

COUNCIL OF THE DISTRICT OF COLUMBIA

COMMITTEE ON
TRANSPORTATION & THE ENVIRONMENT

MARY M. CHEH, CHAIR

**Rules of Organization
and Procedure**

for

Council Period 23

**Councilmember Mary M. Cheh, Chairperson
January 17, 2019**

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ARTICLE I - DEFINITIONS

Sec. 101. Definitions.

Except as otherwise provided by these rules, the definitions contained in section 101 of the Rules of Organization and Procedure for the Council of the District of Columbia, Council Period 23, are incorporated by reference.

For purposes of these rules, the term:

- (1) “Chairperson” means the Chairperson of the Committee on Transportation and the Environment.
- (2) “Committee” means the Committee on Transportation and the Environment.
- (3) “Council Rules” means the Rules of Organization and Procedure for the Council of the District of Columbia, Council Period 23.
- (4) “Member” means a member of the Committee on Transportation and the Environment.
- (5) “Quorum” means 3 Members, except as provided in section 601(d).
- (6) “Rules” means the Rules of Organization and Procedure for the Committee on Transportation and the Environment for Council Period 23.
- (7) “Testimony” means an oral or written statement submitted to the Committee on Transportation and the Environment with knowledge or intent that it will be added to the record.
- (8) “Witness” means a person who shall appear or is appearing before the Committee on Transportation and the Environment whether voluntarily or by mandatory process.

ARTICLE II - COMMITTEE OVERSIGHT RESPONSIBILITIES

Sec. 201. Matters Under the Purview of the Committee.

The Committee on Transportation and the Environment is responsible for matters relating to environmental protection; highways, bridges, traffic, vehicles, and other transportation issues; maintenance of public spaces; recycling; waste management; and water supply and wastewater treatment.

Sec. 202. Agencies Under the Purview of the Committee.

The following agencies are within the purview of the Committee on Transportation and the Environment:

- Commission on Climate Change and Resiliency
- Department of Energy and Environment
- Department of Motor Vehicles
- Department of Public Works
- District Department of Transportation
- District of Columbia Bicycle Advisory Council
- District of Columbia Water and Sewer Authority
- Food Policy Council
- Gas Station Advisory Board
- Green Buildings Advisory Council
- Green Finance Authority
- Leadership Council for a Cleaner Anacostia River
- Major Crash Review Task Force
- Multimodal Accessibility Advisory Council
- Public Space Committee
- Pedestrian Advisory Council
- Recreational Trails Advisory Committee
- Soil and Water Conservation District
- Streetcar Financing and Governance Task Force
- Sustainable Energy Utility Advisory Board
- Transit Rider Advisory Council
- Urban Forestry Advisory Council
- Washington Aqueduct

ARTICLE III - ORGANIZATION OF THE COMMITTEE

Sec. 301. Chairperson.

The Chairperson shall be the presiding officer of the Committee. The Chairperson may designate a Member to act as temporary Chairperson when she is absent or recuses herself from certain items before the Committee.

Sec. 302. Committee Staff.

(a) Committee Director. The Chairperson shall appoint a Committee Director with the approval of the Committee, pursuant to section 406 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978 (D.C. Official Code § 1-604.06). The Committee Director shall be the secretary and chief administrative officer of the Committee, shall keep records of meetings and Committee business, and shall perform other administrative, legislative, and policy functions assigned by these rules or the Chairperson.

(b) Legislative Counsel. The Chairperson shall appoint one or more Legislative Counsels with the approval of the Committee, pursuant to section 406 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978 (D.C. Official Code § 1-604.06). The Legislative Counsels shall provide legal advice to the Committee, working in collaboration with the Office of the General Counsel, and shall perform other administrative, legislative, and policy functions assigned by the Chairperson or the Committee Director.

(c) Additional Staff. The Chairperson shall appoint additional staff with the approval of the Committee, pursuant to section 406 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978 (D.C. Official Code § 1-604.06). The additional staff shall perform administrative, legislative, and policy duties that shall be assigned by the Chairperson, the Committee Director, or the Committee Counsel.

(d) Additional Resource Persons. Additional persons may be retained by the Committee staff with the approval of the Chairperson.

(e) Staff Assignments, Removals, and Remuneration. Committee staff assignments, removals, and remuneration shall be determined by the Chairperson.

ARTICLE IV - COMMITTEE MEETINGS

Sec. 401. Quorum.

A majority of the Members constitutes a quorum for the convening of a Committee meeting and for the transaction of business, except that a lesser number may hold hearings as provided in Section 601.

Sec. 402. Regular Meetings.

(a) Time. Regular meetings of the Committee shall be held at 11:00 a.m. on the second Monday of the months of February, April, October, and November, except during periods of recess of the Council and legal holidays. The Chairperson shall circulate a notice of the date, hour, and place of all Committee meetings to all members of the Council at least 24 hours prior to the scheduled meeting, along with a copy of the agenda of the meeting, unless at least 3 Members agree, in a written record, to a shorter notice. The Chairperson shall circulate a draft of any measures to be considered at the scheduled meeting to all members of the Council at least 24 prior to the scheduled meeting, unless at least 3 Members agree, in a written record, to a shorter notice.

(b) Place. Regular meetings of the Committee shall be held in Room 120 or 123 in the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, DC, 20004, unless another place is designated by the Chairperson.

(c) Recess and Rescheduling. If a majority of the Committee is present at a regular meeting, the Chairperson may, without a vote, recess any regular meeting then in progress to another time, day, and place. The Chairperson may reschedule any future regular meeting, provided that each Member is notified in writing or by electronic mail.

(d) Cancellation. The Chairperson may cancel a future regularly scheduled meeting, provided that each member of the Council is notified in writing or by electronic mail at least 24 hours in advance.

(e) Agenda. The Committee staff shall prepare the agenda at the direction of the Chairperson. The agenda for all meetings, except special meetings called by a majority of the Members, shall be set by the Chairperson. The Chairperson may propose a consent agenda.

Sec. 403. Special and Additional Meetings.

(a) Additional Meetings.

(1) The Chairperson may call additional meetings.

(2) Whenever an additional meeting is called, the Committee staff shall notify each Member in writing or by electronic mail at least 24 hours prior to the additional meeting, unless at least 3 Members agree, in a written record, to a shorter notice. The notice shall state the date, hour, and place of the meeting, and include a copy of the agenda of the meeting. At least 24 hours prior to the meeting, the Chairperson shall circulate a draft of any measures to be considered, unless at least 3 Members agree, in a written record, to a shorter notice.

(3) If a majority of the Committee is present at an additional meeting, the Chairperson may, without a vote, recess any additional meeting then in progress to another time, day, and place.

(4) The Chairperson may cancel an additional meeting, provided that each member of the Committee is notified in writing or by electronic mail.

(b) Special Meetings.

(1) Special meetings may be called by filing a written request with the Committee Director for a special meeting signed by no fewer than 3 Members. The Committee Director shall notify the Chairperson and the other Members of the filing of the request.

(2) The Chairperson shall call the special meeting within 72 hours of the written request and shall specify the date, hour, place, and agenda of the meeting.

(3) If the Chairperson does not call the requested meeting, a majority of the Members may file a written notice with the Committee Director that a special meeting will be held, specifying the date, hour, place, and agenda for the meeting.

(4) Whenever a special meeting is called, the Committee staff shall notify each Member in writing or by electronic mail, at least 24 hours before the special meeting. The notice shall state the date, hour, and place of the meeting. A copy of the agenda of the meeting and draft of any measures to be considered shall be circulated at that time.

(5) No matters shall be considered at any special meeting except those stated in the written or electronically-mailed request and notification.

(6) Any written material relating to the agenda items shall be made available to the Members by the close of business of the working day prior to the meeting.

(7) The Chairperson may cancel a special meeting, provided that each member of the Committee is notified in writing or by electronic mail at least 12 hours prior to the scheduled meeting, unless the circumstances necessitating the cancellation preclude the provision of such notice. If the circumstances preclude the provision of notice 12 hours prior to the scheduled meeting, the Chairperson shall provide written notice of the cancellation to each member of the Committee at the earliest possible time prior to the scheduled meeting, but no later than 2 hours prior to the scheduled meeting.

Sec. 404. Procedures for Meetings.

(a) Order of Business for Meetings. Subject to subsection (c), the Committee shall conduct business for meetings of the Committee in the following order:

- (1) Call to order;
- (2) Determination by the Chairperson of the presence of a quorum;
- (3) Consideration of proposed reports on and markup of pending measures assigned to the Committee under section 405 of the Council Rules;
- (4) Other business, if applicable; and
- (5) Adjournment.

(b) Proceeding Out of Order. The Chairperson or presiding Member may, without objection or upon the vote of a majority of the Members present and voting, take up any item of business out of order.

(c) Recognition of Non-Committee Members. The Chairperson or presiding Member may recognize an individual when the participation of the individual would, in the judgment of the Chairperson or presiding Member, enhance the understanding of the matter under consideration by the Committee.

Sec. 405. Records of Meetings.

The Committee staff shall keep records of Committee meetings. The records shall consist of a description of all Committee action and a description of each amendment, motion, order, or other proposition on which a roll-call vote

was taken; the name of each Member voting for and against the amendment, motion, order or proposition; and the names of those Members present but not voting. Records of Committee meetings shall be made available for public inspection. Records kept pursuant to this section shall be in addition to the transcription of meetings and hearings required by the Council Rules.

Sec. 406. Decorum of Members.

(a) Members shall not engage in private discourse or commit any other act tending to distract the attention of the Committee from the business before it.

(b) In debate, a Member must proceed in a civil and respectful manner, confine remarks to the question at hand, and avoid personalities.

Sec. 407. Oral Amendments.

(a) If an amendment is orally moved during a Committee meeting, it shall, upon request by a Member, be reduced to writing and read by the Committee staff and made available for public inspection as soon as possible.

(b) At the discretion of the Chairperson, a fiscal impact statement issued by the Council Budget Office shall be made available at the markup by a Member offering an oral or written amendment on a measure.

ARTICLE V - REVIEW OF AND REPORTS ON PROPOSED LEGISLATION

Sec. 501. Approval of Measures.

The Committee may not report out a measure or recommendation on a matter assigned to the Committee unless a majority of the Members was actually present at the time of approval by the Committee.

Sec. 502. Reports on Bills and Proposed Resolutions.

(a) Draft Reports. Each bill or resolution shall be accompanied by a draft report when it is considered by the Committee.

(b) Contents of Reports. Each adopted report on a bill or proposed resolution assigned to the Committee shall be signed by the Chairperson, accompanied by the final bill or resolution, and include all requirements in section 803(d) of the Council Rules:

(c) Date of Report. The date of the Committee markup shall be the date of the report.

Sec. 503. Supplemental, Minority, and Additional Views.

If, at the time of approval of any measure by the Committee, any Member of the Committee gives notice of intent to file supplemental, minority, or additional views, that Member shall have not less than 5 days (excluding Saturdays, Sundays, and legal holidays) in which to file his or her views in writing. Such views shall be filed with the Committee Director and shall be added as an addendum to the report and filed with the Office of the Secretary.

ARTICLE VI - HEARINGS

Sec. 601. Hearing Procedures.

(a) Calling.

(1) The Committee shall hold a hearing on a permanent bill before approving the bill. A hearing is not required if a hearing on the same or a similar bill was held in the previous Council Period.

(2) The Committee may hold a hearing or roundtable before passage of a proposed resolution.

(3) The Committee may hold an oversight hearing or a roundtable on any matter relating to the affairs of the District that is properly within the Committee's jurisdiction as provided in the Council Rules.

(b) Notice. Written notice of Committee hearings shall be given in the manner provided for in section 701.

(c) Open Hearing. Each hearing shall be open to the public unless a majority of the Committee publicly agrees that the hearing should be closed.

(d) Quorum. One Member constitutes a quorum for the taking of testimony at a hearing.

(e) Questioning of Witnesses.

(1) Each Member and participating non-Committee member shall have not more than 10 minutes at a time for the questioning of a witness before the Committee, unless the Chairperson permits a greater period of time. Questioning shall proceed in the order that Members arrived, followed by non-Committee members.

(2) A witness may be questioned, with the consent of the Chairperson or presiding Member, by Committee or authorized Council staff or by counsel advising the Committee.

(f) Hearing Decorum.

(1) No witness may address a Member except through the Chairperson or presiding Member, except when responding to a direct question of a Member.

(2) A witness shall confine his or her remarks to the question under discussion, proceed in a civil and respectful manner, and avoid making negative personal comments.

(3) The Chairperson or presiding Member shall maintain order during the meeting and if, in his or her opinion, the removal of any member of the public is necessary to maintain order, the Chairperson or presiding Member may order the removal of any disorderly person.

(g) Recess. A hearing may be recessed at any time by the Chairperson or presiding Member.

Sec. 602. Witnesses.

(a) Right to Counsel. Any witness who appears before the Committee has the right to be represented by counsel.

(b) Right to Make Opening Statement.

(1) Any witness who testifies at a hearing of the Committee may submit an opening statement that shall be placed in the record of the hearing. The Chairperson or presiding Member may permit a witness to read the statement at the hearing.

(2) A witness appearing on his or her own behalf shall be afforded at least 3 minutes to make an opening statement.

(3) A witness appearing on behalf of a bona fide organization shall be afforded at least 5 minutes to make an opening statement; provided, that only one witness may appear on behalf of an organization per hearing or roundtable.

(4) A witness representing the executive branch of the District of Columbia government shall be afforded unlimited time to make an opening statement.

(5) The Chairperson or presiding Member may afford more or less time to a witness in the interest of efficiency, fairness, or sound administration of the hearing.

Sec. 603. Testimony Under Oath.

The Chairperson or presiding Member may require a witness to provide his or her testimony under oath or affirmation.

Sec. 604. Questions for the Record.

The Chairperson may request documents from a witness to further develop the record after a hearing or roundtable.

Sec. 605. Executive Session.

(a) Executive sessions shall be limited and undertaken only when necessitated by extraordinary circumstances as provided in this section.

(b) Except in an emergency involving security or threats against District residents, resources, or facilities, an executive session may be considered only after the Committee has:

(1) Given public notice;

(2) Listed the person, persons, or agencies that has requested the executive session, if any; and

(3) Described the reasons for which the executive session has been deemed necessary.

(c) Only after the Chairperson has identified the reasons for holding the executive session and upon the vote of a majority of the Members shall the Committee hold an executive session during a meeting, at which time persons who are not members of the Council may be excluded by the Chairperson.

(d) Under no circumstances shall an executive session be authorized or held for the purpose of taking any final action or making any final decision, and during an executive session, no votes or official action may be taken.

ARTICLE VII - NOTICE PROVISION

Sec. 701. Notice.

If there is no specific requirement for the giving of notice of any Committee action, meeting, or hearing, notice may be given by one of the following methods:

- (a) Posting in prominent places in the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., or other public buildings or public posting places;
- (b) Publication in the *District of Columbia Register*;
- (c) Mailing notice to an established mailing list of organizations and individuals maintained by the Secretary of the Council;
- (d) Use of other news media;
- (e) Electronic mail; or
- (f) Any other manner the Committee considers appropriate.

ARTICLE VIII - RULES

Sec. 801. Rules of the Council.

The following Rules of the Council are and shall be considered rules of the Committee and, except where the context dictates to the contrary, the term “Council” means “Committee,” the term “Member” or “Member of the Council” means “Member of the Committee,” the term “Chairman” means “Chairperson of the Committee,” and the term “Secretary” means “Committee Clerk or other Committee staff”: 101 (Definitions); 202 (Code of official conduct); 304 (Quorum); 305 (Hearing the Mayor); 321 (Decorum of Members); 322 (Decorum of Members of the Public); 331 (Obtaining the Floor); 332 (Time Limits for Debate); 333 (Personal Privilege); 334 (Points of Order); 335 (Appeal); 337 (Recognition of NonMembers); 341 (Motions Recognized During Debate); 342 (Withdrawal or Modification of Motions); 345 (Reconsideration); 362 (Voice Votes); 363 (Demand for Roll Call Vote); 365 (Records of Votes); 367 (Proxy Voting Prohibited); 371 (Open Meetings, Generally); 418 (Effect of End of Council Period); 601 (Resolution Authorizing the Use of Subpoenas in an Investigation); 604 (Testimony Under Oath); 605 (Issuing the Oath); 606 (Depositions); 611 (Issuance of Subpoenas); 612 (Report to Secretary Regarding Use of Subpoena); 613 (Service of Subpoenas); 614 (Enforcement of Subpoenas); 621 (Right to Assert Privileges); 622 (Notification of Rights); 623 (Right to Transcript); 624 (Rights of Persons Who are Subjects of Investigations); 801 (Responsibility for Records); 803 (Reports on Legislation); 1001 (Parliamentary Authority); 1002 (Gender Rule of Construction); and 1003 (Suspension of Rules). Whenever there is inconsistency between these rules and the Council Period 23 Rules, the Council Rules shall govern.

Sec. 802. Amendment.

These rules may be amended by a majority of the Committee at any Committee meeting. Notice of the proposed amendment shall be in writing, signed by the proposing Member, and circulated to each Member at least 5 days prior to the meeting at which the proposed amendment is to be considered, unless the notice is waived by each Member to whom it is not given.

Sec. 803. Filing with the Council Secretary.

Upon the adoption of these rules or any future amendments, the Committee staff shall file a copy of the final rules or amendments with the Secretary of the Council.

Sec. 804. Effective Period.

These Rules will be effective until superseded by Rules of Organization and Procedure for the Committee on Transportation and the Environment adopted in a succeeding Council Period, unless modified by a majority of the Committee Members during Council Period 23.