

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

*Codification
District of
Columbia
Official Code*

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To amend the Compulsory/No-Fault Motor Vehicle Insurance Act of 1982 to clarify the Director’s authority to require registrants and licensees to carry SR-22 motor vehicle insurance, allow penalties for failure to maintain insurance coverage to be waived upon submission of proof that the vehicle was not operated during the time period in which there was an insurance lapse; to amend Title 18 of the District of Columbia Municipal Regulations to eliminate a motorcycle license provision that is inconsistent with existing licensing provisions, update the motor vehicle penalties related criminal fines and penalties to make them identical to similar penalties provided for in another statutory provision, modify obsolete provisions regarding the notice of suspensions and revocation, require the surrender of any out-of-state identification card to obtain the District of Columbia equivalent, allow license revocation upon the issuance of a final deportation order, clarify the applicability of the tag covering prohibition to out-of-state vehicles, amend the definition of “conviction” for license suspension purposes to include juvenile proceedings, allow the issuance of a disabled-parking placard and a disabled- parking tag to the same applicant, increase the penalty for abuse of a disabled-parking placard or plate, expand the eligibility categories related to the creation of reserved disabled-parking spaces, clarify that disabled-parking placards are to be readable through the front windshield, allow placards and plates to expire at the same time the registration or license expires, allow for greater flexibility in the collection of the penalty for a missed road test, increase the instructor duplicate license fee, establish a dealer registration application fee, establish a change of address fee, establish that a person cannot avoid penalties for failing to pay a traffic ticket by refusing to update his or her address, allow greater flexibility in the service of a required suspension or revocation notice, establish flexibility in the display of tags for the Washington Metropolitan Area Transit Authority and the District of Columbia Public Schools and during a Presidential Inauguration; to amend the Motor Vehicle Safety and Responsibility Act of the District of Columbia to reinforce the admissibility of Department of Motor Vehicle records in court, increase the fee for an insurance record, allow greater flexibility in applying existing criminal penalties for failing to turn in a license or registration tag; to amend the Implied Consent Act of 1972 to establish identical license suspension timelines for those refusing to take the breathalyzer test and

those submitting to the test, clarify that the provisions of the act apply to out-of-state operators' driving privileges; to amend the Uniform Classification and Commercial Driver's License Act of 1990 to clarify that the commercial driver's license penalties apply to a failure to secure the proper endorsement when required, establish railroad crossing and other violations for commercial driver's license holders to conform to federal regulations; to amend the District of Columbia Traffic Act, 1925 to clarify the applicability of criminal penalties to operating a motorcycle without the proper endorsement, clarify that leased vehicles are not exempt from the excise tax, establish that non-repairable, salvage, and repossessed vehicles are not subject to the excise tax, establish that a vehicle cannot be towed for unpaid parking tickets until the ticket appeal period has expired, allow the issuance of a license in the absence of a social security number in limited circumstances, allow reciprocity for the spouses and siblings of members of Congress and the armed forces, establish a fee for renewable reciprocity stickers, clarify the time period before which a license is suspended for specified offenses, create flexibility to allow the Director to establish a new fee structure for driver's licenses, clarify that learner's permits may be renewed, make a conforming amendment to duplicate permit fees, discontinue allowing the use of social security numbers as driver license numbers, make a conforming amendment stating that only the District government is exempt from registration and titling fees, make a conforming amendment to registration requirements for apportioned commercial motor vehicles and chartered buses, to establish the authority for the Department to confiscate fraudulent documents and deny service after presentation of such a document for a one-year period, to allow the Department to offer a discount to customers obtaining service without appearing in-person, and to establish that the Department may offer licenses that can be used for identification purposes by the federal government; to amend an Act to provide for the recording and releasing of liens by entries on certificates of title for motor vehicles and trailers, and for other purposes to remove obsolete references to the Recorder of Deeds, clarify that the District government is exempt from paying lien recordation fees, increase the fine for making a false statement in connection with a lien filing, allow the Director to offer electronic lien recordation and titling; to amend an Act to provide for annual inspection of all motor vehicles in the District of Columbia to extend the exemption from an initial inspection for new passenger vehicles to new vehicles and trailers of any type; to amend The Taxicab and Passenger Vehicle for Hire Impoundment Act of 1992 to make the tow eligibility for unpaid tickets for Taxicab Commission regulation violations identical to that for unpaid parking tickets, transfer authority over inspections for compliance with Taxicab Commission regulations to the Office of Taxicabs; to amend the Child Support Enforcement Act of 1985 to correct terminology that is inconsistent with other license suspension statutes; to amend Title 47 to eliminate reference to a superseded tour bus license, to return the issuance of taxicab licenses to the Taxicab Commission, to clearly state that a person may be denied a

permit or license if he or she owes a debt identified in the act, clarify the type of hearing to be offered for those denied an application under the Clean Hands Act, and to add taxicab and insurance fines; to amend the District of Columbia Traffic Adjudication Act of 1978 to return adjudication of taxicab-related offenses to the Taxicab Commission, extend the deadline for answering a moving ticket without penalty to coincide with the deemed admission date, clarify the address of record for out-of-state violators, to clarify that no officer need attend a hearing for a ticket issued by an automated traffic enforcement system, clarify the authority of the hearing examiner to order persons to complete traffic school to avoid point assessment, clarify that a parking ticket notice of infraction is always issued to the owner of the vehicle, allow for additional defenses to a parking ticket based on mechanical or medical problems, allow the Director to offer people the ability to answer a parking ticket by email, clarify the address to which a notice of outstanding parking ticket must be mailed, allow deemed admissions for parking tickets to be vacated within 60 days with evidence of excusable neglect, conform the vacate default judgment provisions to the new deemed admission 60-day period, allow the Director to offer people the option of receiving notice by email, repeal the requirement that the Traffic Adjudication Appeals Board repeatedly review the constitutionality of a statutory-based adjudication process; to amend the Removal and Disposition of Abandoned and Other Unlawfully Parked Vehicles Reform Act of 2003 to make conforming amendments; to amend the Child Restraint Act of 1982 to correct an erroneous citation; to amend the District of Columbia Revenue Act of 1937 to increase the fee for a dealer proof of ownership certificate to match that of a certificate of title, increase the registration transfer fee, establish a civil fine for failing to turn in an expired registration tag, require that out-of-state charter buses register as apportioned vehicles or obtain a trip permit through the International Registration Plan, reduce and restructure the fee for personalized tags, increase the fee for motorized bicycle registration, historic motor vehicle registration, and dealer tags, establish a fee for failure to renew a motor vehicle inspection or registration by the required date; to amend the International Registration Plan Agreement Act of 1997 to make conforming amendments; to amend the Department of Motor Vehicles Reform Amendment Act of 2004 to exempt historic motor vehicles from the salvage titling law; and to amend the District of Columbia Traffic Act, 1925 to eliminate any discretion of the Mayor to revoke the license of an individual convicted of a drug offense.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this Act may be cited as the “Department of Motor Vehicles Service and Safety Amendment Act of 2006”.

TITLE I. DRIVER SAFETY AND ENFORCEMENT

Sec. 101. Section 7 of the Compulsory/No-Fault Motor Vehicle Insurance Act of 1982, effective September 18, 1982 (D.C. Law 4-155; D.C. Official Code § 31-2406), is amended by adding a new subsection (h) to read as follows:

Amend
§ 31-2406

“(h) The Director may require a person whose driver’s license or registration was revoked to obtain insurance coverage that includes additional reporting obligations, including SR 22 insurance coverage, prior to the issuance or reinstatement of a driver’s license or registration, or both.”.

Sec. 102. The Uniform Classification and Commercial Driver’s License Act of 1990, effective September 20, 1990 (D.C. Law 8-161; D.C. Official Code § 50-401 et seq.), is amended as follows:

(a) Section 4(a) (D.C. Official Code 50-403(a)) is amended by striking the word “license” and inserting the phrase “license, and all necessary endorsements thereto required by the Mayor for the particular class of vehicle being operated,” in its place.

Amend
§ 50-403

(b) A new section 6a is added to read as follows:

“Sec.6a. Commercial motor vehicle operation; additional requirements, violation, adjudication.

“(a) No person while operating a commercial motor vehicle shall:

“(1) Fail to slow down and stop before reaching a railroad crossing to check that railroad tracks are clear of an approaching train;

“(2) Fail to leave sufficient space to drive through a railroad crossing without stopping;

“(3) Fail to obey a traffic control device or the directions of an enforcement official at a railroad crossing;

“(4) Fail to negotiate a railroad crossing because of insufficient undercarriage clearance;

“(5) Violate an out-of-service order; or

“(6) Have an alcohol concentration of 0.04 grams or more per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine.

“(b) Any person found in violation of any provision of subsection (a) of this section shall be fined \$300 for each offense, but no traffic points shall be assessed.

“(c) Violations of subsection (a) of this section shall be adjudicated as moving violations pursuant to the District of Columbia Traffic Adjudication Act of 1978, effective September 12, 1978 (D.C. Law 2-104; D.C. Official Code § 50-2301.01 et seq.).”.

Sec. 103. The Motor Vehicle Safety and Responsibility Act of the District of Columbia, approved May 25, 1954 (68 Stat. 122; D.C. Official Code § 50-1301.01 et seq.), is amended as follows:

(a) A new section 5a is added to read as follows:

“Sec. 5a. Production of documentary material.

"(a) A certified copy of any record of the Department of Motor Vehicles shall be deemed authentic without further testimony as evidence in any judicial proceeding or administrative hearing.

“(b) The Director may satisfy a Superior Court subpoena directed to the production of documents by providing a duly authenticated copy of any record or other document in the possession of the Department in the form of a photocopy, computer printout, or reproduction of an electronically digitalized or recorded document or information, irrespective of the existence of a corresponding original document.”.

(b) Section 6 (D.C. Official Code § 50-1301.06) is amended by striking the figure “\$2” and inserting the figure “\$7” in its place.

Amend
§ 50-1301.06

(c) Section 74 (D.C. Official Code § 50-1301.74) is amended to read as follows:

Amend
§ 50-1301.74

"Any person willfully failing to return a license or registration as required in section 70, or when otherwise requested in writing by the Mayor shall be fined not more than \$500 or imprisoned not to exceed 30 days, or both."

Sec. 104. The Implied Consent Act of 1972, approved October 21, 1972 (86 Stat. 1018; D.C. Official Code § 50-1901 *et seq.*), is amended as follows:

(a) Section 5 (D.C. Official Code § 50-1905) is amended as follows:

Amend
§ 50-1905

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

(A) Strike the phrase “his license” wherever it appears and insert the phrase “his license or privilege to drive in the District of Columbia if the person is a nonresident” in its place.

(B) Strike the phrase “a resident”.

(2) Subsection (b) is amended as follows:

(A) Strike the phrase “the license” and insert the phrase “the license or privilege to drive in the District of Columbia” in its place.

(B) Strike the phrase “a resident”.

(b) Section 6(a) (D.C. Official Code § 50-1906(a)) is amended as follows:

Amend
§ 50-1906

(1) Strike the phrase "any license" and insert the phrase “any license, or privilege to drive in the District of Columbia,” in its place.

(2) Strike the second sentence and insert the following sentences in its place:

“Such order shall take effect in 10 days (15 days, if the person is a nonresident) after service of notice on the person whose license or privilege to drive in the District of Columbia is to be revoked or who was denied a license. A hearing on the revocation shall be held if the respondent files a request for a hearing within 10 days (15 days if the person is a nonresident) of service of the notice.”.

Sec. 105. Title 18 of the District of Columbia Municipal Regulations, is amended as follows:

(a) Chapter 1 is amended as follows:

1) Subsection 107.12 is repealed.

(2) Subsection 112.13 is amended to read as follows:

“112.13 Any person holding a valid driver’s license or identification card from any jurisdiction must surrender it to the Department prior to obtaining a District of Columbia special use identification card.”.

(b) Chapter 3 is amended as follows:

(1) Section 301 is amended by adding a new subsection 301.3 to read as follows:

“301.3 The Director shall revoke the license of a person upon receipt of evidence that the person was issued a final deportation or removal order by the federal government.”.

(2) Subsection 308.1 is amended by striking the phrase “an official of the Metropolitan Police Department” and inserting “a law enforcement agency named in § 3003.1” in its place.

(3) Subsection 308.4 is repealed.

(c) Subsection 422.3 is amended by adding before the period the phrase “; provided, that the tags are displayed in accordance with §§ 422.4, 422.5, 422.6, and 422.8”.

(d) Section 1110 is amended as follows:

(1) Subsection 1110.1 is amended as follows:

(A) Strike the phrase “three hundred dollars (\$300) or by imprisonment for not more than ten (10) days,” and insert the phrase “one thousand dollars (\$1,000) or by imprisonment for not more than thirty (30) days,” in its place.

(B) Paragraph (e) is repealed.

(2) A new subsection 1110.6 is added to read as follows:

“1110.6 Any person found violating subsection 1200.8 of Chapter 12 (which prohibits tampering with a bicycle locked or placed in a rack, or otherwise secured), shall be punished by a fine of not more than three hundred dollars (\$300) or imprisonment not to exceed ten (10) days.”.

(e) Section 9901 is amended by amending the definition of “Conviction” to read as follows:

“Conviction – a judgment of guilty, or an adjudication of juvenile delinquency, in any court of competent jurisdiction, that has become final following an appeal or after the time allowed for such appeal has expired. For purposes of this title, a failure to appear in court when required, a plea of nolo contendere accepted by a court, the payment of a fine, a plea of guilty, or a finding of guilt shall be equivalent to a conviction, regardless of whether the penalty is rebated, suspended, or probated.”.

TITLE II. CUSTOMER SERVICE ENHANCEMENT

Sec. 201. An Act to provide for the recording and releasing of liens by entries on certificates of title for motor vehicles and trailers, and for other purposes, approved July 2, 1940 (54 Stat. 736; D.C. Official Code 50-1201 *et seq.*), is amended as follows:

(a) Section 1 (D.C. Official Code § 50-1201) is amended as follows:

Amend § 50-1201

(1) Subsection (b) is amended by striking the phrase “Vehicles and Traffic of the District of Columbia” and inserting the phrase “the Department of Motor Vehicles” in its place.

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

“(c) “Recorder” shall mean an agent responsible for recording liens, appointed by the Director.”.

(b) Section 5 (D.C. Official Code § 50-1205) is repealed:

Amend § 50-1205

(c) Section 6 (D.C. Official Code § 50-1206) is amended to read as follows:

Amend § 50-1206

“Applications for certificates of title shall state whether or not there are any liens against the motor vehicle or trailer or any equipment or accessories affixed thereto, and, if so, the lien information in the order of its priority, and shall be accompanied by instruments or any other papers necessary to entitle liens to be entered on the certificate. Upon receipt of an application for a certificate and accompanying documents, if any, or on the application for a duplicate, the Director shall compare the statements in the application as to liens with the Department’s records and the documents and instruments accompanying the application, and, if such statements are incorrect or incomplete or if any of the liens shown by the application are not entitled to be entered on the certificate in the same order as they appear on the application, the Director shall return all of the papers and advise the applicant of the reasons for the denial of the application. If the statements as to liens are full, true, and complete and all liens shown by the application are entitled to be entered on the certificate in the same order as they appear on the application, the Director shall issue the certificate. The Director shall deliver or mail the certificate to the record holder of the first lien shown on the certificate or his representative, or, if there are no liens, to the owner or his representative.”.

(d) Section 7 (D.C. Official Code § 50-1207) is amended to read as follows:

Amend § 50-1207

“An application to add a lien to an existing certificate may be presented to the Director with payment of the necessary fees. The Director shall review the application and, if convinced that the statement as to the lien is full, true, and complete, enter the lien information on the certificate and deliver or mail the certificate to the record holder of the first unsatisfied lien shown on the certificate or his representative.”.

(e) Section 8 (D.C. Official Code § 50-1208) is amended as follows:

Amend § 50-1208

(1) Strike the phrase “to the representative of the Recorder of Deeds of the District of Columbia in the office of the Director”.

(2) Strike the phrase “and on the said card opposite the entry of the information relative to the assignment” and insert the phrase “and in the Department’s records” in its place.

(f) Section 11 (D.C. Official Code § 50-1211) is amended as follows:

ENROLLED ORIGINAL

- (1) Strike the phrase “and on the card described in section 6,”. Amend
§ 50-1211
- (2) Strike the phrase “the aforesaid cards”.
- (3) Strike the phrase “which created such lien and the index card upon which the lien information was entered; provided, that no other unsatisfied lien is shown on any such index card.” and insert the phrase “that created the lien.” in its place.
- (g) Section 12 (D.C. Official Code § 50-1212) is amended by adding a new sentence at the end to read as follows: Amend
§ 50-1212

“The District of Columbia Government shall not be required to pay the fee established in this section.”.
- (h) Section 13 (D.C. Official Code § 50-1214) is repealed. Repeal
§ 50-1214
- (i) Section 14 (D.C. Official Code § 50-1215) is amended by striking the figure “\$500” and inserting the figure “\$5,000” in its place. Amend
§ 50-1215
- (j) Section 15 (D.C. official Code § 50-1216) is amended by striking the phrase “and Recorder”. Amend
§ 50-1216
- (k) A new section 15b is added to read as follows:

“Sec. 15b. Electronic creation, recordation, and transfer of liens.

 - (a) Notwithstanding any other provision in this act, the Director may receive and transmit liens and lien information electronically, record liens electronically, and create and transfer titles electronically, in accordance with the following provisions:
 - “(1) Any lien information pursuant to sections 6 or 8 of this act transmitted electronically shall be transmitted by the lienholder and need not include a signature.
 - “(2) Electronic lien recordation notices shall include the information required by section 4(a)(2).
 - “(3) An electronic lien satisfaction notice shall include the name, address, telephone number, and driver’s license number or special identification card number, if known, and social security number, if known, of the person satisfying the lien, but need not include a signature.
 - “(4) When a lien is transmitted electronically or a title is created electronically, a paper certificate of title shall be issued only after all liens are satisfied and only upon request by the owner.
 - “(5) When a vehicle is subject to an electronic lien, the certificate of title for the vehicle shall be considered to be held by the lienholder.
 - “(6) All taxes and fees associated with the issuance of certificates of title and the recordation of liens shall be collected for the electronic versions.
 - “(b) A duly certified copy of the Director’s electronic record of a title or lien shall be admissible in any civil, criminal, or administrative proceeding as evidence of ownership.”.

Sec. 202. The District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-1401.01 *passim*), is amended as follows:

- (a) Section 6 (D.C. Official Code § 50-2201.03) is amended as follows:

ENROLLED ORIGINAL

(1) Subsection (j)(1) is amended by amending the introductory language to read as follows:

**Amend
§ 50-2201.03**

"(j)(1) In addition to the fees and charges levied under other provisions of this part, there is hereby levied and imposed an excise tax on the issuance of every original certificate of title for a motor vehicle or trailer in the District of Columbia and in the case of a sale, resale, or gift, except in the case of a bona fide gift between spouses, parent and child, or domestic partners, as that term is defined in section 2(3) of the Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C. Law 9-114; D.C. Official Code § 32-701(3)), or other transfer thereof on the issuance of every subsequent certificate of title, at the following percentage of the fair market value of the motor vehicle or trailer at the time the certificate of title is issued:".

(2) Subsection (k)(1) is amended by striking the phrase "outstanding or otherwise unsettled traffic violation notices or notices of infraction" and inserting the phrase "unpaid notices of infraction that the owner was deemed to have admitted or that were sustained after a hearing, pursuant to sections 305 or 306 of the District of Columbia Traffic Adjudication Act of 1978, effective September 12, 1978 (D.C. Law 2-104; D.C. Official Code §§ 50-2303.05 and 50-2303.06), or section 902 of the Fiscal Year 1997 Budget Support Act of 1996, effective April 9, 1997 (D.C. Law 11-198; D.C. Official Code § 50-2209.02)," in its place.

(c) Section 7 (D.C. Official Code § 50-1401.01) is amended as follows:

**Amend
§ 50-1401.01**

(1) Subsection (b)(2) is amended by striking the phrase "provide a social security number" and inserting the phrase "provide a social security number, if such a number was issued to the applicant, or, if required by the Mayor, proof that the applicant is not eligible for a social security number" in its place.

(2) Subsection (d) is amended by striking the phrase "or a provisional permit issued under the provisions of this Act." and inserting the phrase "provisional permit, or a motorcycle endorsement if operating a motorcycle, issued under the provisions of this Act and Title 18 of the District of Columbia Municipal Regulations." in its place.

(d) Section 8 (D.C. Official Code § 50-1401.02) is amended as follows:

**Amend
§ 50-1401.02**

(1) Subsection (c) is amended as follows:

(A) Paragraph (3) is amended by striking the word "and" at the end.

(B) Paragraph (4) is amended by striking the period and inserting a semicolon in its place.

(C) New paragraphs (5), (6), and (7) are added to read as follows:

"(5) Any nonresident service member in accordance with section 511 of the Soldiers' and Sailors' Civil Relief Act of 1940, approved December 19, 2003 (117 Stat. 2835; 50 U.S.C. § 571);

"(6) Any foreign mission, its members, or dependents of its members, but only if they have been issued a title and registration by the United States Department of State; and

“(7) Any minor under 21 years of age or spouse of any person identified in paragraphs (1) through (6); provided, that the person identified in paragraphs (1) through (6) signs an affidavit stating the minor or spouse resides at the same address in the District as the affiant.”.

(2) Subsection (d) is amended by striking the phrase “without a fee” and inserting the phrase “a fee of \$10, which may be increased by the Mayor to cover administrative costs” in its place.

(e) New sections 8a and 8b are added to read as follows:

“Sec. 8a. Federally-accepted driver's license/identification card option.

"(a) The Mayor may offer a resident the option of applying for a driver's license or a special identification card that will be accepted by the federal government for any official purpose, subject to the applicable federal requirements.

"(b) The Mayor is authorized to take actions as specified in the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005, approved May 11, 2005 (Pub. L. No. 109-13; 119 Stat. 231), and the regulations authorized pursuant to that act so that a driver's license or special identification card issued to a person choosing an option described in subsection (a) of this section shall be accepted by the federal government for any official purpose.

“8b. Mayor's authority to seize suspect documents.

"(a) The Mayor may immediately seize and retain any document presented by a person in connection with a Department of Motor Vehicles service, if the document is reasonably believed to be fraudulent, counterfeit, stolen, or intentionally altered.

“(b) Any document seized under subsection (a) of this section shall be returned to the person presenting the document only if the Mayor later determines that the document is not fraudulent, counterfeit, stolen, or intentionally altered on the person's own initiative or after the hearing provided for in subsection (c) of this section.

“(c) Any person presenting a document that was retained pursuant to subsection (a) of this section may request a hearing within 10 days of the retention on the validity of that retention.

“(d) Any person whose document was retained and not subsequently returned pursuant to this section shall not be entitled to apply for a driver's license, special identification card, or vehicle registration for a period of one year from the date of seizure.

“(e) For the purposes of this section, “document” means any printed material, including a letter, notice, bill, receipt, driver's permit, registration card, title, insurance card, passport, picture identification, birth certificate, currency, credit card, check, or copy of the same.”.

(f) Section 13(a) (D.C. Official Code § 50-1403.01(a)) is amended by striking the number “5” and inserting the phrase “10 (15, if the person is a nonresident)” in its place.

Amend
§ 50-1403.01

ENROLLED ORIGINAL

Sec. 203. Section 1 of An Act To provide for annual inspection of all motor vehicles in the District of Columbia, approved February 18, 1938 (52 Stat. 78; D.C. Official Code § 50-1101), is amended as follows:

**Amend
§ 50-1101**

(a) Subsection (a) is amended by striking the phrase, “new passenger vehicles” and inserting the phrase, “new motor vehicles and trailers” in its place.

(b) A new subsection (c) is added to read as follows:

“(c) Notwithstanding subsection (a) of this section, the Mayor may exempt zero and ultra-low emission vehicles, as defined in Part 88 of Title 40 of the Code of Federal Regulations, (40 C.F.R. 88.101.94 *et seq.*), from exhaust emissions inspections.”.

Sec. 204. Section 15(b)(2)(A) of the Compulsory/No-Fault Motor Vehicle Insurance Act of 1982, effective September 18, 1982 (D.C. Law 4-155; D.C. Official Code § 31-2413(b)(2)(A)), is amended by adding a new sentence at the end to read as follows:

**Amend
§ 50-2413**

“All or part of any penalty may be waived by the Director upon submission of proof that the vehicle was not operated during the corresponding time period.”.

Sec. 205. The Department of Motor Vehicles Reform Amendment Act of 2004, effective April 08, 2005 (D.C. Law 15-307; D.C. Official Code § 50-1331.01 *et seq.*), is amended as follows:

(a) Section 101(12) (D.C. Official Code § 50-1331.01(12)) is amended by striking the phrase "means a motor vehicle that" and inserting the phrase “means a motor vehicle, other than a historic motor vehicle as that term is defined in Chapter 99 of Title 18 of the District of Columbia Municipal Regulations, that" in its place.

**Amend
§ 50-1331.01**

(b) Section 104 (D.C. Official Code § 50-1331.04) is amended by adding a new subsection (d) to read as follows:

**Amend
§ 50-1331.04**

“(d) Upon notification by an insurance company pursuant to subsection 102(d)(2)(B), or upon notification by the District of Columbia government of the government’s satisfaction of a total loss claim for a vehicle titled in the District of Columbia, the Department may, 10 days after mailing notice to the address on record, revoke the existing title and reissue a salvage or non-repairable vehicle title, as applicable.”.

Sec. 206. Title 18 of the District of Columbia Municipal Regulations is amended as follows:

DCMR

(a) Section 103 is amended as follows:

(1) Subsection 103.2 is amended by striking the phrase "social security number;" and inserting the phrase “social security number, if such a number was issued to the applicant, or, if required by the Director, proof that the applicant is not eligible for a social security number,” in its place.

(2) Subsection 103.5 is amended as follows:

(A) Add the phrase “, if such a card was issued to the applicant,” after the phrase “social security card”.

(B) Add the phrase “, if the applicant was issued such a number,” after the phrase “social security number”.

(3) Subsection 103.6 is repealed.

(b) Section 422 is amended as follows:

(1) Subsection 422.1 is amended to read as follows:

“422.1 Whenever a motor vehicle or trailer for which District of Columbia registration is required is being operated or left standing upon any public highway, such vehicle shall display two (2) current identification tags, with one (1) on the front and the other on the rear; except as follows:

“(a) Motor vehicles need only display a special use identification tag on the rear of the vehicle; and

“(b) Motor vehicles may display a souvenir presidential inauguration tag on the front of the vehicle not more than sixty (60) days before and not more than sixty (60) days after inauguration day; provided, that a current identification tag is displayed on the rear.”.

(2) A new subsection 422.10 is added to read as follows:

“422.10 Buses owned or leased by the Washington Metropolitan Area Transit Authority or the District of Columbia Public Schools may produce and display a special tag on the rear, in lieu of a tag issued by the District of Columbia; provided, that the size, color, design, and material are approved by the Director.”.

(c) Subsection 601.6 is repealed.

(d) Section 2704 is amended as follows:

(1) Subsection 2704.1 is amended as follows:

(A) Strike the phrase “of, either” and insert the phrase “either” in its place.

(B) Add the phrase “, or both” at the end.

(2) Subsection 2704.2 is amended to read as follows:

“2704.2 The special parking permit shall be displayed so that it is readable through the front windshield of the vehicle.”.

(3) Subsection 2704.6 is amended by striking the phrase “six (6) years,” and inserting the phrase “six (6) years, or lesser duration,” in its place.

(4) Subsection 2704.9 is amended to read as follows:

“2704.9 A person qualifying under § 2701.1(e) shall only be eligible for a special parking permit for the likely duration of the disability, as determined by the Director.”.

(e) Subsection 2710.1(a) is amended by striking the phrase “(a) or (c)” and inserting the phrase “(a), (b), (c), or (d)” in its place.

(f) Subsection 2718.4 is amended by striking the phrase “two hundred fifty (\$250)” and inserting the phrase “five hundred (\$500)” in its place.

ENROLLED ORIGINAL

Sec. 207. Section 2(a)(3) of the Taxicab and Passenger Vehicle for Hire Impoundment Act of 1992, effective March 16, 1993 (D.C. Law 9-199; D.C. Official Code § 50-331(a)(3)), is amended by striking the last sentence and inserting the following sentence in its place:

**Amend
§ 50-331**

“For the purposes of this section, the notice of infraction is considered unpaid if the infraction has been deemed to have been admitted or sustained after a hearing, pursuant to sections 305 or 306 of the District of Columbia Traffic Adjudication Act of 1978, effective September 12, 1978 (D.C. Law 2-104; D.C. Official Code §§ 50-2303.05 and 50-2303.06), section 902 of the Fiscal Year 1997 Budget Support Act of 1996, effective April 9, 1997 (D.C. Law 11-198; D.C. Official Code § 50-2209.02), or subsection 323.3 of Title 31 of the District of Columbia Municipal Regulations.” in its place.

Sec. 208. Section 26a of the Child Support Enforcement Act of 1985, effective February 24, 1987 (D.C. Law 6-166; D.C. Official Code § 46-225.01), is amended as follows:

**Amend
§ 46-225.01**

(a) Strike the word “revoked” wherever it appears and insert the word “suspended” in its place.

(b) Strike the word “revoke” wherever it appears and insert the word “suspend” in its place.

(c) Strike the word “revocation” wherever it appears and insert the word “suspension” in its place.

(d) Strike the word "revoking" wherever it appears and insert the word "suspending" in its place.

Sec. 209. Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-2829 is amended as follows:

(1) Subsection (c) is repealed.

(2) Subsection (d) is amended by striking the last sentence.

**Amend
§ 47-2829**

(b) Subsection 47-2862(a) is amended to read as follows:

“(a) Notwithstanding any other provision of law, the District government shall not issue or reissue a license or permit to any applicant for a license or permit if the applicant:

**Amend
§ 47-2862**

“(1) Owes the District more than \$100 in outstanding fines, penalties, or interest assessed pursuant to the following acts or any regulations promulgated under the authority of the following acts, the:

“(A) Litter Control Administrative Act of 1985, effective March 25, 1986 (D.C. Law 6-100; D.C. Official Code § 8-801 *et seq.*);

“(B) Illegal Dumping Enforcement Act of 1994, effective May 20, 1994 (D.C. Law 10-117; D.C. Official Code § 8-901 *et seq.*);

“(C) District of Columbia Traffic Adjudication Act of 1978, effective September 12, 1978 (D.C. Law 2-104; D.C. Official Code § 50-2301.01 *et seq.*);

“(D) Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801.01 *et seq.*);

“(E) District of Columbia Taxicab Commission Establishment Act of 1985, effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code § 50-301 *et seq.*); or

“(F) The Compulsory/No-Fault Motor Vehicle Insurance Act of 1982, effective September 18, 1982 (D.C. Law 4-155; D.C. Official Code § 31-2401 *et seq.*)

“(2) Owes the District more than \$100 in past due taxes;

“(3) Owes fines assessed to car dealers pursuant to section 2(i) of the District of Columbia Revenue Act of 1937, approved August 17, 1937 (50 Stat. 680; D.C. Official Code § 50-1501.02(i));

“(4) Owes parking fines or penalties assessed by another jurisdiction; provided, that a reciprocity agreement is in effect between the jurisdiction and the District; or

“(5) Owes past due District of Columbia Water and Sewer Authority service charges or fees.”.

(c) Section 47-2863(c) is amended to read as follows:

Amend
§ 47-2863

“(c) Upon receipt of the applicant’s certification that the issuance of the license or permit is not prohibited by this subchapter, the District government shall consider the application as otherwise provided by law, unless the government has information indicating that the applicant has not paid an outstanding debt under § 47-2862.”.

(d) Section 47-2865 is amended as follows:

Amend
§ 47-2865

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

“(a) A person whose license or permit is revoked pursuant to § 47-2864 shall have the same remedy for appeal as otherwise provided by law for the revocation of that license or permit.”.

(2) A new subsection (c) is added to read as follows:

“(c) Any person whose application is denied pursuant to § 47-2862 may request a hearing within 10 days of the denial on the basis for that denial.”.

Sec. 210. Section 13(e) of the District of Columbia Taxicab Commission Establishment Act of 1985, effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code § 50-312(e)), is amended as follows:

Amend
§ 50-312

(a) Paragraph (8) is amended by striking the word "and" at the end.

(b) Paragraph (9) is amended by striking the phrase "the Commission." and inserting the phrase "the Commission; and" in its place.

(c) A new paragraph (10) is added to read as follows:

“(10) Inspect vehicles for hire for compliance with regulations established by the Taxicab Commission.”.

TITLE III. ADJUDICATION REFORM

Sec. 301. The District of Columbia Traffic Adjudication Act of 1978, effective September 12, 1978 (D.C. Law 2-104; D.C. Official Code § 50-2301.01 *et seq.*), is amended as follows:

(a) Section 104(b) (D.C. Official Code § 50-2301.04(b)) is amended as follows:

Amend § 50-2301.04

(1) Paragraph (5)(B) is amended by striking the phrase "measures; and" and inserting the phrase "measures." in its place.

(2) Paragraph (6) is repealed.

(b) Section 204(c) (D.C. Official Code § 50-2302.04(c)) is amended by striking the number "30" and inserting the number "60" in its place.

Amend § 50-2302.04

(c) Section 205(d), (e), and (f) (D.C. Official Code § 50-2302.05(d), (e) and (f)) is amended to read as follows:

Amend § 50-2302.05

"(d) If a person fails to answer a notice of infraction within 30 calendar days of the date the notice was issued, or within a greater period of time as prescribed by the Director by regulation, a penalty equal to the amount of the fine shall be added pursuant to section 105(a).

"(e) If a person fails to answer the notice within 60 calendar days after the date the notice was issued, or within a greater period of time as prescribed by the Director by regulation, the commission of the infraction shall be deemed admitted and all points, penalties, and fines shall be assessed, and, except where the notice of infraction was issued in reliance upon an automated traffic enforcement device, the person's District of Columbia operator's permit, or the person's privilege to drive within the District in the case of a person holding an out-of-state permit, shall be suspended until payment of the penalties, fines, and a reinstatement fee.

"(f) Not more than 50 days after the notice is issued, the Director shall send by regular mail addressed to the person's address on the Department of Motor Vehicle's records notice of the outstanding notice of infraction and the effective date of the deemed admission and suspension of driving privileges. For holders of out-of-state licenses, the address in the Department of Motor Vehicle's records shall be the address available through the Washington Area Law Enforcement System, or similar interstate database containing license information from state issuing agencies, or the address displayed on the person's driver's license as presented at the time notice of infraction was issued."

(d) Section 206 (D.C. Official Code § 50-2302.06) is amended as follows:

Amend § 50-2302.06

(1) Subsection (b) is amended by striking the number "90" and inserting the number "60" in its place.

(2) Subsection (c) is amended by striking the phrase "denied the commission of the infraction." and inserting the phrase "denied the commission of the infraction; except, no officer is required at the hearing when a violation is detected by an automated traffic enforcement system." in its place.

(3) Paragraph (f)(2) is amended to read as follows:

"(2) The completion of traffic school in lieu of the assessment of the applicable points; or"

ENROLLED ORIGINAL

(e) Section 303(c) (D.C. Official Code § 50-2303.03(c)) is amended to read as follows:

**Amend
§ 50-2303.03**

“(c) A notice of infraction shall be served personally upon the operator of a vehicle who is present at the time of service or by affixing such notice to the vehicle in a conspicuous place and by noting the plate designation and plate type as shown by the registration plates of such vehicle together with the make or model of the vehicle. Service of the notice of infraction or a duplicate thereof by affixation shall have the same force and effect, and the infraction shall be subject to the same penalties for the disregard thereof as though the notice of infraction was personally served on the owner and operator of the vehicle.”

(f) Section 304a(e) (D.C. Official Code § 50-2303.04a(e)) is amended by striking the phrase “205 and with section 902(b)” and inserting the phrase “305 and section 902” in its place.

**Amend
§ 50-2303.04a**

(g) Section 305 (D.C. Official Code § 50-2303.05) is amended as follows:

**Amend
§ 50-2303.05**

(1) Subsection (a)(2) is amended as follows:

(A) Subparagraph (D) is amended by striking the word “or”.

(B) Subparagraph (E) is amended by striking the period and inserting a semicolon in its place.

(C) New subparagraphs (F) and (G) are added to read as follows:

“(F) That the vehicle was suddenly mechanically disabled; provided, that the vehicle was removed as soon as practicable; or

“(G) That the operator suddenly needed immediate medical assistance.”.

(2) Subsection (b) is amended by striking the word “telephone” and inserting the phrase “telephone, email, or through the Department’s website” in its place.

(3) Subsection (d)(2) is amended by striking the phrase “mail,” and inserting the phrase “mail, to the address in the Department of Motor Vehicles’ records, if such address was supplied to the Department of Motor Vehicles,” in its place.

(3) A new subsection (f) is added to read as follows:

“(f) A deemed admission pursuant to subsection (d)(2) of this section may be vacated by any person not participating in the fleet adjudication program, if the Department receives, within 60 days of the date of the admission, a written application to vacate that sets forth:

“(1) A sufficient defense to the charge; and

“(2) Excusable neglect for failing to answer within the time period provided for in subsection (d) of this section.”.

(h) Section 306(e) (D.C. Official Code § 50-2303.06(e)) is amended by striking the number “30” and inserting the number “60” in its place.

**Amend
§ 50-2303.06**

(i) A new section 308 is added to read as follows:

“308. Electronic Notice.

“The Department of Motor Vehicles may offer customers the option of receiving some or all notices required under this or any other law by email or similar electronic transmission

instead of regular mail; provided, that the email address, provided by the customer, shall be considered an address in the Department of Motor Vehicle’s records for the purpose of sending any notices required under this or any other law or regulation.”.

(j) Section 403(2) (D.C. Official Code § 50-2304.03(2)) is repealed.

Amend § 50-2304.03

Sec. 302. Section 9(a)(1), (2), and (3) of the Removal and Disposition of Abandoned and Other Unlawfully Parked Vehicles Reform Act of 2003, effective October 28, 2003 (D.C. Law 15-35; D.C. Official Code § 50-2421.09(a)(1), (2) and (3)), is repealed.

Amend § 50-2421.09

Sec. 303. Section 7(a)(2) of the Child Restraint Act of 1982, effective March 10, 1983 (D.C. Law 4-194; D.C. Official Code § 50-1706(a)(2)), is amended by striking the phrase “under the provisions applicable to parking, standing, stopping, and pedestrian infractions which are set forth in Title III of the District of Columbia Traffic Adjudication Act of 1978, effective September 12, 1978 (D.C. Law 2-104; D.C. Official Code § 50-2301 *et seq.*)” and inserting the phrase “as moving violations” in its place.

Amend § 50-1706

Sec. 304. Chapter 3 of Title 18 of the District of Columbia Municipal Regulations is amended as follows:

(a) Subsection 307.5 is amended by striking the phrase “and that copy is not returned by the Post Office authorities”.

(b) Subsection 307.7 is amended by striking the word “shall” and inserting the word “may” in its place.

TITLE IV. FEE DISCOUNTS, INCREASES, AND STRUCTURAL REVISIONS

Sec. 401. The District of Columbia Traffic Act, 1925, effective March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-1401.01 *passim*), is amended as follows:

(a) Section 6 (D.C. Official Code § 50-2201.03) is amended as follows:

Amend § 50-2201.03

(1) Subsection (d) is amended by striking the sentence “No registration or other fee shall be charged to vehicles owned by the federal or District government or any duly accredited representative of a foreign government.” and inserting the following sentence in its place:

“No registration or titling fee shall be charged for vehicles owned by the District government.” in its place.

(2) Subsection (j)(3) is amended as follows:

(A) Subparagraph (F) is amended to read as follows:

“(F) Rental vehicles and utility trailers being registered as part of a rental fleet pursuant to the Rental Vehicle Tax Reform Act of 1978, effective March 6, 1979 (D.C. Law 2-157; D.C. Official Code § 50-1505.01 *et seq.*)”.

(B) New subparagraphs (O), (P), and (Q) are added to read as follows:

ENROLLED ORIGINAL

“(O) Vehicles for which a lessor previously paid the excise tax to the District of Columbia, or for which the lessor was exempt from the excise tax pursuant to subparagraph (J), and application for title is being made by the former lessee.

“(P) Vehicles for which a District of Columbia title is being issued to the lienholder because of repossession or was re-issued to the owner after repossession.”.

“(Q) Vehicles designated as non-repairable or salvage pursuant to Title I of the Department of Motor Vehicles Reform Amendment Act of 2004, effective April 08, 2005 (D.C. Law 15-307; D.C. Official Code § 50-1331.01 *et seq.*)”.

(3) A new subsection (l) is added to read as follows:

“(l) The Director of the Department of Motor Vehicles may establish a fee discount of up to 10% on any service obtained through the telephone, Internet, mail, or other method that does not involve an in-person visit to the Department. This subsection shall not apply to the payment of the motor vehicle title tax.”.

(b) Section 7 (D.C. Official Code § 50-1401.01)) is amended as follows:

**Amend
§ 50-1401.01**

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

(A) Paragraph (1)(A) is amended by adding a new sentence at the end to read as follows:

“Alternatively, the Mayor is authorized to prorate existing fees to correspond to the duration of the license issued.”.

(B) Paragraph (2) is amended by striking the phrase "issue a" and inserting the phrase “issue a new or renewed” in its place.

(C) Paragraph (4) is amended as follows:

(i) Strike the figure “\$5” and insert the figure “\$7” in its place.

(ii) Strike the figure “\$3” and insert the figure “\$7” in its place.

(2) Subsection (b)(1) is amended by striking the second sentence and inserting the following sentence in its place:

“Pursuant to section 205(c)(2)(C)(vi) of the Social Security Act, approved August 14, 1935 (49 Stat. 624, 42 U.S.C. 405(c)(2)(C)(vi)), the Mayor shall use a randomly generated number as the identification number on any new or renewed license.” in its place.

(c) Section 8(a) (D.C. Official Code § 50-1401.02(a)) is amended by adding at the end the following sentence:

**Amend
§ 50-1401.02**

“The 30-day exemption period shall not apply to commercial motor vehicles required to obtain a trip permit, as provided by section 4 of the International Registration Plan Agreement Act of 1997, effective September 5, 1997 (D.C. Law 12-14; D.C. Official Code § 50-1507.03), or charter buses identified in section (2)(j) of the District of Columbia Revenue Act of 1937, approved August 17, 1937 (50 stat. 680; D.C. Official Code § 50-1501.02(j)).”.

Sec. 402. Title 18 of the District of Columbia Municipal Regulations is amended as follows:

DCMR

(a) Section 103 is amended as follows:

(1) Subsection 103.8 is amended by adding a new paragraph (f) to read as follows:

“(f) Ignition Interlock Application fee.....\$50.”.

(2) Subsection 103.10 is repealed.

(b) A new subsection 414.3 is added to read as follows:

“414.3 The fee for a change of address, name, or other correction to license or registration information in the Department’s records shall be \$7, which may be increased by the Mayor to cover administrative costs. This fee shall cover the issuance of an updated license or permit and up to ten (10) updated vehicle registration certificates. The fee for each additional set of up to ten (10) certificates shall be \$7.”.

(c) A new subsection 502.9 is added to read as follows:

“502.9 The yearly dealer registration application fee shall be one hundred dollars (\$100), which may be increased by the Mayor to cover administrative costs.”.

(d) Subsection 900.8 is amended by striking the phrase “two dollars (\$2)” and inserting the phrase “seven dollars (\$7)” in its place.

Sec. 403. The District of Columbia Revenue Act of 1937, approved August 17, 1937 (50 Stat. 680; D.C. Official Code § 50-1501.01 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 50-1501.02) is amended as follows:

Amend
§ 50-1501.02

(1) Subsection (d)(4)(C) is amended by striking the figure “\$15” and inserting the figure “\$26” in its place.

(2) Subsection (e) is amended by striking the figure “\$5” wherever it appears and inserting the figure “\$7” in its place.

(3) A new subsection (j) is added to read as follows:

“(j) Notwithstanding any other provision of law, any bus from any state or country used in the transportation of a chartered party, as that term is used in the International Registration Plan, with a seating capacity of greater than 15 passengers shall, prior to entering the District of Columbia, either:

“(1) Register as a Class B commercial vehicle under section 3(b)(2);

“(2) Obtain proportional registration in its base jurisdiction through the International Registration Plan, as provided by section 4 of the International Registration Plan Agreement Act of 1997, effective September 5, 1997 (D.C. Law 12-14; D.C. Official Code § 50-1507.03); or

“(3) Obtain a trip permit, as provided by section 4 of the International Registration Plan Agreement Act of 1997, effective September 5, 1997 (D.C. Law 12-14; D.C. Official Code § 50-1507.03).”.

(b) Section 3 (D.C. Official Code § 50-1501.03) is amended as follows:

Amend
§ 50-1501.03

ENROLLED ORIGINAL

(1) Subsection (a)(1) is amended by striking the last sentence and inserting the following sentences in its place:

“Any person ordering a tag with special markings unique to that person shall pay a one-time application fee of \$100, and may obtain a replacement if a tag is lost or stolen upon payment of a fee of \$25 per tag. Any person displaying a tag already approved for use by members of an organization other than Disabled American Veterans shall pay a one-time application fee of \$100, and may obtain a replacement if a tag is lost or stolen upon payment of a \$25 fee per tag.”.

(2) Subsection (b) is amended as follows:

(A) Paragraph (5) is amended by striking the figure “\$10” and inserting the figure “\$30” in its place.

(B) Paragraph (6) is amended by striking the figure “\$15” and inserting the figure “\$25” in its place.

(C) Paragraph (7) is amended to read as follows:

“(7) For dealer’s identification tags, dealer transport identification tags, and manufacturer identification tags, per tag, \$75.”.

(3) A new subsection (1) is added to read as follows:

"(1) The Mayor may charge an additional fine of \$100 for any motor vehicle whose inspection or registration is not renewed by the expiration date, unless the owner surrenders the tags on or before that date.”.

(c) Section 4(a)(1) (D.C. Official Code § 50-1501.04(a)(1)) is amended as follows:

(1) Subparagraph (B) is amended by striking the word “or” at the end.

(2) Subparagraph (C) is amended by striking the phrase “therefor;” and inserting the phrase “therefor; or” in its place.

(3) A new subparagraph (D) is added to read as follows:

“(D) If, in the case of a charter bus, the motor vehicle is not registered or displaying a trip permit as required by section 2(j).

Sec. 404. Section 4(d) of the International Registration Plan Agreement Act of 1997, effective September 5, 1997 (D.C. Law 12-14; D.C. Official Code § 50-1507.03(d)), is amended by striking the phrase “, and buses used in transportation of chartered parties”.

**Amend
§ 50-1501.04**

**Amend
§ 50-1507.03**

Sec. 405. Section 13a(a) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1125; D.C. Code § 50-1403.02(a)), is amended by striking the phrase “, in the absence of compelling circumstances warranting an exception,”.

**Amend
§ 50-1403.02**

TITLE V. FISCAL IMPACT STATEMENT

Sec. 501. 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)).

TITLE VI. EFFECTIVE DATE

Sec. 601. 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 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved

December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

Chairman
Council of the District of Columbia

Mayor
District of Columbia