

Jack's March report

At the February meeting, the ANC:

- Endorsed the bill in Council providing local-election voting rights for noncitizen legal residents (my resolution);
- Endorsed a stipulated liquor license for the Mola Restaurant, soon to open (in the Radius Pizza location);
- Called for information from DDOT concerning the proposal to eliminate some bus stops on 16th Street;
- Considered, then tabled until the March meeting, a “statement of priorities” for the DC Comprehensive Plan, supporting affordable housing;
- Advised funding of an express bus service for 14th Street.

I noted in the February newsletter that the counts of robberies and burglaries in Mount Pleasant are substantially lower than in years past. But “lower” doesn't mean “zero”. A resident was the victim of **an assault and robbery on Lamont Street** at about 7 pm on February 23, by two youths, who then fled down 18th to Kilbourne. And, while our average burglary count is about 1.5 per month, there were **four burglaries in February**, in the space of five days.

Usually that means that somebody's decided that this neighborhood is a nice opportunity. Lock your doors! Personally, I think the dollar a day we spend for the security-system monitoring of our house is money well spent, if only for the peace of mind it confers. Security cameras, with visible warnings, are also a nice deterrent.

There are occasional complaints that workers at the Stoddard Baptist Home on Newton Street are using **visitor parking passes (VPPs) for commuter parking**. I've asked DDOT for some assistance in detecting improper use of these passes. They're issued only to households; so what households are the source of these passes? Is it plausible that a dozen Newton Street residents, all at once, have guests? Not likely.

It's illegal to buy or sell a visitor parking pass: “The forgery, counterfeiting, sale, exchange for value, or unauthorized use or replication of an annual visitor parking pass shall be punishable by a fine of three hundred dollars (\$300)”.

Newton Street has a terrible parking problem, even with Bancroft currently not in operation, and can't allow commuter parking. Furthermore, abuse of the VPPs could lead to termination of that system, which has been valuable for residents who have daytime household help or child care, provided by people coming from outside the neighborhood.

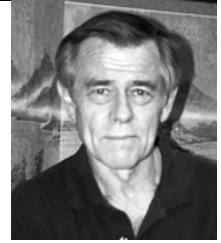
I mentioned in the February newsletter that **DDOT wants to double about ten moving-violation fines**. For example, “failure to come to a complete stop for a right turn on red” will cost a driver \$100, vs. the present \$50. The stated purpose of the increased fines is “to create a safer transportation infrastructure”, and to “help achieve the goal . . . of zero fatalities and serious injuries”. That is, it's supposed to be about enhanced safety, not about increasing District revenues.

Okay, but how effective is an increase in the fine in enhancing driver compliance, and thus traffic safety? The answer is, not very. What driver is going to calculate that a \$50 fine is tolerable, but a \$100 fine is too much, so he's now going to change his ways and begin coming “to a complete

ANC 1D03 NEWSLETTER #168

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stop” before turning right on red? In practice, the likelihood of being ticketed for the violation is so small that the size of the fine is, as a deterrent, irrelevant.

DDOT Director Leif Dormsjo disagrees, asserting, at a Council committee meeting on March 3, that NHTSA – the Feds – support the notion that increasing a fine leads to increased driver compliance. Well, no, NHTSA does not agree with that, writing that “Evidence is mixed about effectiveness of varying severity of penalties”. The “penalty” method of enhancing compliance is summarized so: “Effectiveness still undetermined; different methods of implementing this countermeasure produce different results”. That's hardly “support” for the Director's claim.

I testified at this hearing (for myself, not for the ANC), arguing that there should be some cost vs. benefit analysis to support these increased fines. And if the increased fines yield little gain in driver compliance and traffic safety, but at the expense of substantial dollars from the driving public, then this cannot be good public policy. Councilmember Choh agreed with that, but Director Dormsjo rejected her request for any such analysis by complaining that analysis would require “exhaustive” research.

No, it wouldn't. Director Dormsjo just doesn't want to try to figure out, or even guess, how much compliance improvement might follow from a doubling of a fine. He just wants to double traffic fines for show, to be able to claim that he's doing something about traffic injuries and fatalities.

I am not impressed. I think he can, and should, do much better. For that matter, he ought to be worrying about the true causes of serious traffic collisions: drunk driving, distracted driving, and drowsy driving. The DDOT rulemaking deals with none of those, merely jacking up some moving-violation fines, as if that's effective traffic safety policy.

Actual research shows that sharply increased fines for speeding, in a test case in Sweden, yielded no reduction in speeding. As the NHTSA work says, “for penalties to be effective, perceived risk of getting caught must be high”. But the “perceived risk” of getting ticketed for minor moving violations is close to zero. And that's why these increases in moving-violation fines will yield no public safety benefit.

The District Council isn't giving up on this, and the public “comment period” for the proposed DDOT rulemaking has been extended again, now to April 10.

Councilmember Kenyan McDuffie has introduced legislation in Council that would **impose regulations on the “Airbnb”**

– **bed and breakfast** – operations in the District. A surprising (to me) number of Mount Pleasant residents offer rooms for rent via Airbnb; the website lists 177 such rooms available here.

CM McDuffie's argument is that such rentals take rental housing off the regular market, and decrease the supply of affordable housing. McDuffie writes that “the new short-term rental license category limits hosts to short-term renting only their own primary residence. This requirement . . . will effectively end commercial short-term rental operations that deplete housing and harm neighborhoods.”

I think the bill is legislative overkill, an attempt to force residents offering short-term rentals to change their rental units to long-term rentals. I've asked if these short-term rentals are a bother to any Mount Pleasant residents, and have heard very few complaints. On the contrary, they're hardly noticed, and some homeowners depend on that rental income to be able to afford their homes.

As for depleting the supply of long-term rentals, there are hundreds of basement apartments here in Mount Pleasant, as well as a number of modest apartment houses, and of course the eastern side of the neighborhood consists of some very large apartment houses. Of the approximately 5000 households in Mount Pleasant, some 3000 are renters, not owners. Clearly the 177 or so short-term rentals are a small factor in the overall rental market in Mount Pleasant, and high rents cannot be attributed to their being kept off the long-term rental market. Councilmember McDuffie's concerns are simply not valid here, and I'll do what I can, through the ANC, to head off, or fix, this troublesome bill.

Bancroft Elementary will host its 5th Annual Art Auction on Thursday, March 23rd, 6-9 pm at the All Souls Unitarian Church in Columbia Heights.

Bad news about the work on the portion of **Beach Drive** that is closed for reconstruction: the work is going more slowly than anticipated, and the road will remain closed this summer, through August, at the least.

Better news on the **Klingles Valley Trail**, now expected to be completed in June. This will be a marvelous place for Mount Pleasant residents to bike and hike, through the quiet woods far below Connecticut Avenue, far from any traffic.

There's a long history of bitter controversy behind this project. Klingles Road, from Porter Street to Courtland Place, up in Woodley Park, used to be a favorite cut-through for residents of Mount Pleasant and Crestwood. It was especially popular among the many residents who ferried their children to schools west of Rock Creek Park. Klingles Road, passing underneath Connecticut Avenue, bypassed the westbound traffic backups on Porter Street, crossing Connecticut.

But maintenance of the road was expensive for DDOT, because the topography, and inadequate storm drainage, led to frequent damage to the pavement. In 1991, after heavy rainstorm damage, the road was closed, and DDOT decided to leave it closed.

Well, did that set off a titanic battle! On the one side were the residents who used the road as their favorite traffic-bypassing

route west. On the other side were residents who, led by the Sierra Club of DC, advocated quiet and traffic-free parkland in the city.

The battle raged for years, as well-organized residents demanded that the automobile road be repaired and re-opened, while DDOT refused to do anything, leaving the road an impassable mess. Eventually, in 2003 – 12 years after the road closure! – the road advocates won, the District Council passing a measure requiring that the road be rebuilt, to be re-opened to automobile traffic by 2007.

And yet, nothing happened. Federal funding required an Environmental Impact Study, and that study somehow never passed review by the Federal Government. In 2008, five years after the measure by the Council calling for the restoration of the automobile road, then-Mayor Adrian Fenty proposed that the road be rebuilt with only DC funds, to bypass the EIS. Councilmember Mary Cheh opposed that provision and got it removed from the District's funding bill. Councilmember Jim Graham then attempted to restore Fenty's full-funding provision, but lost in the Council, by a 10 to 3 vote. Councilmembers weren't interested in spending millions of DC dollars for a three-quarter-mile road that would serve only a number of residents of Wards One (Mount Pleasant) and Four (Crestwood).

In 2011, an Environmental Assessment approved the concept of a bicycle and pedestrian trail in place of the automobile road. Still, the battle continued. I found myself in a fight in 2011 with a Crestwood ANC commissioner who insisted that Ward Four incorporate uninhabited parkland along Beach Drive from Piney Branch Parkway to Klingles Road, simply so that she could claim standing to continue to fight for the automobile road. (She won that battle, the Council giving Ward Four the vacant parkland she wanted.)

A number of Crestwood residents, led by that Ward Four ANC commissioner, then took the District Government to Federal Court to oppose what was now to be the Klingles Valley Trail. Early in 2012, that suit was rejected by the court, and, finally, the District was able to proceed with the trail.

That was a battle *21 years in duration*: the popular road through Rock Creek Park for automobiles, versus a trail for bicyclist and pedestrian use of traffic-free Klingles Valley. The road advocates won the political battle in the District, but stubborn, behind-the-scenes resistance by the Federal Government – the National Park Service, I presume – prevailed. Right or wrong, it will be a bike/hike nature trail.

The eastern end of the trail can be reached by following Klingles Road in Mount Pleasant west, over Beach Drive, exiting right as if going to Beach Drive, but immediately taking the left to what is the continuation of Klingles Road into Rock Creek Park.

The District, and Montgomery County, are currently in a state of “moderate” to “severe” **drought**. It's hard to tell, this time of year, but we need some rain.

The next meeting of the ANC will be on <u>Tuesday, March 21</u> , 7:00 pm, at the Mount Pleasant Library.
