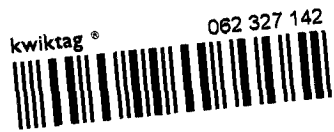


ENROLLMENT(S)



(5)

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 12-76

"Fleet Traffic Adjudication Amendment 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. 12-297, on first and second readings, November 4, 1997 and December 4, 1997, respectively. Following the signature of the Mayor on December 22, 1997, pursuant to Section 404(e) of "the Act", and was assigned Act No. 12-231, and published in the January 30, 1998, edition of the D.C. Register (Vol. 45 page 481) and transmitted to Congress on January 29, 1998 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 12-76, effective March 24, 1998.



LINDA W. CROPP
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

Jan.	29
Feb.	2,3,4,5,9,10,11,12,23,24,25,26,27
Mar.	2,3,4,5,6,9,10,11,12,13,16,17,18,19,20,23

AN ACT

Codification
District of
Columbia
Code
1998 Supp.

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the District of Columbia Traffic Adjudication Act of 1978 to provide a separate process for the administrative adjudication and enforcement of parking infractions incurred by fleet owners during the regular course of business.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fleet Traffic Adjudication Amendment Act of 1997".

Sec. 2. The District of Columbia Traffic Adjudication Act of 1978, effective September 12, 1978 (D.C. Law 2-104; D.C. Code § 40-601 *et seq.*), is amended as follows:

(a) A new section 304a is added to read as follows:

New Section
40-624.1

"Sec. 304a.

"(a) For the purposes of this section, the term:

"(1) "Fleet" means five or more company owned or long-term leased motor vehicles engaged in commercial activity. The term fleet shall not include motor vehicles which are vehicles for hire pursuant to paragraph 31 of section 7 of An Act making appropriations to provide for expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and three, and for other purposes, approved July 1, 1902 (32 Stat. 626; D.C. Code § 47-2829).

"(2) "Motor vehicle fleet owner" means any corporation, firm, agency, association, organization, or other entity holding legal title to 5 or more company owned or leased motor vehicles engaged in the regular course of business in the District of Columbia.

"(b) The Mayor is authorized to implement a fleet adjudication program. The Mayor may compile notices of infraction issued during a 30-day period, reconcile traffic records, and generate a consolidated monthly fleet infraction report for motor vehicle fleet owners who have registered those motor vehicles comprising a fleet. The monthly fleet infraction report shall serve as the summons and complaint.

ENROLLED ORIGINAL

“(c) The Mayor may, by rulemaking, impose a registration fee on all motor vehicle fleet owners authorized to participate in this program. The registration fee shall recover the administrative costs associated with the administration and enforcement of this act with respect to fleets.

“(d) To participate in the fleet adjudication program, a motor vehicle fleet owner shall:

“(1) Register its fleet engaged in the regular course of business in the District of Columbia with the Department of Public Works;

“(2) Pay a registration fee to cover the District government’s administrative costs for the fleet adjudication program; and

“(3) Satisfy all outstanding parking infractions prior to registration in the program.

“(e) A fleet owner who participates in the fleet adjudication program shall answer, within 15 days of receipt, the monthly fleet infraction report which sets forth the date and time of the infraction, as well as other information contained in the original notice of infraction. Answers shall be consistent with section 305(a).

“(f) The fleet owner shall be primarily liable for the civil penalties imposed pursuant to this section.”

Section
40-625

(b) Section 305(d) (D.C. Code §40-625(d)) is amended by adding at the end a new sentence to read as follows: “This subsection shall not apply to any fleet owner who participates in the fleet adjudication program.”

Note,
New Section
40-624.1

Sec. 3. The Mayor, pursuant to title 1 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Code § 1-1501 *et seq.*), may issue rules to implement the provisions of this act.

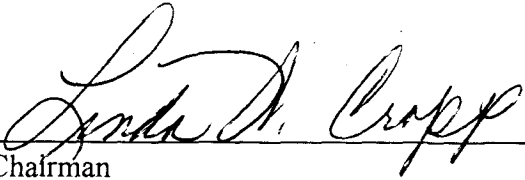
Sec. 4. Fiscal impact statement.

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 Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-233(c)(3)).

Sec. 5. 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) and 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 Home Rule Act,

ENROLLED ORIGINAL

approved December 24, 1973 (87 Stat. 788; D.C. Code § 1-223(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia

Mayor
District of Columbia



COUNCIL PERIOD TWELVE
 RECORD OF OFFICIAL COUNCIL VOTE

Docket No. B12-297

ITEM ON CONSENT CALENDAR
 ACTION & DATE ADOPTED FIRST READING, 11-4-97
 VOICE VOTE APPROVED
 RECORDED VOTE ON REQUEST
 ABSENT JARVIS

ROLL CALL VOTE - Result

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

N - Indicates Vote AB - Absent NV - Present not Voting

CERTIFICATION RECORD

[Signature]
 Secretary to the Council

December 5, 1997
 Date

ITEM ON CONSENT CALENDAR
 ACTION & DATE ADOPTED FINAL READING, 12-4-97
 VOICE VOTE APPROVED
 RECORDED VOTE ON REQUEST
 ABSENT ALL PRESENT

ROLL CALL VOTE - Result

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

N - Indicates Vote AB - Absent NV - Present not Voting

CERTIFICATION RECORD

[Signature]
 Secretary to the Council

December 5, 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					Dixon					Schwartz				
Allen					Evans					Smith, Jr.				
Ambrose					Jarvis					Thomas, Sr.				
Brazil					Mason									
Chavous					Patterson									

N - Indicates Vote AB - Absent NV - Present not Voting

CERTIFICATION RECORD

Secretary to the Council

Date