy -- made without solicitation or consideration of input from ANCs and the broader public -- immediately and to provide a transparent public process to update the traffic calming policies that it has maintained for more than a decade. The agency should work with ANCs in particular to clarify the proper role for both DDOT and the ANCs in any future process.

2. Any new policy DDOT proposes should follow the best practices established by the federal government, including consideration of the full range of traffic calming modalities in all traffic calming decisions. DDOT’s own engineering manual states that speed bumps are generally ineffective at reducing speed, so, at a minimum, it does not make sense to put primary reliance on speed bumps.

3. We urge DDOT to emphasize systematic neighborhood studies over block-by-block decision making. We likewise urge DDOT to review recommendations it has made in existing studies and promptly to implement them unless subsequent events have rendered them unwise.

4. If DDOT remains committed after notice and comment to placing speed bumps on every eligible local street where it is feasible to do so, unless the local ANC objects, then DDOT should launch such a program at one time, not piecemeal, with comprehensive measures taken to address the negative effects on collector and arterial streets.

5. If DDOT nonetheless prefers to focus on *ad hoc* case by case decision making, then the agency should at least return to collection of traffic data and (at least some) consideration of spillover effects. The agency should likewise follow decades of best practices established by the federal government and consider traffic calming modalities from the full spectrum available, rather than defaulting to speedbumps.

6. If DDOT nonetheless insists upon maintaining its current policy and outsourcing to ANCs decisions that should be based on studies performed in the first instance by expert agencies, DDOT should work with the Council to provide a budget for ANCs to hire contractors to conduct traffic studies on their own.

The resolution passed by a vote of 4-0-0 at a properly noticed meeting held on September 9, 2021, at which a quorum was present, with Commissioners Bender, Cohen, McHugh, and Quinn in attendance.

ANC 3E

by Jonathan Bender
Chairperson

EXHIBIT 1

From: **Jones, Ellen (DDOT)** <ellen.jones1@dc.gov>
Date: Mon, Aug 9, 2021 at 6:15 PM
Subject: Speed Humps
To: jonbender@gmail.com <jonbender@gmail.com>
Cc: Raja, Wasim (DDOT) <wasim.raja@dc.gov>

Dear Commissioner Bender –

Thank you for your email and your interest in DDOT's traffic calming policy.

As Director Lott noted, DDOT will proceed with a more aggressive approach to addressing reports of speeding issues on local streets throughout the city in pursuit of our Vision Zero goal. You may be aware that reckless speeding and other risky driving behaviors contributed to a 7.2% increase in traffic fatalities across the nation in 2020 according to the National Highway Traffic Safety Administration¹, even as vehicle miles traveled reduced by over 13% due to the COVID-19 pandemic. The District of Columbia was no exception to this trend as the number of traffic fatalities increased from 27 in 2019 to 37 in 2020. The number of traffic fatalities in the District in 2021 is up by 32% as compared to this time last year.

It is clear from reviewing these crash reports that speed plays an unquestionable role in the vast majority of them. Therefore, in addition to numerous safety improvements being rolled out across the city as part of the Summer of Safety initiative, DDOT has reevaluated our approach to traffic calming on local roads and has begun implementing this new approach as of June 2021.

As you noted, DDOT's previous approach to traffic calming requests on local streets resulted in denial of improvements for a majority of such requests. Specifically, our previous approach required a traffic study in order to justify placement of speed humps on local roads, with guidance that required the 85th percentile speed to "substantially exceed the posted speed limit (guideline: by at least 25%)²." Such studies are both costly and time consuming, resulted in denial of most traffic calming requests, and contributed to very long Traffic Safety Investigation (TSI, formerly Traffic Safety Assessment, TSA) turnaround times.

Speed humps are widely recognized by FHWA, NACTO, ITE and other professional safety organizations as a low-cost, effective traffic calming tool to reduce traffic speeds. Hence, DDOT's policy moving forward for placement of speed humps on local streets will be based on an evaluation of eligibility criteria including roadway classification, roadway grade, speed limit, presence of a transit route, and potential use as a primary emergency access route. Note that DDOT will evaluate the feasibility of speed tables or speed cushions in cases where transit routes or emergency access routes are present. If a location passes these eligibility criteria, the location will be evaluated in the field for various geometric design criteria (e.g. sight distance, spacing from intersections, proximity to streetlights, drainage impacts) to determine feasibility from an engineering and design perspective.

Upon receipt of a TSI request and accompanying ANC endorsement, DDOT will initiate this eligibility and design evaluation. If a speed hump is eligible and feasible, DDOT will then notify the appropriate ANC of our intent to install speed humps and request an ANC resolution in support of the proposed action. If the ANC resolution is made in support, the speed humps will be installed. In the absence of an ANC resolution in support, the TSI request will be closed and the citizen will be notified that their traffic calming request cannot be implemented due to a lack of ANC support.

I hope you can appreciate the rationale for our new approach to traffic calming requests on local streets. While we understand the frustration that the previous process has caused in the past, we look forward to working with you and other ANCs across the city to more effectively deliver traffic calming enhancements to our residents.

1 - <https://www.nhtsa.gov/press-releases/2020-fatality-data-show-increased-traffic-fatalities-during-pandemic>

2 - https://ddot.dc.gov/sites/default/files/dc/sites/ddot/publication/attachments/Traffic%20Calming%20Petition_New%20Version%20.pdf

Thank you,
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