

**5774 VEHICLE POLICY**

5774.1 All RAD Covered Projects are private property and parking is prohibited unless approved by the owner. In addition, the owner has the right to tow any unauthorized vehicle on RAD Covered Projects as provided in this chapter.

5774.2 Definitions

- (a) "Abandoned Vehicle" shall mean any motor vehicle, trailer, or semi-trailer that:
  - (1) Is inoperable and left unattended on public property for more than seventy-two (72) hours;
  - (2) Has remained illegally on public property for more than 72 hours;
  - (3) Has remained on public property for more than 72 hours and is:
    - (A) Not displaying current valid registration; or
    - (B) Displaying registration of another vehicle;
  - (4) Has remained on RAD Covered Project for more than 72 hours and is inoperable in that one or more of its major mechanical components, including, but not limited to, engine, transmission, drive train or wheels, is missing or not functional unless such vehicle is kept in an enclosed building completely shielded from view of individuals on the adjoining properties; or
  - (5) Has remained unclaimed on RAD Covered Project for 72 hours after proper notice as provided for in Subsection 5774.6 below.
- (b) "Junk Vehicle" shall mean any motor vehicle, trailer, or semi-trailer that is wrecked, dismantled, or in irreparable condition.
- (c) "Nuisance Vehicle" shall mean any motor vehicle, trailer, or semi-trailer that is a danger to the public health, safety, and welfare of residents or employees including, but not limited to, vehicles that are on cinder blocks/bricks, harbors rats, snakes or other vermin, have open and accessible interior or trunk, or exhibits broken windows, torn sheet metal, or exposed sharp metal.
- (d) "RAD Covered Project" shall mean all property, including parking lots, sidewalks or internal driveways or streets that is a part of DCHA's RAD Project-Based Program.

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- (e) "Public Property" shall mean all property, including public streets, alleys, parking lots or other real property owned by the District of Columbia government.

### 5774.3 Vehicles on Public Property

- (a) If the RAD Covered Project owner observes an Abandoned, Nuisance, or Junk Vehicle on a public street or other public property, the owner of the RAD Covered Project may contact the District of Columbia Department of Public Works, Abandoned and Junk Vehicle Division to have the vehicle removed from public property within the RAD Covered Project.
- (b) Owners of a RAD Covered Project may not remove an Abandoned, Nuisance or Junk Vehicle located on Public Property. Only the District of Columbia Department of Public Works may remove such vehicles.

5774.4 Stolen Vehicles. If the owner of the RAD Covered Project determines that a vehicle is stolen, whether on RAD Project-Based Property or Public Property, the owner may notify the Metropolitan Police Department of the stolen vehicle or may request that DCHA's Office of Public Safety report the vehicle stolen on the requisite Metropolitan Police Department report form.

### 5774.5 Removal of Vehicles from RAD Covered Projects

- (a) If the owner of a RAD Covered Project determines that a vehicle is a Nuisance Vehicle located on the RAD Covered Project, the owner may immediately remove the vehicle from the RAD Covered Project.
- (b) If the owner determines a vehicle is an Abandoned or Junk Vehicle located on a RAD Covered Project for more than 72 hours, a Notice of Infraction may be issued and a Warning Notice to Remove the Vehicle affixed to the vehicle.
- (c) The Notice of Infraction may be issued and Warning Notice may be affixed by DCHA's Office of Public Safety, Metropolitan Police Department or other authorized appropriate District of Columbia officials.
- (d) The owner of the Abandoned or Junk Vehicle will have seventy-two (72) hours to remove the vehicle from the RAD Covered Project.
- (e) Prior to initiating towing procedures, the owner of a RAD Covered Project will attempt to identify and contact the owner of the vehicle via telephone. In the event the RAD property owner is able to contact the

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vehicle owner, the RAD property owner will advise the owner of the following:

- (1) The owner's vehicle is parked on a RAD Covered Project;
- (2) The owner's timely removal of the vehicle is necessary to avoid the vehicle being towed;
- (3) The vehicle was issued a Notice of Infraction for being parked on a RAD Covered Project; and
- (4) The process for recovering the vehicle if towed from the RAD Covered Project.

### 5774.6 Towing of Vehicles.

- (a) The owner of the RAD Covered Project will make two attempts to contact the owner of a vehicle that has been issued a Notice of Infraction for being parked on DCHA's Property as provided for above. The attempts will be no less than twenty-four (24) hours apart.
- (b) If the owner of the RAD Covered Project is unable to contact the owner of a vehicle after two attempts, the property owner will proceed with the removal of the vehicle from the RAD Covered Project.
- (c) If the vehicle is not removed from the RAD Covered Project within 72 hours of the issuance of the Notice of Infraction and Warning Notice, the owner of the RAD Covered Project will have the vehicle removed by contacting either:
  - (1) The District of Columbia Department of Public Works, Abandoned and Junk Vehicle Division; or
  - (2) A tow crane operator licensed with the District of Columbia.

SOURCE: Final Rulemaking at 64 DCR 12956 (December 22, 2017); as amended by Final Rulemaking published at 66 DCR 6831 (June 7, 2019).