


OFFICE OF
MARY M. CHEH

Councilmember, Ward 3 | Chair, Committee on Transportation & the Environment

MEMORANDUM

TO: Chairman Phil Mendelson
FROM: Councilmember Mary M. Cheh 
DATE: September 30, 2020
SUBJECT: Requests for the October 6, 2020 Additional Legislative Meeting

I request a waiver of Council Rule 231(c) to agendize the following measures for the Additional Legislative Meeting on October 6, 2020. These measures were marked up by the Committee on Transportation and the Environment on September 21, 2020, and have been filed with the Office of the Secretary:

- B23-359, the Shared Fleet Devices Amendment Act of 2020

On September, 21, 2020, the Committee on Transportation and the Environment approved B23-359, the Shared Fleet Devices Amendment Act of 2020. This legislation would provide DDOT with the authority to manage scooter, e-bike, and bike rentals in the public space. The legislation creates a new definition for scooters, codifies existing rules for these devices, adds additional rules for the companies operating these devices in the public space, and adds some new safety rules for riders. Notably, the legislation requires that these devices be locked-to something when not in use, which San Francisco, Minneapolis, and Chicago all currently require.

The legislation also clarifies that DDOT has the authority to fine operators and revoke permits for operators who do not follow the law or agency regulations; and codifies that it is the company's job to reposition mis-parked devices or face a fine. The bill would cap the number of scooters that may be permitted in the District over the next three years at 20,000. In addition, the bill prohibits permitted operators from deploying scooters within 300 feet of an elementary, middle school, or senior wellness center.

I am also requesting that the following emergency measures be agendized for the October 6th Additional Legislative Meeting:

- Commercial Insurance Claim Tolling Congressional Review Emergency Declaration Resolution of 2020

- Commercial Insurance Claim Tolling Congressional Review Emergency Act of 2020

On July 7th, the Council passed the Commercial Insurance Claim Tolling Emergency Act of 2020; that emergency legislation will expire on October 24, 2020. On July 7, 2020, the Council passed the Commercial Insurance Claim Tolling Temporary Act of 2020, which is undergoing congressional review and is projected to take effect November 16, 2020. This emergency legislation is necessary to prevent a gap in the law between the expiration of the emergency act and the effective date of the temporary act.

The emergency legislation would toll all commercial insurance policy deadlines, as they relate to claims or appeals of decisions related to business interruption losses, for the length of the public emergency plus 90 days. This will ensure that arbitrary deadlines do not prohibit the District's struggling businesses from filing or appealing claims for losses due to business interruption. Tolling of these deadlines will not affect whether a business loss qualifies for compensation under a given policy; rather, this legislation will extend the time period for businesses to review their policies, file any claims, and meet requirements to appeal any claim denials.

Draft copies of the emergency legislation are attached. Please contact Michael Porcello in my office at 724-8062 or mporcello@dccouncil.us if you have any questions.