

AN ACT

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the District of Columbia Comprehensive Bicycle Transportation and Safety Act of 1984 to establish a voluntary system of bicycle registration designed to utilize the National Bike Registry to track and locate stolen bicycles, to authorize the Mayor to supplement or replace the National Bike Registry with another voluntary bicycle registry, to require the Metropolitan Police Department to check the identification number of any recovered bicycle against the National Bike Registry and against any bicycle registry established by the Mayor, to require persons regularly engaged in the business of selling bicycles to inform purchasers how to voluntarily register their bicycles, and to require a lessor of bicycles to provide detailed information regarding the terms of any bicycle rental; to amend the District of Columbia Theft and White Collar Crimes Act of 1982 to make it a criminal offense to knowingly remove, obliterate, tamper with, or alter a bicycle identification number; and to amend Title 18 of the District of Columbia Municipal Regulations to eliminate mandatory bicycle registration provisions.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Bicycle Registration Reform Amendment Act of 2008".

Sec. 2. The District of Columbia Comprehensive Bicycle Transportation and Safety Act of 1984, effective March 16, 1985 (D.C. Law 5-179; D.C. Official Code § 50-1601 *et seq.*), is amended as follows:

(a) Designate the existing text as "TITLE I. BICYCLE SAFETY."

(b) Section 10 (D.C. Official Code § 50-1609) is amended by adding new paragraphs (1A) and (1B) to read as follows:

Amend
§ 50-1609

"(1A) "Identification number" means a numbered stamp, sticker, or other label or plate issued for a bicycle for the purpose of identifying the bicycle as having been registered, including any sticker or label provided by the National Bike Registry or a registry established by the Mayor for the purpose of bicycle registration. The term "identification number" shall also include a serial number that is originally inscribed or affixed by the manufacturer to a

bicycle frame or a bicycle part for the purpose of identification.

“(1B) “National Bike Registry” means the nationwide computer database for the registration of bicycles that is an official licensee of the National Crime Prevention Council and is accessible at www.nationalbikeregistry.com or at 1-800-848-BIKE.”.

(c) A new Title II is added to read as follows:

“TITLE II.

“BICYCLE REGISTRATION; RENTAL RATE INFORMATION.

“Sec. 201. Bicycle registration.

“(a)(1) No person shall be required to register a bicycle in the District of Columbia.

“(2) A person wishing to register a bicycle to permit the Metropolitan Police Department to track or locate the bicycle if it becomes lost or stolen may do so through the National Bike Registry or a District bicycle registry established by the Mayor in accordance with this section.

“(b)(1) The Mayor may establish, through rulemaking, another bicycle registry to serve as a supplement to or replacement for the National Bike Registry.

“(2) Any bicycle registry established by the Mayor shall be web-based and easily utilized by any bicycle purchaser or owner, or law enforcement official.

“(c)(1) Except as provided in paragraph (2) of this subsection, the Metropolitan Police Department shall check the identification number of any bicycle recovered by the Metropolitan Police Department against the National Bike Registry and any other bicycle registry established by the Mayor, and shall notify the registered owner of a recovered bicycle.

“(2) If the Mayor replaces the National Bike Registry with another bicycle registry pursuant to subsection (b)(1) of this section, the Metropolitan Police Department shall be required to check the identification number of any bicycle recovered by the Metropolitan Police only against the registry established by the Mayor.

“(d) As of June 1, 2008, a person regularly engaged in the business of selling bicycles shall inform each purchaser, in writing, how to voluntarily register the purchaser’s bicycle in accordance with this section. For the purposes of this subsection, the term “bicycle” shall exclude tricycles.

“(e) The Mayor, pursuant to Title 1 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to implement the provisions of this section.

“Sec. 202. Bicycle rental information.

“(a) As of June 1, 2008, a person regularly engaged in the business of renting bicycles shall require each person seeking to rent a bicycle to provide his or her signature on the rental form, or on a separate form, containing each of the following:

“(1) A statement of rental bearing the names and addresses of the lessor and lessee;

“(2) The rate at which the bicycle is being rented; and

“(3) The time for which the bicycle is being rented.

“(b) The form used to meet the requirements of subsection (a) of this section may be the same form used to meet the requirements of section 6(f).”.

Sec. 3. The District of Columbia Theft and White Collar Crimes Act of 1982, effective December 1, 1982 (D.C. Law 4-164; D.C. Official Code § 22-3201 *et seq.*), is amended by adding a new section 134 to read as follows:

“Sec. 134. Altering or removing bicycle identification numbers.

“(a) It is unlawful for a person to knowingly remove, obliterate, tamper with, or alter any identification number on a bicycle or bicycle part.

“(b) Any person who violates subsection (a) of this section shall be guilty of a misdemeanor and, upon conviction, shall be imprisoned for not more than 180 days, or fined not more than \$1,000, or both.

“(c) For the purposes of this section, the term:

“(1) “Bicycle” shall have the same meaning as provided in section 10(1) of the District of Columbia Comprehensive Bicycle Transportation and Safety Act of 1984, effective May 23, 2000 (D.C. Law 13-112; D.C. Official Code § 50-1609(1) (“Bicycle Act”).

“(2) “Identification number” shall have the same meaning as provided in section 10(1A) of the Bicycle Act.”.

Sec. 4. Title 18 of the District of Columbia Municipal Regulations is amended as follows:

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(a) Chapter 12 is amended as follows:

(1) Section 1200.7 is repealed.

(2) Section 1202 is repealed.

(3) Section 1203 is repealed.

(4) Section 1207 is amended as follows:

(A) Subsection 1207.2 is repealed.

(B) Subsection 1207.3 is repealed.

(C) Subsection 1207.5 is repealed.

(D) Subsection 1207.6 is repealed.

(E) Subsection 1207.7 is repealed.

(F) Subsection 1207.8 is amended by striking the phrase “the time for which it is rented, and the bicycle’s registration tag and registration plate number.” and inserting the phrase “and the time for which it is rented.” in its place.

(b) Section 2602.1 is amended by striking the following phrases:

(1) “Failure to register a bicycle (§ 1202.1) \$ 5.00”.

(2) “Operating an unregistered bicycle (§ 1201.2) \$ 5.00”.

(3) “Removing registration plate or number (§ 1202.1) \$ 5.00”.

(4) “Renting an unregistered bicycle (§ 1207.7) \$ 5.00”.

(c) Section 9901 is amended by striking the following phrases:

(1) "Bicycle Registration Year -- a twelve (12) month period beginning and ending on dates designated by the Mayor. (Reg. No. 71-26)".

(2) "Registration Tag (bicycle) -- a numbered stamp or sticker issued for a bicycle which shall identify the bicycle as having been registered for a current bicycle year. (Reg. No. 71-26)".

Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 6. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 60-day period of Congressional review as provided in section 602(c)(2) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(2)), and publication in the District of Columbia Register.

Chairman
Council of the District of Columbia

Mayor
District of Columbia