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2 Councilmember Jack Evans

Chairman Phil Mendelson

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5 A BILL
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10 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
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15 To authorize, on an emergency basis, the Mayor and the Council to make appointments to the
16 Board of Directors for the Washington Metrorail Safety Commission, to grant the Mayor
17 the authority to remove any Member or Alternate Member for misconduct or neglect of
18 duty, or for other good cause; to make a conforming amendment to the Confirmation Act
19 of 1978; to repeal the Washington Metropolitan Area Transit Authority Safety Regulation
20 Act of 1997; and to repeal the Washington Metrorail Safety Commission Board of
21 Directors Appointment Temporary Amendment Act of 2017.
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23 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
24 act may be cited as the “Washington Metrorail Safety Commission Board of Directors
25 Appointment Emergency Amendment Act of 2018”.

26 Sec. 2. Authority to appoint Members of the Board of Directors of the Washington
27 Metrorail Safety Commission.

28 (a) Pursuant to Article III.B of section 2 of the Washington Metrorail Safety Commission
29 Establishment Act of 2016, effective April 7, 2017 (D.C. Law 21-250; D.C. Official Code 9-
30 1109.11), the District of Columbia shall appoint Members of the Board of Directors of the
31 Washington Metrorail Safety Commission as follows:

32 (1)(A) The Mayor shall appoint or reappoint (including to fill an unexpired term)
33 one Member and one Alternate Member, each of whom shall be subject to confirmation by the
34 Council pursuant to section 2(e) of the Confirmation Act of 1978, effective March 3, 1979 (D.C.
35 Law 2-142; D.C. Official Code § 1-523.01(e)).

36 (B) The Member initially appointed by the Mayor shall serve a 2-year
37 term. The Alternate Member initially appointed by the Mayor shall serve a 3-year term.

38 (2)(A) The Council shall appoint or reappoint one Member (including to fill an
39 unexpired term).

40 (B) The Member initially appointed by the Council shall serve a 4-year
41 term.

42 (C) The Council shall not instruct its appointee as to the position to take
43 on a particular matter or otherwise direct its appointee in the performance of his or her duties.

44 (3) The term of each initial appointment shall not commence until the date by
45 which each of the Mayor's 2 appointees has been confirmed by the Council and the Council's
46 appointment has become effective by publication in the District of Columbia Register.

47 (b) The Mayor may remove or suspend any Member or Alternate Member of the Board
48 for misconduct or neglect of duty, or for other good cause, after notice to the Member or
49 Alternate Member of the Board and the Board.

50 Sec. 3. Section 2(e) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law
51 2-142; D.C. Official Code § 1-523.01(e)), is amended as follows:

52 (a) Paragraph (31) is amended by striking the phrase “; and” and inserting a semicolon in
53 its place.

54 (b) Paragraph (32) is amended by striking the period at the end and inserting the phrase “;
55 and” in its place.

56 (c) A new paragraph (33) is added to read as follows:

57 “(33) The Board of Directors of the Washington Metrorail Safety Commission
58 established by Article III.B of section 2 of the Washington Metrorail Safety Commission

59 Establishment Act of 2016, effective April 7, 2017 (D.C. Law 21-250; D.C. Official Code 9-
60 1109.11).”.

61 Sec. 4. The Washington Metropolitan Area Transit Authority Safety Regulation Act of
62 1997, effective September 23, 1997 (D.C. Law 12-20; D.C. Official Code § 9-1109.01 *et seq.*) is
63 repealed.

64 Sec. 5. The Washington Metrorail Safety Commission Board of Directors Appointment
65 Temporary Amendment Act of 2017, enacted on November 29, 2017 (D.C. Act 22-189; 64 DCR
66 12310) is repealed.

67 Sec. 6. Applicability.

68 Section 4 of this Act shall apply upon certification pursuant to 49 U.S.C. § 5329(e)(7)
69 and 49 C.F.R. Part 674 by the Federal Transit Administration of the Washington Metrorail
70 Safety Commission as the State Safety Oversight agency.

71 Sec. 7. Fiscal impact statement.

72 The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact
73 statement required by section 4a of the General Legislative Procedures Act of 1975, approved
74 October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

75 Sec. 8. Effective date.

76 This act shall take effect following approval by the Mayor (or in the event of veto by the
77 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than
78 90 days, as provided for emergency acts of the Council of the District of Columbia in section
79 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
80 D.C. Official Code § 1-204.12(a)).

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