

ENROLLMENT(S)

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(5)

AN ACT

*Codification
District of
Columbia
Code
1998 Supp.*

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on a temporary basis, the District of Columbia Traffic Adjudication Act of 1978 to provide a separate process for the administrative adjudication and enforcement of parking infractions incurred by fleet owners during the regular course of business.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fleet Traffic Adjudication Temporary Amendment Act of 1997".

Sec. 2. The District of Columbia Traffic Adjudication Act of 1978, effective September 12, 1978 (D.C. Law 2-104; D.C. Code § 40-601 *et seq.*), is amended as follows:

(a) A new section 304a is adding to read as follows:

"Sec. 304a.

*Note,
New Section
40-624.1*

(a) For the purposes of this section, the term:

(1) "Fleet" means 5 or more company owned or long-term leased motor vehicles engaged in commercial activity. The term fleet shall not include motor vehicles which are vehicles for hire pursuant to paragraph 31 of section 7 of An Act Making appropriations to provide for expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and three, and for other purposes, approved July 1, 1902 (32 Stat. 626; D.C. Code § 47-2829).

(2) "Motor vehicle fleet owner" means any corporation, firm, agency, association, organization, or other entity holding legal title to five or more company owned or leased motor vehicles engaged in the regular course of business in the District of Columbia.

(b) The Mayor is authorized to implement a fleet traffic adjudication program. The Mayor may compile notices of infraction issued during a 30-day period, reconcile traffic records, and generate a consolidated monthly fleet infraction report for motor vehicle fleet owners who have registered those motor vehicles comprising a fleet. The monthly fleet infraction report shall serve as the summons and complaint.

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(c) The Mayor may, by rulemaking, impose a registration fee on all motor vehicle fleet owners authorized to participate in this program. The registration fee shall recover the administrative costs associated with the administration and enforcement of this act with respect to fleets.

(d) To participate in the fleet traffic adjudication program, a motor vehicle fleet owner shall:

"(1) Register its motor vehicle fleet engaged in the regular course of business in the District of Columbia with the Department of Public Works;

"(2) Pay a registration fee to cover the District government's administrative costs for the fleet adjudication program; and

"(3) Satisfy all outstanding parking infractions prior to registration in the program.

(e) A motor vehicle fleet owner who participates in the fleet traffic adjudication program shall answer, within 15 days of receipt, the monthly fleet infraction report which sets forth the date and time of the infraction, as well as other information contained in the original notice of infraction. Answers shall be consistent with section 305(a).

(f) The owner of a motor vehicle fleet shall be primarily liable for the civil penalties imposed pursuant to this section. .

(b) Section 305(d) (D.C. Code § 40-625(d)) is amended by adding at the end a new sentence to read as follows: This subsection shall not apply to any motor vehicle fleet owner who participates in the fleet traffic adjudication program. .

**Note, Section
40-625**

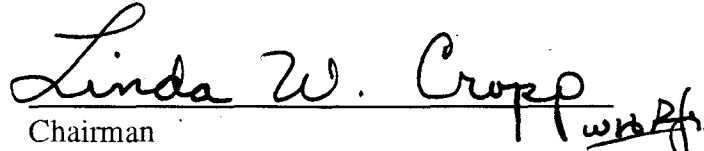
Sec. 3. The Mayor, pursuant to title 1 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Code § 1-1501 *et seq.*) may issue rules to implement the provisions of this act.

Sec. 4. Fiscal impact statement.

This act shall have no fiscal impact.

Sec. 5. (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 Stat. 813; D.C. Code § 1-233(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect or upon the effective date of the Fleet Traffic Adjudication Amendment Act of 1997, whichever occurs first.


Chairman
Council of the District of Columbia

Mayor
District of Columbia



COUNCIL OF THE DISTRICT OF COLUMBIA
COUNCIL PERIOD TWELVE
RECORD OF OFFICIAL COUNCIL VOTE

B12-296

Docket No.

ITEM ON CONSENT CALENDAR

☒ ACTION & DATE

ADOPTED FIRST READING, 07-01-97

☒ VOICE VOTE

APPROVED

RECORDED VOTE ON REQUEST

ABSENT

ALLEN, CHAVOUS AND THOMAS

ROLL CALL VOTE - Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Cropp					Evans					Smith, Jr.				
Allen					Jarvis					Thomas, Sr.				
Ambrose					Mason									
Brazil					Patterson									
Chavous					Schwartz									

X - Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

Angela Ford
Secretary to the Council

September 25, 1997
Date

ITEM ON CONSENT CALENDAR

☒ ACTION & DATE

ADOPTED FINAL READING, 09-22-97

☒ VOICE VOTE

APPROVED

RECORDED VOTE ON REQUEST

ABSENT

DIXON

ROLL CALL VOTE - Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Cropp					Dixon					Schwartz				
Allen					Evans					Smith, Jr.				
Ambrose					Jarvis					Thomas, Sr.				
Brazil					Mason									
Chavous					Patterson									

X-indicates no

AB-Absent

NV-Present not voting

CERTIFICATION RECORD

Angela Ford
Secretary to the Council

September 25, 1997
Date

ITEM ON CONSENT CALENDAR

ACTION & DATE

VOICE VOTE

RECORDED VOTE ON REQUEST

ABSENT

ROLL CALL VOTE - Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Cropp					Dixon					Schwartz				
Allen					Evans					Smith, Jr.				
Ambrose					Jarvis					Thomas, Sr.				
Brazil					Mason									
Chavous					Patterson									

X - Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

Secretary to the Council

Date