

COUNCIL OF THE DISTRICT OF COLUMBIA

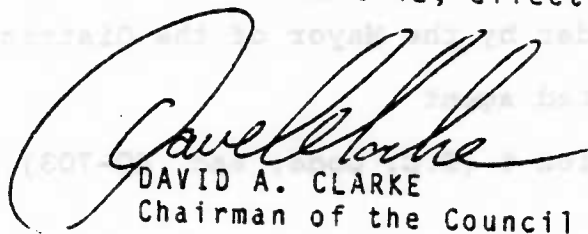
NOTICE

D.C. LAW 5-42

"District of Columbia Traffic Act, 1925 and Cable Television Communications Act of 1981 Amendments Act of 1983".

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P. L. 93-198, "the Act", the Council of the District of Columbia adopted Bill No. 5-29 on first and second readings, July 5, 1983 and September 6, 1983, respectively. Following the signature of the Mayor on September 22, 1983, this legislation was assigned Act No. 5-67, published in the September 30, 1983 edition of the D.C. Register, (Vol. 30 page 4999) and transmitted to Congress September 26, 1983 for a 30-day review, in accordance with Section 602 (c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 5-42, effective November 15, 1983.

  
DAVID A. CLARKE  
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

September 26,27,28,29,30  
October 3,4,5,6,7,17,18,19,20,21,24,25,26,27,28,31  
November 1,2,3,4,7,8,9,10,14

D.C. LAW 5 - 42

AN ACT

EFFECTIVE  
DATE NOV 15 1983D.C. ACT 5-67

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

SEP 22 1983

To amend the requirements of the District of Columbia Traffic Act, 1925 concerning publication of regulations promulgated under that Act; to amend certain provisions of the Cable Television Communications Act of 1981; and for other purposes.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "District of Columbia Traffic Act, 1925 and Cable Television Communications Act of 1981 Amendments Act of 1983".

Sec. 2. The District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Code, sec. 40-701 et seq.), is amended as follows:

(a) Section 2(i) (D.C. Code, sec. 40-702(8)) is amended by inserting after the phrase "by the Council of the District of Columbia" the phrase "and all lawful rules issued thereunder by the Mayor of the District of Columbia or his designated agent".

D.C. Code,  
sec. 40-702  
(1981 ed.)

(b) Section 6 (D.C. Code, sec. 40-703) is amended as follows:

D.C. Code,  
sec. 40-703  
(1981 ed.)

(1) Subsection (a) is amended to read as follows:

"(a) The Mayor is authorized and empowered to make, modify, repeal, and enforce rules relating to and concerning the following:

"(1) the control of traffic and the movement of

traffic;

"(2)(A) the length, weight, height, and width of vehicles; and

"(B) the brakes, horns, lights, mufflers, and other equipment of vehicles and the inspection of same;

"(3)(A) the registration and reregistration of vehicles;

"(B) the titling and retitling of motor vehicles and trailers, and the transfer of titles to motor vehicles and trailers; and

"(C) the revocation, suspension, restoration, and reinstatement of the registration for motor vehicles and trailers and of certificates of title to motor vehicles and trailers;

"(4) the issuance, suspension, revocation, restoration, and reinstatement of operator's permits and operating privileges: PROVIDED, That the fee for restoration or reinstatement shall be \$30;

"(5) the establishment and location of hack stands; and

"(6) the speed, routing, and parking of vehicles: PROVIDED, That the Mayor shall establish and locate parking areas in the vicinity of government establishments for use only by members of Congress and governmental officials when on official business.";

(2) Subsection (b) is amended by inserting after the phrase "the making of traffic studies and plans," the phrase "the establishment and designation of arterial and other

public highways, providing for the equipment of any street, road, or highway with control lights or other devices, or both, for the regulation of traffic,";

(3) Subsection (c) is amended to read as follows:

"(c) Members of Congress may park their vehicles in any available curb space in the District of Columbia, when:

"(1) the vehicle is used by the Member of Congress on official business;

"(2) the vehicle is displaying a Congressional registration tag issued by the jurisdiction represented by the Member; and

"(3) the vehicle is not parked in violation of a loading zone, rush hour, firehouse, or fire plug limitation.";

(4) Subsection (e) is amended to read as follows:

"(e) As to all common carriers by vehicle which enter, operate in, or leave the District of Columbia, the power to route small vehicles within the District of Columbia, to regulate their equipment other than that specifically named elsewhere in this Act, to regulate their schedules and their loading and unloading, to locate their stops and all platforms and loading zones, and to require the appropriate marking thereof is vested in the Public Service Commission of the District of Columbia.";

(5) Subsection (f) is amended to read as follows:

"(f) Except as provided in the District of Columbia Traffic Adjudication Act of 1978, effective September 12, 1978 (D.C. Law 2-104; D.C. Code, sec. 40-601 et seq.), any

person violating any provision of this Act or any rule promulgated hereunder shall, upon conviction thereof, be fined not more than \$300 or imprisoned for not more than ninety days, or both. Prosecution for violations shall be in the Superior Court of the District of Columbia upon information filed by the Corporation Counsel of the District of Columbia or any of his or her assistants.";

(6) Subsection (g) is amended to read as follows:

"(g) All regulations promulgated under the authority of this Act shall be published in accordance with the requirements of title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Code, sec. 1-1501 et seq.)."; and

(7) Subsections (h) and (i) are repealed.

Sec. 4. The Cable Television Communications Act of 1981, effective August 21, 1982 (D.C. Law 4-142; D.C. Code, sec. 43-1801 et seq.), as amended by the Cable Television Communications Act of 1981 Clarification Amendment Act of 1983 (Council Act 5-60), is amended as follows:

(a) Section 2(e)(1) (D.C. Code, sec. 43-1801(5)(A)) is amended to read as follows:

"(e)(1) That, after careful investigation, the Council finds the existence of a past and present history of discrimination, underrepresentation, and underutilization of minority residents which pervades all aspects of the District of Columbia's television broadcast industry, including employment, programming, and ownership. The Council intends to provide opportunities for minorities to

D.C. Code,  
sec. 43-1801  
(1983 Supp.)

remedy the discrimination that has denied them access to the communications media, its operations, management, and policy boards by encouraging substantial, meaningful minority ownership of the cable franchise."

(b) Section 10(a) (D.C. Code, sec. 43-1809(a)) is amended by adding a new paragraph (11a) to read as follows:

D.C. Code,  
sec. 43-1809  
(1983 Supp.)

"(11a) A provision that the Design Commission shall give favorable consideration to franchise applicants whose ownership structure contains meaningful minority participation, preferably of a local nature.

"For the purposes of this section, the term 'meaningful minority participation' means ownership by minorities of at least 35% of an applicant's local ownership structure and 35% of an applicant's local governing body. The adoption and implementation of the 35% requirement shall not constitute a discriminatory practice prohibited under section 41."

(c) Section 30a (D.C. Code, sec. 43-1829.1) is amended as follows:

D.C. Code,  
sec. 43-1829.1  
(1983 Supp.)

(1) Subsection (a) is amended to read as follows:

"(a) At least 2 public access studios shall be in readiness for production not more than 6 months after the date designated by the franchisee or franchisees as the system start-up date. Those 2 studios shall be capable of producing live or recorded programming to be cablecast in color and black and white for distribution by cable throughout the franchise territory."; and

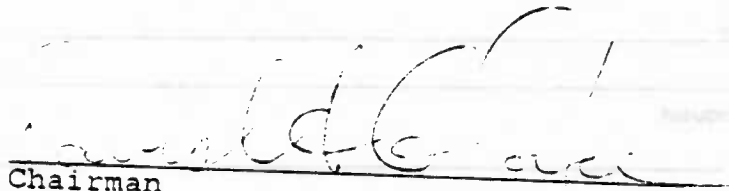
(2) By adding at the end thereof a new subsection

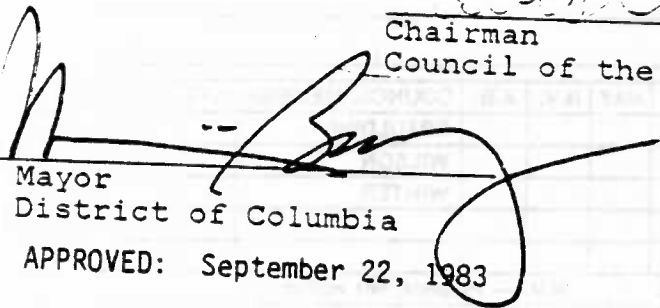
(d) to read as follows:

"(d)(1) A minimum of 5% of the channel capacity both upstream and downstream of the cable system whether as originally constructed, expanded, or modified during the term of the franchise agreement shall be reserved by the franchisee or franchisees having control over the channels for lease on a nondiscriminatory basis.

"(2) At least 3/5 of the leased channel capacity shall be reserved for District of Columbia-based organizations and businesses. Thirty-five percent of the leased channels shall be reserved for lease to black and other minority businesses and organizations. The adoption and implementation of the 35% requirement shall not constitute a discriminatory practice prohibited under section 41."

Sec. 5. This act shall take effect after a 30-day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code, sec. 1-233(c)(1)).

  
Chairman  
Council of the District of Columbia

  
Mayor  
District of Columbia  
APPROVED: September 22, 1983



**COUNCIL OF THE DISTRICT OF COLUMBIA**  
**Council Period Five - First Session**

**RECORD OF OFFICIAL COUNCIL VOTE**

DOCKET NO: B5-29

Item on Consent Calendar

ACTION & DATE: Adopted First Reading, 7-5-83

VOICE VOTE: Unanimous

Recorded vote on request

Absent: Smith

ROLL CALL VOTE: — RESULT \_\_\_\_\_

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					MOORE, JR.					SPAULDING				
CRAWFORD					RAY					WILSON				
JARVIS					ROLARK					WINTER				
KANE					SHACKLETON									
MASON					SMITH, JR.									

X — Indicates Vote      A.B. — Absent      N.V. — Present, not voting

**CERTIFICATION RECORD**

\_\_\_\_\_  
 Secretary to the Council

\_\_\_\_\_  
 Date

Item on Consent Calendar

ACTION & DATE: Adopted Final Reading, 9-6-83

VOICE VOTE: Unanimous

Recorded vote on request

Absent: Moore

ROLL CALL VOTE: — RESULT \_\_\_\_\_

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					MOORE, JR.					SPAULDING				
CRAWFORD					RAY					WILSON				
JARVIS					ROLARK					WINTER				
KANE					SHACKLETON									
MASON					SMITH, JR.									

X — Indicates Vote      A.B. — Absent      N.V. — Present, not voting

**CERTIFICATION RECORD**

\_\_\_\_\_  
 Secretary to the Council

\_\_\_\_\_  
 Date

Item on Consent Calendar

ACTION & DATE: \_\_\_\_\_

VOICE VOTE: \_\_\_\_\_

Recorded vote on request

Absent: \_\_\_\_\_

ROLL CALL VOTE: — RESULT \_\_\_\_\_

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					MOORE, JR.					SPAULDING				
CRAWFORD					RAY					WILSON				
JARVIS					ROLARK					WINTER				
KANE					SHACKLETON									
MASON					SMITH, JR.									

X — Indicates Vote      A.B. — Absent      N.V. — Present, not voting

**CERTIFICATION RECORD**

\_\_\_\_\_  
 Secretary to the Council

\_\_\_\_\_  
 Date