

ENROLLMENT(S)



(5)

COUNCIL OF THE DISTRICT OF COLUMBIA

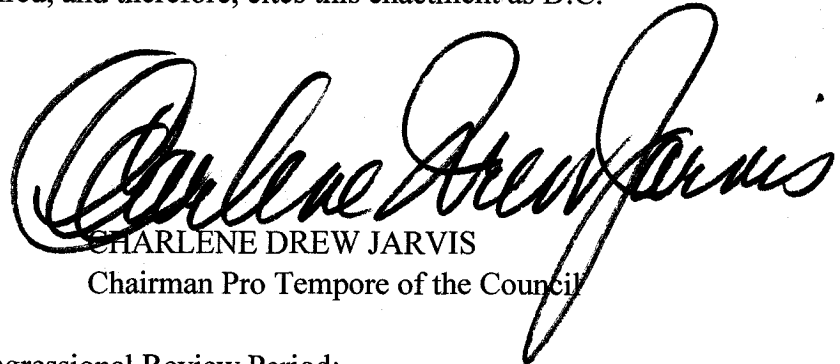
NOTICE

D.C. LAW 11- 189

"International Registration Plan Agreement Temporary Act of 1996".

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. 11-724, on first and second readings, June 4, 1996 and July 3, 1996, respectively. Following the signature of the Mayor on July 22, 1996, pursuant to Section 404(e) of "the Act", and was assigned Act No. 11-342, and published in the August 9, 1996, edition of the D.C. Register (Vol. 43 page 4275) and transmitted to Congress on January 13, 1997 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 11-189, effective April 9, 1997.



CHARLENE DREW JARVIS
Chairman Pro Tempore of the Council

Dates Counted During the 30-day Congressional Review Period:

Feb.	3,4,5,6,7,10,11,12,13,24,25,26,27,28
Mar.	3,4,5,6,10,11,12,13,14,17,18,19,20,21
Apr.	7,8

ENROLLED ORIGINAL

AN ACT

D.C. ACT 11-342

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JULY 22, 1996

To provide, on an temporary basis, for membership in the International Registration Plan pursuant to the federally mandated reciprocal registration requirements of 49 U.S.C. § 31704.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "International Registration Plan Agreement Temporary Act of 1996".

Sec. 2. Definitions.

- (1) "Apportioned operator" means registrant of a fleet of apportioned vehicles.
- (2) "Apportionment" means registration based on a proportional payment of registration fees, whether determined by a quotient of miles traveled, revenue received, average presence, or any other similar method.
- (3) "Established place of business" means a physical structure owned, leased, or rented by the fleet registrant and used as his or her main office. The physical structure shall be designated by a street number or road location, be opened during normal business hours, and have located within it:
 - (A) A telephone or telephones publicly listed in the name of the fleet registrant;
 - (B) A person or persons conducting the fleet registrant's business; and
 - (C) The operational records of the fleet.
- (4) "Fleet" means one or more apportionable vehicles.
- (5) "GVWR" means Gross Vehicle Weight Rating, and serves as the value specified by the manufacturer as the loaded weight of a single vehicle.
- (6) "Interjurisdiction movement" means vehicular movement between or through two or more jurisdictions.
- (7) "Intrajurisdiction movement" means vehicular movement from one point

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within a jurisdiction to another point within the same jurisdiction.

(8) "I.R.P." serves as the abbreviation for the reciprocal agreement, the International Registration Plan.

(9) "I.V.M.R." means Individual Vehicle Mileage Record and serves as the original record generated in the course of actual vehicle operation and is used as a source document to verify the registrant's application for accuracy.

(10) "Jurisdictional base" means the jurisdiction that an apportioned operator lists as his or her established place of business for the purpose of IRP.

(11) "Member jurisdiction" means a jurisdiction which has applied for membership and has been accepted by all members of the International Registration Plan.

(12) "Motor carrier" means an individual, partnership, or corporation engaged in the transportation of goods or persons.

(13) "Owner" means any person, firm or corporation other than the lienholder holding legal title to a vehicle.

(14) "Properly registered vehicle" means a vehicle which has been registered in full compliance with the laws of all jurisdictions in which it is intended to operate.

(15) "Reciprocity" means the reciprocal granting of rights and privileges to vehicles properly registered under the IRP and to vehicles not so registered if such vehicles are subject to separate reciprocity agreements, arrangements, declarations, or understandings.

(16) "Trip pass" means the official document or permit issued to a motor carrier for a single interjurisdictional movement.

(17) "Uniform mileage schedule" means the official IRP form, provided to record mileage by jurisdictions and total fleet miles derived from operational records.

Sec. 3. Reciprocal Agreements.

(a) Notwithstanding any other provision of law, the Mayor is authorized to enter into reciprocal agreements on behalf of the District of Columbia with the duly authorized representatives of any jurisdiction of the United States or a foreign country, providing for the registration of vehicles on an apportionment or allocation basis. In the exercise of this authority, the Mayor is expressly authorized to enter into and become a member of IRP, or such other designation that may, from time to time, be given to such a plan.

(b) The IRP and any other agreements herein authorized to be entered into by the Mayor shall take precedence over any District of Columbia law or regulation that may be in conflict with the aforementioned agreements.

Sec. 4. Registration.

(a) The Mayor shall implement a program for owners and/or apportioned operators to obtain apportioned registrations for their fleets as promulgated under IRP.

(b) All commercial vehicles with a GVWR of over 10,000 pounds and engaged in the

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interjurisdictional transport of goods or passengers are eligible for apportioned registration.

(c) The following apportioned operators involved in interjurisdictional movement shall observe the provisions of IRP. Vehicles exhibiting the following characteristics must declare a jurisdictional base and obtain the effective IRP apportioned credentials:

(1) Vehicles with two axles and a GVWR or 26,000 pounds or more;

(2) Vehicles with three or more axles; or

(3) Vehicles with a combination of paragraphs (1) and (2) of this subsection.

(d) Any vehicle qualifying for IRP and listing the District of Columbia as the established place of business must declare the District of Columbia as its jurisdictional base for purposes for IRP.

(e) Vehicles qualifying for IRP, under subsection (b) of this section, but not apportioned or covered by reciprocity, and engaged in interjurisdictional movement, shall acquire a trip pass prior to entering the District of Columbia.

(f) Vehicles requiring intrajurisdictional movement only may apply for IRP apportionment if the vehicle qualifies under subsection (c) of this section.

Sec. 5. Interjurisdictional and intrajurisdictional privileges.

(a) The District of Columbia as a member jurisdiction will provide reciprocity to fleet vehicles that are engaged in interjurisdictional movement and intrajurisdictional movement, and are properly registered with another member jurisdiction.

(b) All apportioned operators of fleet vehicles are required to have available for inspection an IVMR and must identify the mileage accumulated within the District of Columbia within one mile. Inspections of the IVMR may occur in combination with the performance of law enforcement duties related to violations of a municipal traffic code, to conducting road-side vehicle inspections, and to investigating vehicles not properly registered.

Sec. 6. Auditing.

Under the provisions of IRP, the Mayor shall adopt audit procedures to review the uniform mileage schedules and fleet records of apportioned operators declaring the District of Columbia as their jurisdictional base. The audit procedures shall involve at least 25% of the IRP apportioned vehicles declaring the District of Columbia as their jurisdictional base over a 3 year period. The 3-year period will commence October 1, 1997.

Sec. 7. Fees.

The Mayor shall establish a registration fee schedule for commercial vehicles to carry out the purpose of this act. The money generated from the fees shall be placed in a designated account and used to offset the cost of implementing the provisions of this act.

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Sec. 8. Repealer.

Subsection (f) of section 8 of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1123; D.C. Code § 40-303(f)), is repealed.

Sec. 9. Rules.

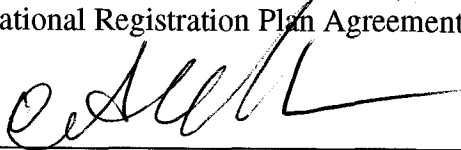
(a) Within 90 days after enactment of this act, the Mayor, pursuant to subchapter 1 of chapter 15, title 1, shall issue rules to implement and enforce the provisions of this act

(b) The proposed rules shall be submitted to the Council for a 45-day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve or disapprove the proposed rules, in whole or in part, by resolution within the 45-day review period, the proposed rules shall be deemed approved.

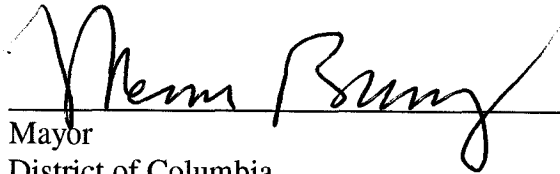
Sec. 10. Effective date.

(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 Authority Act of 1995, approved April 17, 1995 (109 Stat. 116; D.C. Code § 47-392.3(a)), and a 30-day period of Congressional review, 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 § 1-233(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire on the 225th day of its having taken effect or on the effective date of the International Registration Plan Agreement Act of 1996, whichever occurs first.



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED: July 22, 1996



COUNCIL OF THE DISTRICT OF COLUMBIA

COUNCIL PERIOD ELEVEN

RECORD OF OFFICIAL COUNCIL VOTE

B11-724

Docket No. _____

☐ ITEM ON CONSENT CALENDAR☒ ACTION & DATE

ADOPTED FIRST READING, 6-4-96

☒ VOICE VOTE
RECORDED VOTE ON REQUEST

APPROVED

ABSENT

BRAZIL, EVANS, LIGHTFOOT AND SMITH

☐ ROLL CALL VOTE - Result _____

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Clarke					Jarvis					Smith, Jr.				
Brazil					Lightfoot					Thomas, Sr.				
Chavous					Mason					Whittington				
Cropp					Patterson									
Evans					Ray									

X - Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

Secretary to the Council

July 11, 1996
Date☒ ITEM ON CONSENT CALENDAR☒ ACTION & DATE

ADOPTED FINAL READING, 7-3-96

☒ VOICE VOTE
RECORDED VOTE ON REQUEST

APPROVED

ABSENT

CHAVOUS

☐ ROLL CALL VOTE - Result _____

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Clarke					Jarvis					Smith, Jr.				
Brazil					Lightfoot					Thomas, Sr.				
Chavous					Mason					Whittington				
Cropp					Patterson									
Evans					Ray									

X-indicates no

AB-Absent

NV-Present not voting

CERTIFICATION RECORD

Secretary to the Council

July 11, 1996
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. Clarke					Jarvis					Smith, Jr.				
Brazil					Lightfoot					Thomas, Sr.				
Chavous					Mason					Whittington				
Cropp					Patterson									
Evans					Ray									

X - Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

Secretary to the Council

Date