

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the District of Columbia Traffic Adjudication Act of 1978 to provide that a hearing examiner shall not dismiss a notice of infraction for not properly recording a vehicle's make and model number, if the notice of infraction contains sufficient additional information, to require the Mayor to file a facsimile of certain notices of infraction with the Department of Consumer and Regulatory Affairs, and to clarify that a hearing examiner shall not dismiss a notice of infraction because it lacks information that is not required by section 3000.1 of Title 18 of the District of Columbia Municipal Regulations; to amend the Performance Parking Pilot Zone Act of 2008 to allow the Mayor to establish Repeat Parking Violation Pilot Zones which would require higher fines for repeat parking infractions within a Repeat Parking Violation Pilot Zone, and to require the Mayor to report information to the Council about repeat parking violations in Repeat Parking Violation Pilot Zones; to amend section 3313 of Title 16 of the District of Columbia Municipal Regulations to provide that failure to clearly display a Mobile Roadway Vehicle Site Permit shall be a Class 5 infraction; and to amend section 535 of Title 24 of the District of Columbia Municipal Regulations to require a relevant vehicle clearly display an Mobile Roadway Vehicle Site Permit.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Repeat Parking Violations Amendment Act of 2018".

Sec. 2. The District of Columbia Traffic Adjudication Act of 1978, effective September 12, 1978 (D.C. Law 2-104; D.C. Official Code § 50-2301.01 *et seq.*), is amended as follows:

(a) Section 109(b) (D.C. Official Code § 50-2301.09(b)) is amended by striking the phrase "infraction." and inserting the phrase "infraction; provided, that the Department shall not dismiss an infraction issued pursuant to Title III solely because the notice of infraction failed to record the vehicle make and model, if the notice of infraction contains sufficient additional information, such as a photograph or a description of the vehicle, to determine that the vehicle matches the tag number provided in the notice of infraction." in its place.

(b) Section 303 (D.C. Official Code § 50-2303.03) is amended as follows:

(1) A new subsection (c-3) is added to read as follow:

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“(c-3) When a notice of infraction is issued under this title to a vehicle that is required to clearly display an MRV Site Permit, pursuant to 24 DCMR § 535.1(a-1), the Mayor shall file a facsimile of the notice of infraction with the Department of Consumer and Regulatory Affairs.”.

(2) Subsection (e) is amended by striking the phrase “issued.” and inserting the phrase “issued; provided, that a hearing examiner shall not enter an order dismissing a notice of infraction because the notice of infraction lacks information about the vehicle or infraction, other than the information required by 18 DCMR § 3000.1.” in its place.

Sec. 3. The Performance Parking Pilot Zone Act of 2008, effective November 25, 2008 (D.C. Law 17-279, D.C. Official Code § 50-2531 *et seq.*), is amended by adding a new section 2b to read as follows:

“Sec. 2b Repeat Parking Violation Pilot Zones.

“(a) The Mayor may establish Repeat Parking Violation Pilot Zones for the purpose of dissuading repeat parking violations, managing curbside parking, and reducing congestion caused by repeat parking violations.

“(b) Notwithstanding any other provision of law, if a person who violates Chapter 24 of Title 18 of the District of Columbia Municipal Regulations in a Repeat Parking Violation Zone was previously found liable for a violation of Chapter 24 of Title 18 of the District of Columbia Municipal Regulations in a Repeat Parking Violation Zone within the same 12-month period, the fine for the second violation shall be triple the fine otherwise provided by law.

“(c) Notwithstanding any other provision of law, if a person who violates Chapter 24 of Title 18 of the District of Columbia Municipal Regulations in a Repeat Parking Violation Zone was previously found liable for 2 or more violations of Chapter 24 of Title 18 of the District of Columbia Municipal Regulations in a Repeat Parking Violation Zone within the same 12-month period, the fine for the third or subsequent violation shall be quadruple the fine otherwise provided by law.

“(d) Within one year after the effective date of the Repeat Parking Violations Amendment Act of 2018, passed on 2nd reading on December 18, 2018 (Enrolled version of Bill 22-619), the Mayor shall submit to the Council a report describing efforts to mitigate repeat parking violations, as described in subsections (b) and (c) of this section. The report shall identify, at a minimum:

“(1) The number of violations of Chapter 24 of Title 18 of the District of Columbia Municipal Regulations that were subject to the enhanced penalties in subsection (b) of this section; and

“(2) The number of violations of Chapter 24 of Title 18 of the District of Columbia Municipal Regulations that were subject to the enhanced penalties in subsection (c) of this section.”.

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Sec. 4. Section 3313.4(e) of Title 16 of District of Columbia Municipal Regulations is amended to read as follows:

“(e) 24 DCMR §§ 535.1(a-1) (failure to clearly display an MRV Site Permit), (b) (failure to pay all parking meter fees), and (c) (failure to obey all posted time restrictions);”.

Sec. 5. Section 535.1 of Title 24 of the District of Columbia Municipal Regulations is amended by adding a new paragraph (a-1) to read as follows:

“(a-1) Clearly display the MRV Site Permit required pursuant to § 533.2;”.

Sec. 6. Fiscal impact statement.

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

Sec. 7. Effective date.

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), 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. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

Chairman
Council of the District of Columbia

Mayor
District of Columbia