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A BILL
22-13

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the Bicycle and Pedestrian Safety Amendment Act of 2016 to clarify what data the Mayor is required to publish; to amend the District of Columbia Traffic Act, 1925 to remove penalties for parking an all-terrain vehicle or dirt bike in public space in the District, to provide an exception to the prohibition on operating an all-terrain vehicle or dirt bike in public space in the District for when a person is loading the all-terrain vehicle or dirt bike on a vehicle, trailer, or other storage container to transport the all-terrain vehicle or dirt bike to another jurisdiction or to private property in the District, to remove the requirement that workers must be present in a work zone in order for a moving violation fine to double, to authorize the Mayor to require certain individuals to participate in the Ignition Interlock System Program; to amend the Anti-Drunk Driving Act of 1982 to clarify the penalties for when a person is convicted of certain driving offenses three times within a 5-year period; and to amend Title IX of the Fiscal Year 1997 Budget Support Act of 1996 to clarify language relating to a person involved in a collision’s access to photographs or video footage of the collision.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Bicycle and Pedestrian Safety Clarification Amendment Act of 2017”.

Sec. 2. The Bicycle and Pedestrian Safety Amendment Act of 2016, effective October 8, 2016 (D.C. Law 21-155; codified in scattered cites in the D.C. Official Code), is amended as follows:

- (a) Section 102(a) (D.C. Official Code § 50-1951.02(a)) is amended as follows:
 - (1) Paragraph (3) is amended to read as follows:

“(3) The location, by ward and block or intersection, of the collision;”.
 - (2) Paragraph (6) is amended to read as follows:

34 “(6) Available demographic information about the person or persons involved in
35 the collision, which shall be aggregated and describe any injuries sustained in the collision using
36 the term “minor”, “serious”, “critical”, or “fatal”; provided, that the Mayor shall not publish any
37 personal information, including:

38 “(A) A person’s name, address, photograph, or social security number;

39 “(B) Individually-identifiable health information, as that term is defined in
40 45 C.F.R. § 160.103; and

41 “(C) Any other information that could be used, on its own or in
42 combination with other information, to identify, contact, or locate an individual involved in a
43 collision.”.

44 (3) Paragraph (7) is amended by striking the word “accident” and inserting the
45 word “crash” in its place.

46 (b) Section 103(a) (D.C. Official Code § 50-1951.03(a)) is amended to read as follows:

47 “(a) To the extent available, the Mayor shall publish online, at least once per quarter, the
48 following information related to all notices of infractions issued for moving infractions in the
49 preceding quarter:

50 “(1) The date and time of the moving infraction;

51 “(2) The location, by ward and block or intersection, where the moving infraction
52 occurred;

53 “(3) The agency that issued the notice of infraction;

54 “(4) Whether the notice of infraction was issued in person or by use of the
55 automated traffic enforcement program;

56 “(5) The violation;

57 “(6) The jurisdiction in which the motor vehicle involved in the moving infraction
58 is registered; and

59 “(7) The year, make, model, and type of the motor vehicle that committed the
60 moving infraction.”.

61 (c) Section 104(a) (D.C. Official Code § 50-1951.04(a)) is amended as follows:

62 (1) Paragraph (1) is amended by striking the phrase “by ward, block or
63 intersection, and coordinates” and inserting the phrase “by ward and block or intersection” in its
64 place.

65 (2) Paragraph (5) is amended by striking the phrase “description of any” and
66 inserting the phrase “description of or plan showing any” in its place.

67 (d) Section 105(a)(1) (D.C. Official Code § 50-1951.05(a)(1)) is amended by striking the
68 phrase “by ward, block or intersection, and coordinates” and inserting the phrase “by ward and
69 block or intersection” in its place.

70 (e) Section 106 (D.C. Official Code § 50-1951.06) is amended as follows:

71 (1) The section heading is amended as follows:

72 (A) Strike the word “frequency” and insert the word “rate” in its place.

73 (B) Strike the word “pedestrians” and insert the phrase “pedestrians or
74 bicyclists” in its place.

75 (2) Paragraph (1) is amended by striking the word “pedestrians” and inserting the
76 phrase “pedestrians or bicyclists” in its place.

77 (3) Paragraph (3) is amended by striking the word “pedestrians” and inserting the
78 phrase “pedestrians or bicyclists” in its place.

79 (f) Section 107(a) (D.C. Official Code § 50-1951.07(a)) is amended as follows:

80 (1) Paragraph (1) is amended by striking the phrase “where motor vehicles make
81 left and right turns” and inserting the phrase “at intersections” in its place.

82 (2) Paragraph (3) is amended by striking the word “unsignalized” and inserting
83 the word “uncontrolled” in its place.

84 (g) Section 609 (D.C. Official Code § 50-2302.01, note) is amended by striking the word
85 “accident” and inserting the word “collision” in its place.

86 Sec. 3. The District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat.
87 1119; codified in scattered cites in the D.C. Official Code), is amended as follows:

88 (a) Section 9b (D.C. Official Code § 50-2201.04b) is amended as follows:

89 (1) Subsection (a) is amended to read as follows:

90 “(a)(1) No person shall:

91 “(A) Operate an all-terrain vehicle or dirt bike on public property,
92 including any public space in the District; or

93 “(B) Park, stand, or stop an all-terrain vehicle or dirt bike on public
94 property, including any public space in the District.

95 “(2) Paragraph (a) of this subsection shall not apply to a person who is in the
96 process of immediately loading the all-terrain vehicle or dirt bike in or on a vehicle, trailer, or
97 other storage container for transport to another jurisdiction or to private property in the District.”.

98 (2) Subsection (c) is amended by striking the phrase “any provision of this
99 section” and inserting the phrase “subsection (a)(1)(A) of this section” in its place.

100 (3) Subsection (d) is amended by striking the phrase “subsection (a)(1)” both
101 times it appears and inserting the phrase “subsection (a)(1)(A)” in its place.

102 (4) Subsection (f) is amended by striking the phrase “operated or parked” and
103 inserting the word “operated” in its place.

104 (b) Section 9c(a) (D.C. Official Code § 50-2201.04c(a)) is amended by striking the
105 phrase “work zone, during any time when traffic is regulated or restricted through or around the
106 zone, when work is actually being performed in the zone by workers acting in their official
107 capacity,” and inserting the phrase “work zone,” in its place.

108 (c) Section 10a (D.C. Official Code § 50-2201.05a) is amended as follows:

109 (1) Subsection (b) is amended by striking the phrase “shall, as a condition of a
110 restricted license, enroll” and insert the phrase “shall enroll” in its place.

111 (2) A new subsection (b-1) is added to read as follows:

112 “(b-1) A person required to participate in the Program pursuant to section 13(a) shall
113 enroll in the Program for a period of time to be determined by the Mayor.”.

114 (3) A new subsection (f) is added to read as follows:

115 “(f) A person violating subsection (c) of this section shall be fined no more than the
116 amount set forth in section 101 of the Criminal Fine Proportionality Amendment Act of 2012,
117 effective June 11, 2013 (D.C. Law 19-317; D.C. Official Code § 22-3571.01), or incarcerated for
118 no more than one year, or both.”.

119 (d) Section 13(a) (D.C. Official Code § 50-1403.01(a)) is amended as follows:

120 (1) Strike the phrase “suspend an operator’s permit” and insert the phrase
121 “suspend an operator’s permit, or require participation in the Ignition Interlock System Program
122 established by section 10a (“Program”),” in its place.

123 (2) Strike the phrase “suspended the reasons therefor shall be set out in the order
124 of revocation or suspension” and inserting the phrase “suspended, or where a person is required
125 to participate in the Program, the reasons therefor shall be set out in the order of revocation or
126 suspension, or the order requiring participation in the Program” in its place.

127 (3) Strike the phrase “suspending a permit on account” and inserting the phrase
128 “suspending a permit, or requiring participation in the Program, on account” in its place.

129 Sec. 4. The Anti-Drunk Driving Act of 1982, effective September 14, 1982 (D.C. Law 4-
130 145; D.C. Official Code § 50-2206.01 *et seq.*), is amended as follows:

131 (a) Section 3d(d-1) (D.C. Official Code § 50-2206.13(d-1)) is amended as follows:

132 (1) Paragraph (1) is amended by striking the phrase “permanently revoked
133 without the ability to be reinstated” and inserting the phrase “revoked until such time as the
134 Department may reinstate the person’s driver’s license or privilege to operate a motor vehicle in
135 the District pursuant to paragraph (2) of this subsection” in its place.

136 (2) Paragraph (2) is amended by striking the phrase “Notwithstanding paragraph
137 (1) of this subsection, a person” and inserting the phrase “A person” in its place.

138 (b) Section 3f(c-1) (D.C. Official Code § 50-2206.15(c-1)) is amended as follows:

139 (1) Paragraph (1) is amended by striking the phrase “permanently revoked
140 without the ability to be reinstated” and inserting the phrase “revoked until such time as the
141 Department may reinstate the person’s driver’s license or privilege to operate a motor vehicle in
142 the District pursuant to paragraph (2) of this subsection” in its place.

143 (2) Paragraph (2) is amended by striking the phrase “Notwithstanding paragraph
144 (1) of this subsection, a person” and inserting the phrase “A person” in its place.

145 Sec. 5. Section 904(a) of the Fiscal Year 1997 Budget Support Act of 1996, effective
146 October 8, 2016 (D.C. Law 21-155; D.C. Official Code § 50-2209.04(a)), is amended as follows:

147 (a) Paragraph (1) is amended by striking the phrase “all parties involved in the collision”
148 and inserting the phrase “the person or persons involved in the collision” in its place.

149 (b) Paragraph (3) is amended by striking the word “party” and inserting the phrase
150 “person involved in the collision” in its place.

151 Sec. 6. Fiscal impact statement.

152 The Council adopts the fiscal impact statement in the committee report as the fiscal
153 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
154 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

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156

ENGROSSED ORIGINAL

157 Sec. 7. Effective date.

158 This act shall take effect following approval by the Mayor (or in the event of veto by the
159 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
160 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
161 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
162 Columbia Register.