

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

*Codification
District of
Columbia
Code
2001 Supp.*

To amend, on a temporary basis, the District of Columbia Alcoholic Beverage Control Act by establishing civil penalties for individuals under 21 years of age who use false identification for the purpose of purchasing or consuming alcoholic beverages; requiring, as identification, the use of an official identification issued by an agency of government containing the name, date of birth, signature, and photograph of the bearer; and directing the District of Columbia Alcoholic Beverage Control Board to promulgate appropriate regulations to implement and administer this act.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Underage Drinking Temporary Amendment Act of 2000".

Sec. 2. Section 30 of the District of Columbia Alcoholic Beverage Control Act is amended as follows:

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

"(1) No person shall falsely represent his or her age, or possess or present as proof of age an identification document which is in any way fraudulent, for the purpose of procuring or consuming an alcoholic beverage in the District.

"(2) No person shall present a fraudulent identification document for the purpose of entering a class C or D licensed ABC establishment in the District.

"(3) For the purposes of determining valid representation of age, each person shall be required to present to the ABC licensed establishment owner or representative at least one form of valid identification, which shall have been issued by an agency of government (local, state, federal, or foreign) and shall contain the name, date of birth, signature, and photograph of the individual."

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

"(d)(1) As an alternative sanction to the misdemeanor penalties provided in subsection (b-1) of this section, any person who violates subsection (b)(1) or (b)(2) of this section shall be subject to the following civil penalties:

"(A) Upon the first violation, a penalty of \$300;

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"(B) Upon the second violation, a penalty of \$600; and

"(C) Upon the third and subsequent violations, a penalty of \$1,000 and the suspension of his or her driving privileges in the District for one year.

"(2) ABC inspectors or officers of the Metropolitan Police Department may enforce the provisions of this subsection by issuing a notice of civil infraction for a violation of subsection (b)(1) or (b)(2) of this section, pursuant to the Civil Infractions Act. Adjudication of any infraction of this subsection shall be pursuant to the Civil Infractions Act."

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

"(e) The Board shall, within 60 days of the effective date of the Underage Drinking Emergency Amendment Act of 2000, promulgate regulations for the implementation and administration of the provisions of the Underage Drinking Emergency Amendment Act of 2000."

Sec. 4. Fiscal impact statement.

The Council adopts the attached fiscal impact statement 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. Code § 1-233(c)(3)).

Sec. 5. Effective date.

(a) 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), approval by the Financial Responsibility and Management Assistance Authority as provided in section 203(a) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, approved April 17, 1995 (109 Stat. 116; D.C. Code § 47-392.3(a)), 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

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Stat. 813; D.C. Code § 1-233(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire on the 225th day after its having taking effect.

Chairman
Council of the District of Columbia

Mayor
District of Columbia