

ENROLLMENT(S)

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COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 12-14

"International Registration Plan Agreement Act of 1997".

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P.L. 93-198 "the Act", the Council of the District of Columbia adopted Bill No. 12-19, on first and second readings, March 4, 1997 and May 6, 1997, respectively. Following the signature of the Mayor on May 23, 1997, pursuant to Section 404(e) of "the Act", and was assigned Act No. 12-91, and published in the June 27, 1997, edition of the D.C. Register (Vol. 44 page 3620) and transmitted to Congress on June 18, 1997 for a 30-day review, in accordance with Section 602(c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 12-14, effective September 5, 1997.



LINDA W. CROPP
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

June	18,19,20,23,24,25,26,27
July	7,8,9,10,11,14,15,16,17,21,22,23,24,25,28,29,30,31
Aug.	1
Sept.	2,3,4

AN ACT

D.C. ACT 12-91

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 23, 1997

*Codification
District of
Columbia
Code
1998 Supp.*

*New
Subchapter
III, Chapter
1, Title 40*

To provide for membership in the International Registration Plan pursuant to the federally mandated reciprocal registration requirements of 49 U.S.C. § 31704.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "International Registration Plan Agreement Act of 1997".

Sec. 2. Definitions.

For the purposes of this act, the term:

*New Section
40-121*

- (1) "Apportioned operator" means registrant of a fleet of apportioned vehicles.
- (2) "Apportionment" means registration based on a proportional payment of registration fees, whether determined by a quotient of miles traveled, revenue received, average presence, or any other similar method.
- (3) "Apportionable vehicle" means any vehicle, except recreational vehicles, vehicles displaying restricted plates, buses used in transportation of chartered parties and government-owned vehicles, used or intended for use in two or more member jurisdictions that allocate or proportionally register vehicles and are used for the transportation of persons for hire or designed, used, or maintained primarily for the transportation of property and:
 - (A) Is a power unit having two axles and a gross vehicle weight or registered gross vehicle weight in excess of 26,000 pounds;
 - (B) Is a power unit having three or more axles, regardless of weight; or
 - (C) Is used in combination, when the weight of such combination exceeds 26,000 pounds gross vehicle weight.
- (4) "Base jurisdiction" means, for purposes of fleet registration, the jurisdiction where the registrant has an established place of business, where mileage is accrued by the fleet, and where operational records of such fleet are maintained or can be made available in accordance with section 1602 of the International Registration Plan ("IRP").
- (5) "Base plate" means the plate issued by the base jurisdiction and shall be the only registration identification plate issued for the vehicle by any member jurisdiction.

ENROLLED ORIGINAL

(6) "Combined Gross Vehicle Weight" ("CGVW") means the total unladen weight of a combination of vehicles and weight of the load carried on that combination of vehicles.

(7) "Established place of business" means a physical structure owned, leased, or rented by the fleet registrant and used as his or her main office. The physical structure shall be designated by a street number or road location, be open during normal business hours, and have located within it:

(A) A telephone or telephones publicly listed in the name of the fleet registrant;

(B) A person or persons conducting the fleet registrant's business; and

(C) The operational records of the fleet.

(8) "Fleet" means one or more apportionable vehicles.

(9) "Interjurisdictional movement" means vehicular movement between or through two or more jurisdictions.

(10) "Intrajurisdictional movement" means vehicular movement from one point within a jurisdiction to another point within the same jurisdiction.

(11) "I.R.P." serves as the abbreviation for the reciprocal agreement, the International Registration Plan.

(12) "I.V.M.R." means Individual Vehicle Mileage Record which serves as the original record generated in the course of actual vehicle operation and is used as a source document to verify the registrant's application for accuracy.

(13) "Member jurisdiction" means a jurisdiction which has applied for membership and been accepted by all members of the IRP.

(14) "Motor carrier" means an individual, partnership, or corporation engaged in the transportation of goods or persons.

(15) "Owner" means any person, firm, or corporation other than the lienholder holding legal title to a vehicle.

(16) "Properly registered vehicle" means a vehicle which has been registered in full compliance with the laws of all jurisdictions in which it is intended to operate.

(17) "Reciprocity" means the reciprocal granting of rights and privileges to vehicles properly registered under the IRP and to vehicles not so registered if these vehicles are subject to separate reciprocity agreements, arrangements, declarations, or understandings.

(18) "Trip permit" means a temporary permit issued by a jurisdiction in lieu of regular registration reciprocity.

(19) "Uniform mileage schedule" means the official IRP form provided to record mileage by jurisdictions and total fleet miles derived from operational records.

ENROLLED ORIGINAL

Sec. 3. Reciprocal agreements.

*New Section
40-122*

(a) Notwithstanding any other provision of the law, the Mayor is authorized to enter into reciprocal agreements on behalf of the District of Columbia with duly authorized representatives of any jurisdiction of the United States or a foreign country, providing for the registration of vehicles on an apportionment or allocation basis. In the exercise of this authority, the Mayor is expressly authorized to enter into and become a member of the IRP, or such other designation that may, from time to time, be given to such a plan.

(b) The IRP and any other agreements that this act authorizes the Mayor to enter into shall take precedence over any District of Columbia law or regulation that may be in conflict with these agreements.

Sec. 4. Registration.

*New Section
40-123*

(a) The Mayor shall implement a program for owners and apportioned operators to obtain apportioned registrations for their fleets as promulgated under the IRP.

(b) Any vehicle qualifying for IRP and that lists the District of Columbia as the established place of business must declare the District of Columbia as its base jurisdiction for purpose of the IRP and obtain a base plate from the District of Columbia.

(c) Vehicles qualifying for the IRP and engaged in interjurisdictional movement, but not apportioned or covered by reciprocity, shall acquire a trip permit prior to entering the District of Columbia.

(d) Trucks and truck tractors, combinations of vehicles having a combined gross vehicle weight of 26,000 pounds or less, and buses used in transportation of chartered parties may be proportionally registered at the option of the registrant.

Sec. 5. Interjurisdictional and intrajurisdictional privileges.

*New Section
40-124*

(a) The District of Columbia as a member jurisdiction will provide reciprocity to fleet vehicles that are engaged in interjurisdictional movement and intrajurisdictional movement, and are properly registered with another member jurisdiction.

(b) All apportioned operators of fleet vehicles are required to have available for inspection an IVMR and must identify the mileage accumulated within the District of Columbia within one mile. Inspections of the IVMR may occur in combination with the performance of law enforcement duties related to violations of a municipal traffic code, conducting road-side vehicle inspections, and investigating vehicles not properly registered.

Sec. 6. Auditing.

*New Section
40-125*

Pursuant to provisions of IRP, the Mayor shall adopt audit procedures to review the uniform mileage schedules and fleet records of apportioned operators declaring the District of Columbia as their base jurisdiction. The audit procedures shall involve at least 15% of the IRP

ENROLLED ORIGINAL

apportioned vehicles declaring the District of Columbia as their base jurisdiction base over a 5-year period. The 5-year period will commence October 1, 1997.

Sec. 7. Fees.

The Mayor shall establish a registration fee schedule for commercial vehicles to carry out the purposes of this act. The fees which this act generates shall be placed in a designated account and used to offset the cost of implementing the provisions of this act.

*New Section
40-126*

Sec. 8. Repealer.

Section 8(f) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1123; D.C. Code § 40-303(f)), is repealed.

*Section
40-303*

Sec. 9. Rules.

Within 90 days after enactment of this act, the Mayor shall issue rules to implement and enforce the provisions of this act pursuant to the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Code § 1-1501 *et seq.*).

Sec. 10. Fiscal impact statement.

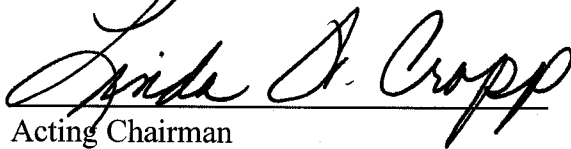
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-233(c)(3)).

Sec. 11. Effective date.

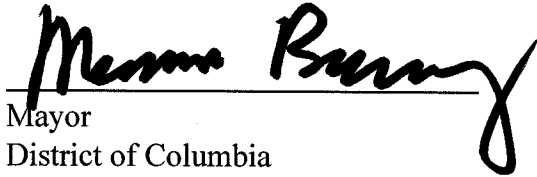
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), approval by the Financial Responsibility and Management Assistance Authority as provided in section 203(a) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, approved April 17, 1995 (109 Stat. 116; D.C. Code § 47-392.3(a)), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental

ENROLLED ORIGINAL

Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-233(c)(1)), and publication in the District of Columbia Register.



Acting Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED: May 23, 1997



COUNCIL OF THE DISTRICT OF COLUMBIA
 COUNCIL PERIOD TWELVE
 RECORD OF OFFICIAL COUNCIL VOTE

B12-19

Docket No. _____

ITEM ON CONSENT CALENDAR

ACTION & DATE

ADOPTED FIRST READING, 03-04-97

VOICE VOTE
 RECORDED VOTE ON REQUEST

APPROVED

CHMN. CLARKE AND THOMAS

ABSENT _____

ROLL CALL VOTE - Result _____

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Clarke					Evans					Smith, Jr.				
Allen					Jarvis					Thomas, Sr.				
Brazil					Mason									
Chavous					Patterson									
Cropp					Schwartz									

X - Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

[Signature]
 Secretary to the Council

[Signature]
 Date May 5, 1997

ITEM ON CONSENT CALENDAR

ACTION & DATE

ADOPTED FINAL READING, 05-06-97

VOICE VOTE
 RECORDED VOTE ON REQUEST

APPROVED

ALL PRESENT

ABSENT _____

ROLL CALL VOTE - Result _____

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Cropp					Jarvis					Thomas, Sr.				
Allen					Mason									
Brazil					Patterson									
Chavous					Schwartz									
Evans					Smith, Jr.									

X-indicates no

AB-Absent

NV-Present not voting

CERTIFICATION RECORD

[Signature]
 Secretary to the Council

[Signature]
 Date May 9, 1997

ITEM ON CONSENT CALENDAR

ACTION & DATE

VOICE VOTE
 RECORDED VOTE ON REQUEST

ABSENT _____

ROLL CALL VOTE - Result _____

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Cropp					Jarvis					Thomas, Sr.				
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CERTIFICATION RECORD

Secretary to the Council

Date

ENROLLED ORIGINAL

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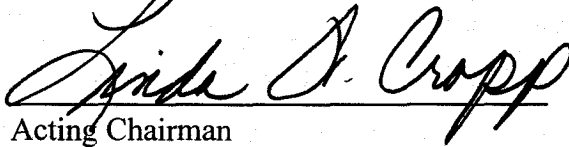
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Sec. 11. Effective date.

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ENROLLED ORIGINAL

Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-233(c)(1)), and publication in the District of Columbia Register.

A handwritten signature in cursive script, reading "L. J. Cropp", written over a horizontal line.

Acting Chairman
Council of the District of Columbia

Mayor
District of Columbia



COUNCIL OF THE DISTRICT OF COLUMBIA

COUNCIL PERIOD TWELVE

RECORD OF OFFICIAL COUNCIL VOTE

B12-19

Docket No. _____

ITEM ON CONSENT CALENDAR

ACTION & DATE

ADOPTED FIRST READING, 03-04-97

VOICE VOTE

APPROVED

RECORDED VOTE ON REQUEST

CHMN. CLARKE AND THOMAS

ABSENT _____

ROLL CALL VOTE - Result _____

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Clarke					Evans					Smith, Jr.				
Allen					Jarvis					Thomas, Sr.				
Brazil					Mason									
Chavous					Patterson									
Cropp					Schwartz									

X - Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

[Signature]

Secretary to the Council

[Signature] May 5, 1997
Date

ITEM ON CONSENT CALENDAR

ACTION & DATE

ADOPTED FINAL READING, 05-06-97

VOICE VOTE

APPROVED

RECORDED VOTE ON REQUEST

ALL PRESENT

ABSENT _____

ROLL CALL VOTE - Result _____

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Cropp					Jarvis					Thomas, Sr.				
Allen					Mason									
Brazil					Patterson									
Chavous					Schwartz									
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X-indicates no

AB-Absent

NV-Present not voting

CERTIFICATION RECORD

[Signature]

Secretary to the Council

[Signature] May 9, 1997
Date

ITEM ON CONSENT CALENDAR

ACTION & DATE

VOICE VOTE

RECORDED VOTE ON REQUEST

ABSENT _____

ROLL CALL VOTE - Result _____

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Cropp					Jarvis					Thomas, Sr.				
Allen					Mason									
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Secretary to the Council

Date