

COUNCIL OF THE DISTRICT OF COLUMBIA

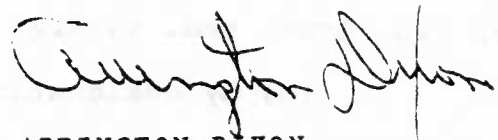
NOTICE

D.C. LAW 4-146

"Abandoned or Unauthorized Vehicle Removal and District of Columbia Public Assistance Act Amendment Act of 1982".

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. 4-238 on first and second readings, June 8, 1982 and June 22, 1982, respectively. Following the signature of the Mayor on July 12, 1982, this legislation was assigned Act No. 4-214, published in the July 23, 1982, edition of the D.C. Register, (Vol. 29 page 3151) and transmitted to Congress on July 16, 1982 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 4-146, effective September 14, 1982.



ARRINGTON DIXON
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

July	16,19,20,21,22,23,26,27,28,29,30
August	2,3,4,5,6,9,10,11,12,13,16,17,18,19,20
September	8,9,10,13

AN ACT

D.C. LAW 4-146

D.C. ACT 4-214

EFFECTIVE DATE SEP 14 1982

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JUL 12 1982

To prohibit the removal of abandoned vehicles without the prior consent of the owner or the District of Columbia government; to allow for removal of unauthorized vehicles from private property under certain circumstances; to amend the District of Columbia Public Assistance Act of 1982 to provide for a supplement for Supplementary Security Income recipients and certain other persons; and for other purposes.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Abandoned or Unauthorized Vehicle Removal and District of Columbia Public Assistance Act Amendment Act of 1982".

Sec. 2. Section 1 of An Act To prohibit parking of vehicles upon public or private property in the District of Columbia without the consent of the owner of such property, approved January 15, 1942 (56 Stat. 5; D.C. Code, sec. 40-812) is amended:

CODIFICATION
D.C. Code,
sec. 40-812
(1981 ed.)

(a) by designating the existing text as subsection "(a)"; and

(b) by adding to the end thereof the following new subsections (b) and (c) to read as follows:

"(b) Any vehicle on private property, which is subject to impoundment under subsection (a) may be towed by the private property owner only if:

"(1) a notice of a violation of subsection (a) is issued against the vehicle;

"(2) a tow crane operator removes the vehicle pursuant to a valid work order signed by the private property owner;

"(3) the private property owner reports the removal and the ultimate storage destination of the vehicle to the Metropolitan Police Department;

"(4) the private property owner makes reasonable efforts to give notice to the owner or operator of the vehicle in violation of subsection (a) regarding the whereabouts of the removed vehicle and the means of obtaining the vehicle; and

"(5) the vehicle is towed to a site within the geographic boundaries of the District of Columbia, wherein the vehicle is reasonably safe from the danger of vandalism, and redeemable at all hours for a reasonable cost to cover towing and any storage fees.

"(c) Any person convicted of violating the requirements of subsection (b) shall be liable for a fine of up to \$300 in addition to any civil remedies provided for by law."

Sec. 3. Title IV of the District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C. Law 4-101; D.C. Code, sec. 3-204.1 et seq.) is amended by adding a new section 406 at the end thereof to read as follows:

New
D.C. Code,
sec. 3-204.6
(1981 ed.)

"Sec. 406. District Supplement for Supplemental

Security Income Recipients and Certain Other Persons.

"(a) Except as provided in subsection (b), beginning on October 1, 1979, each District of Columbia resident receiving a Supplemental Security Income payment and each District of Columbia resident who would, but for his or her income, be eligible to receive a Supplemental Security Income payment, shall receive an additional \$15 per month supplemental payment from District revenues.

"(b) No District of Columbia resident shall be eligible for the \$15 monthly supplement who, throughout any months, is:

"(1) living in a community residence facility and therefore eligible to receive a District supplemental payment under the Standards of Assistance Relating to Persons in Community Residence Facilities Act of 1978, effective September 22, 1978 (D.C. Law 2-108; 25 DCR 1453), or

"(2) an inpatient in a medical facility whose care is being paid for under title XIX of the Social Security Act (Medicaid).

"(c) The Mayor may enter into an agreement with the Secretary of the Department of Health and Human Services for the federal administration of this supplement payment."

Sec. 4. 18 DCMR sec. 1105 is amended to read as follows:

"1105.1 For purposes of this section, the term

D.C. Municipal
Regulations
(DCMR)

'(a) abandoned vehicle' means any motor vehicle --

"(1) parked in the same place on public property, for more than 72 hours;

"(2) whose owner cannot be reasonably located;

"(3) to which, on the basis of the vehicle being parked as provided in paragraph (1), the District government has affixed a warning notice informing the owner that unless that vehicle is removed from the public property within 72 hours it will be deemed abandoned and removed by the District government; and

"(4) which continues to be parked in the same place on public property for at least another 72 hours after the affixation of the warning notice as referred in paragraph (3).

"(b) 'junk or scrap vehicle' means any motor vehicle which is in wrecked, dismantled, or irreparable condition and whose owner cannot be reasonably located.

"1105.2 Except as provided in D.C. Code, sec. 40-812 (1981 ed.), it shall be unlawful for any person except the owner, a person authorized by the owner in writing, an employee of the District government in connection with the performance of official duties, or a tow crane operator possessing a valid written authorization from the District government, to do any of the following:

"(a) Tamper with, remove, or attempt to tamper with or remove any vehicle owned by another person;

"(b) Tamper with, remove, or attempt to tamper with or remove any vehicle which is on public property and to which has been affixed a District government warning notice relating to the removal of an abandoned vehicle; or

"(c) Remove, mutilate, or attempt to remove or mutilate the warning notice.

"1105.3. The Mayor or his designated agent is authorized to tow an abandoned vehicle immediately or as soon as practicable.

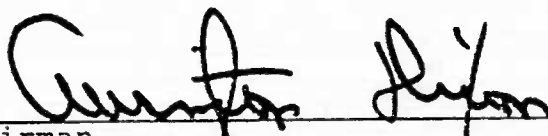
"1105.4. If a junk or scrap vehicle is parked on public property, the Mayor or his designated agent is authorized to tow the junk or scrap vehicle immediately or as soon as practicable.

"1105.5. Any vehicle towed pursuant to this section shall be subject to a fee to cover the cost of the District government of towing the vehicle plus reasonable fee for any storage. The fee shall be charged to the last owner of record of the vehicle unless the vehicle was stolen and a stolen vehicle report was filed with the Metropolitan Police Department prior to towing.

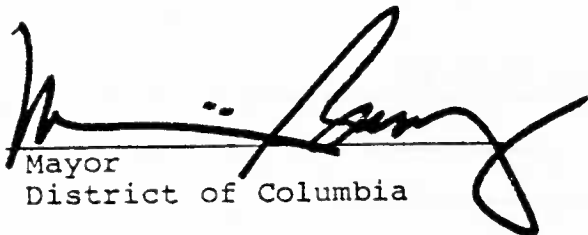
"1105.6. Pursuant to the District of Columbia Administrative Procedure Act, the Mayor is authorized to issue rules and regulations to implement this section."

Sec. 5. This act shall take effect after a 30-day period of Congressional review following approval by

the Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code, sec. 1-233(c)(1)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED: July 12, 1982



COUNCIL OF THE DISTRICT OF COLUMBIA
Council Period Four
Second Session

DOCKET NO: B 4-238

Item on Consent Calendar

ACTION: Adopted First Reading, 6-8-82

VOICE VOTE: Unanimous

Absent: all present

ROLL CALL VOTE:

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. DIXON					KANE					SHACKLETON				
WINTER					MASON					SPAULDING				
CLARKE					MOORE, JR.					WILSON				
CRAWFORD					RAY									
JARVIS					ROLARK									

X - Indicates Vote A.B. - Absent N.V. - Not Voting

CERTIFICATION OF RECORD

William R. Cunningham
Secretary to the Council

6/28/82
Date

Item on Consent Calendar

ACTION: Adopted Final Reading, 6-22-82

VOICE VOTE: Unanimous

Absent: all present

ROLL CALL VOTE:

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. DIXON					KANE					SHACKLETON				
WINTER					MASON					SPAULDING				
CLARKE					MOORE, JR.					WILSON				
CRAWFORD					RAY									
JARVIS					ROLARK									

X - Indicates Vote A.B. - Absent N.V. - Not Voting

CERTIFICATION OF RECORD

William R. Cunningham
Secretary to the Council

6/28/82
Date

Item on Consent Calendar

ACTION: _____

VOICE VOTE: _____

Absent: _____

ROLL CALL VOTE:

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. DIXON					KANE					SHACKLETON				
WINTER					MASON					SPAULDING				
CLARKE					MOORE, JR.					WILSON				
CRAWFORD					RAY									
JARVIS					ROLARK									

X - Indicates Vote A.B. - Absent N.V. - Not Voting

CERTIFICATION OF RECORD

Secretary to the Council

Date