


**COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE OF THE WHOLE**

1350 Pennsylvania Avenue, NW
Washington, DC 20004

MEMORANDUM

TO: Nyasha Smith, Secretary to the Council

FROM: Phil Mendelson, Chairman 

DATE: February 24, 2022

RE: **Request to Place Measure on the Agenda for March 1, 2022 Legislative Meeting**

Please place the following measures on the agenda for the March 1, 2022 Legislative Meeting:

- **Board of Directors of the Washington Metrorail Safety Commission Christopher A. Hart Reappointment Emergency Declaration Resolution of 2022**
- **Board of Directors of the Washington Metrorail Safety Commission Christopher A. Hart Reappointment Emergency Resolution of 2022**

This resolution would reappoint Christopher A. Hart to a four-year term on the Board of Directors of the Washington Metrorail Safety Commission (WMSC) to end on February 8, 2026. Mr. Hart was first appointed to the WMSC Board of the Directors in 2018. He has served as the Chair of the Board since his initial appointment. Mr. Hart has led the WMSC through several key milestone activities, including obtaining formal approval from the Federal Transit Administration (FTA) in 2019 to begin oversight of the safety of the WMATA system in and the WMSC's response to the serious safety issues affecting WMATA's 7000 series rail cars.

Mr. Hart has extensive experience working on transportation and transportation safety issues in both the public and private sectors. He served as an attorney for the Air Transport Association of America, as an associate attorney for the law firms Peabody, Rivlin, Lambert, & Meyers and Dickstein, Shapiro & Morin, and as a managing partner for the law firm Hart & Chavers. He also served as the Deputy Administrator of the National Highway Traffic Administration and Assistant Administrator for System Safety and Deputy Director of the Air Traffic Safety Oversight Service at the Federal Aviation Administration. Mr. Hart served two terms as a member of the National Transportation Safety Board from 1990 to 1993 and 2009 to January 2018. He served as chairman of the NTSB from 2014 to 2017. Mr. Hart earned a Bachelor of Science in Engineering and a Master of Science in Engineering from Princeton University and a Juris Doctor from Harvard Law School.

WMSC's bylaws state that "The Board shall elect its officers biennially to each serve a two (2)-year term commencing on a date the Board shall specify. *An officer's term may not supersede the overall term limit of the Board member serving in that office.*" WMSC interprets the provision noted previously to mean that any Board member who would be elected as an

officer must be serving a current term. Under this interpretation, Mr. Hart, whose previous term expired on February 8, 2022, would be ineligible to serve as an officer, thereby precipitating the need for emergency action.

Copies of the measures are attached. Please call me or Christian Washington, Special Counsel, if you have any questions at (202) 724-8083.

cc: Members, Council of the District of Columbia
Council Officers