

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the Removal and Disposition of Abandoned and Other Unlawfully Parked Vehicles Reform Act of 2003 to clarify the definitions of abandoned vehicle and dangerous vehicle, and to provide that certain violations of the Removal and Disposition of Abandoned and Other Unlawfully Parked Vehicles Reform Act of 2003 shall be subject to a civil fine.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Removal and Disposition of Abandoned and Other Unlawfully Parked Vehicles Reform Amendment Act of 2022".

Sec. 2. The Removal and Disposition of Abandoned and Other Unlawfully Parked Vehicles Reform Act of 2003, effective October 28, 2003 (D.C. Law 15-35; D.C. Official Code § 50-2421.01 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 50-2421.02) is amended as follows:

(1) Paragraph (1) is amended as follows:

(A) The lead-in language is amended by striking the phrase "at least 2 of the following apply" and inserting the phrase "at least one of the following applies" in its place.

(B) Subparagraph (A) is repealed.

(C) Subparagraph (D) is amended to read as follows:

"(D) The vehicle does not display valid tags or a valid registration sticker; except, that a vehicle shall not be deemed an abandoned vehicle under this subparagraph solely because the vehicle displays expired tags or registration sticker, unless the tags or registration sticker expired at least one year before any enforcement action is taken under this act, which shall be measured concurrently with the period of time required to establish that the vehicle is abandoned, as described in the lead-in language of this paragraph."

(2) Paragraph (2) is amended to read as follows:

"(2) "Dangerous vehicle" means a motor vehicle, trailer, or semitrailer that, due to at least one of the following conditions existing for at least 24 hours, poses an imminent hazard to the public health, safety, or welfare:

“(A) The vehicle is extensively damaged, including damaged by fire or exposed broken glass or metal shards are present; or

“(B) Another dangerous condition that poses an imminent hazard to the public health, safety, or welfare is present.”.

(3) Paragraph (7) is amended by striking the phrase “any 2” and inserting the word “any” in its place.

(b) Section 3(1) (D.C. Official Code § 50-2421.03(1)) is amended by striking the semicolon and inserting the phrase “; except, that it shall be a defense to a violation under this paragraph if the vehicle owner filed a report, including the time and date of the event, with the Metropolitan Police Department or the vehicle owner’s insurer about the damage to the vehicle, prior to receiving the Notice of Infraction;” in its place.

(c) Section 4(e) (D.C. Official Code § 50-2421.04(e)) is amended by striking the phrase “prosecuted by the Office of the Corporation Counsel, and shall be punished by a fine of not more than the amount set forth in section 101 of the Criminal Fine Proportionality Amendment Act of 2012, passed on 2nd reading on November 1, 2012 (Enrolled version of Bill 19-214), imprisonment of not more than 90 days, or both” and inserting the phrase “subject to a civil fine of not more than \$500” in its place.

(d) Section 9 (D.C. Official Code § 50-2421.09) is amended as follows:

(1) Subsection (a)(5) is amended by striking the semicolon and inserting the phrase “; and” in its place.

(2) Subsection (c) is amended by striking the phrase “prosecuted by the Office of the Corporation Counsel, and shall be punished by a fine of not more than the amount set forth in section 101 of the Criminal Fine Proportionality Amendment Act of 2012, passed on 2nd reading on November 1, 2012 (Enrolled version of Bill 19-214), imprisonment of not more than 90 days, or both” and inserting the phrase “subject to a civil fine of not more than \$500” in its place.

(e) Section 10(d) (D.C. Official Code § 50-2421.10(d)) is amended by striking the phrase “guilty of a misdemeanor prosecuted by the Office of the Corporation Counsel, and shall be subject to a fine for each offense of not more than the amount set forth in section 101 of the Criminal Fine Proportionality Amendment Act of 2012, passed on 2nd reading on November 1, 2012 (Enrolled version of Bill 19-214), imprisonment for a period not to exceed one year, or both” and inserting the phrase “subject to a civil fine of not more than \$2,500” in its place.

Sec. 3. 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).

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Sec. 4. 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