

A RESOLUTION

**Proposed Resolution
20-92**

To declare the existence of an emergency with respect to the need to approve emergency rules to amend certain moving violation fines by extending emergency rulemaking that became effective on November 5, 2012 and decreased the fines for driving up to 10 miles per hour in excess of the speed limit and 11 to 15 miles per hour in excess of the speed limit and increased the fine for driving over 25 miles per hour in excess of the speed limit.

**See Emergency
D.C. Res.
20-43
20 DCSTAT 746**

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Civil Fines For Moving Infractions Emergency Declaration Resolution of 2013”.

**Civil Fines For
Moving Infractions
Emergency
Declaration
Resolution of 2013**

Sec. 2. (a) This emergency rulemaking is an extension of emergency rulemaking that was adopted on November 2, 2012, became effective on November 5, 2012, and was published along with a Notice of Proposed Rulemaking in the *D.C. Register* on November 9, 2012 at 59 DCR 12903. The November 2012 emergency rulemaking will expire on March 2, 2013.

(b) On December 18, 2012, the Council passed the Civil Fines for Moving Infractions Disapproval Resolution of 2012, effective December 18, 2012 (Res. 19-732; 60 DCR 293), which disapproved the proposed rulemaking.

(c) Also on December 18, 2012, the Council passed the Safety-Based Traffic Enforcement Amendment Emergency Act of 2012, signed by the Mayor on January 19, 2013 (D.C. Act 19-635) (“Traffic Enforcement Emergency Act”), which sets forth a different set of fines than the emergency and proposed rulemaking published on November 9, 2012, and requires that the schedule of speeding fines may not be amended until the Council has approved proposed rules or proposed rules have been deemed approved. Pursuant to section 401(b)(1) of the Traffic Enforcement Emergency Act, the applicable fine amounts set forth in that act shall not apply before April 1, 2013, leaving a gap between the expiration of the fines adopted in the emergency rulemaking on November 2, 2012 and the effective date of the fines set forth in the Traffic Enforcement Emergency Act.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Civil Fines For Moving Infractions Emergency Approval Resolution of 2013 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.