

COUNCIL OF THE DISTRICT OF COLUMBIA

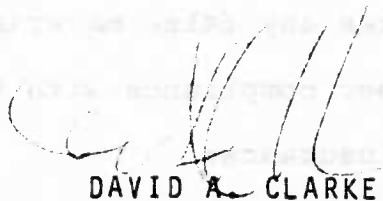
NOTICE

D.C. LAW 6-38

"District of Columbia Traffic Amendment Act of 1985".

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. 6-12 on first and second readings, June 11, 1985, and June 25, 1985, respectively. Following the signature of the Mayor on July 11, 1985, this legislation was assigned Act No. 6-56, published in the July 26, 1985, edition of the D.C. Register, (Vol. 32 page 4307) and transmitted to Congress on July 16, 1985 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 6-38, effective September 27, 1985.



DAVID A. CLARKE
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

July 16,17,18,19,22,23,24,25,26,29,30,31

August 1

September 4,5,6,9,10,11,12,13,16,17,18,19,20,23,24,25,26

D.C. LAW 6 - 3 8

EFFECTIVE DATE SEP 27 1985

AN ACT

D.C. ACT 6 - 5 6

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JUL 11 1985

To amend the District of Columbia Traffic Act, 1925, and the Compulsory No-Fault Motor Vehicle Insurance Act to provide for the decriminalization of the offenses of operating a motor vehicle with an expired permit and operating a motor vehicle without insurance.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,
That this act may be cited as the "District of Columbia Traffic Amendment Act of 1985".

Sec. 2. Section 15 of the Compulsory No-Fault Motor Vehicle Insurance Act of 1982, effective September 18, 1982 (D.C. Law 4-155; D.C. Code, sec. 35-2113), is amended to read as follows:

D.C. Code, s
35-2113
Note, D.C. C
secs. 22-251
22-3815, 35-
40-604, 40-6
(1986 supp.)

"Sec. 15. Penalties; adjudications

"(a) A person is guilty of an offense if that person:

"(1) Makes any false material statement with respect to his or her compliance with the obligation to maintain required insurance;

"(2) Is the owner of a motor vehicle that is required to be registered or obtain a reciprocity sticker in the District and required insurance is not in effect with respect to that motor vehicle;

"(3) Is the owner of a motor vehicle and knowingly operates or permits that motor vehicle to be

operated in the District without required insurance being in effect with respect to that motor vehicle;

"(4) Is the operator of a motor vehicle owned by another person who operates that motor vehicle in the District knowing or having reason to believe that required insurance is not in effect with respect to that motor vehicle;

"(5) Operates a motor vehicle as to which the certificate of registration or reciprocity sticker has been suspended pursuant to section 4(d)(2);

"(6) Fails or refuses to return or give a registration certificate, or reciprocity sticker, tags, or a license to the Department, an authorized agent of the Department, or to a law enforcement officer;

"(7) Fails or refuses to present evidence that required insurance is in effect with respect to a motor vehicle operated by that person upon demand by a law enforcement officer; or

"(8) Violates any other provision of this act. "(b) A person who commits an offense under subsection (a)(2), (3), (4), and (7) shall be subject both to the regulatory scheme established in section 4(d)(2) of this act and to a civil fine of not less than \$100 or more than \$300 for the first offense and not less than \$300 or more than \$500 for the second and each subsequent offense pursuant to sections 104(b) and 105 of the District of Columbia Traffic Adjudication Act of 1978, effective September 12, 1978 (D.C. Law 2-104; D.C. Code, sec. 40-604(b) et seq.).

"(c) A person who commits an offense under subsection (a)(1), (5), (6), or (8) shall be subject to both the regulatory scheme established in section 4(d)(2) of this act and upon conviction of the first offense, a fine of not less than \$100 or more than \$300, or shall be imprisoned for not more than 30 days, or both. Upon conviction of the second and each subsequent offense, a person shall be subject to a fine of not less than \$300 or more than \$500 or shall be imprisoned for not more than 90 days, or both."

Sec. 3. Section 7 of the District of Columbia Traffic Act, 1925, approved July 3, 1926 (44 Stat. 813; D.C. Code, sec. 40-301), is amended as follows:

D.C. Code, §
40-301
(1986 supp.)

(a) Subsection (d) (D.C. Code, sec. 40-301(d)) is amended to read as follows:

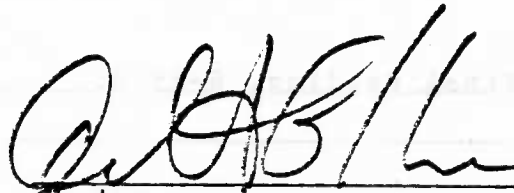
"(d) No individual shall operate a motor vehicle in the District, except as provided in section 8, without first having obtained an operator's permit or learner's permit issued under the provisions of this act. Except as provided in subsection (d-1), any individual violating any provision of this subdivision shall be fined not more than \$300 or shall be imprisoned not more than 90 days.

(b) By adding the following new subsection:

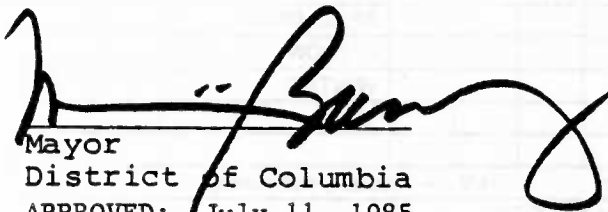
"(d-1) Any individual who operates a motor vehicle with a District of Columbia permit expired for not more than 90 days shall be subject to a civil fine of not more than \$100 pursuant to section 104(b) and 105 of the District of Columbia Traffic Adjudication Act of 1978, effective September 12, 1978. (D.C. Law 2-104; D.C. Code, sec.

"40-604(b) et seq.), and shall not be subject to the criminal penalties contained in subsection (d).".

Sec. 4. 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 11, 1985



COUNCIL OF THE DISTRICT OF COLUMBIA
Council Period Six — First Session

RECORD OF OFFICIAL COUNCIL VOTE

DOCKET NO: Bill 6-12

Item on Consent Calendar

ACTION & DATE: Adopted First Reading, 6-11-85

VOICE VOTE: Unanimous

Recorded vote on request

Absent: all present

ROLL CALL VOTE: — RESULT _____

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. CLARKE					RAY					SPAULDING				
CRAWFORD					ROLARK					WILSON				
JARVIS					SCHWARTZ					WINTER				
KANE					SHACKLETON									
MASON					SMITH, JR.									

X — Indicates Vote A.B. — Absent N.V. — Present, not voting

CERTIFICATION RECORD

 Secretary to the Council

7/1/85

 Date

Item on Consent Calendar

ACTION & DATE: Adopted Final Reading, 6-25-85

VOICE VOTE: Unanimous

Recorded vote on request

Absent: all present

ROLL CALL VOTE: — RESULT _____

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. CLARKE					RAY					SPAULDING				
CRAWFORD					ROLARK					WILSON				
JARVIS					SCHWARTZ					WINTER				
KANE					SHACKLETON									
MASON					SMITH, JR.									

X — Indicates Vote A.B. — Absent N.V. — Present, not voting

CERTIFICATION RECORD

 Secretary to the Council

7/1/85

 Date

Item on Consent Calendar

ACTION & DATE: _____

VOICE VOTE: _____

Recorded vote on request

Absent: _____

ROLL CALL VOTE: — RESULT _____

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. CLARKE					RAY					SPAULDING				
CRAWFORD					ROLARK					WILSON				
JARVIS					SCHWARTZ					WINTER				
KANE					SHACKLETON									
MASON					SMITH, JR.									

X — Indicates Vote A.B. — Absent N.V. — Present, not voting

CERTIFICATION RECORD