

# ENROLLMENT(S)

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COUNCIL OF THE DISTRICT OF COLUMBIA

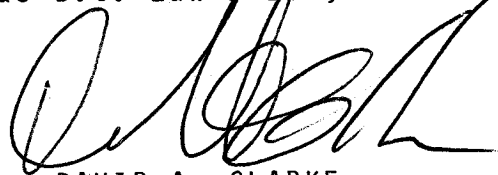
NOTICE

D.C. LAW 8-107

"District of Columbia Taxicab Commission  
Adjudicatory Authority Amendment Act of 1990".

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. 8-342 on first and second readings, January 30, 1990, and February 13, 1990, respectively. Following the signature of the Mayor on February 28, 1990, this legislation was assigned Act No. 8-161, published in the March 9, 1990, edition of the D.C. Register, (Vol. 37 page 1623) and transmitted to Congress on March 8, 1990 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 8-107, effective May 1, 1990.



DAVID A. CLARKE  
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

March 8,9,12,13,14,15,16,19,20,21,22,23,26,27,28,29,30

April 2,3,4,5,18,19,20,23,24,25,26,27,30

MAY 01 1990

Codification,  
District of Columbia Code  
(1990 Supplement)

AN ACT

**D.C. ACT 8 - 161**

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

**FEB 28 1990**

To amend the District of Columbia Taxicab Commission Establishment Act of 1985 to authorize hearing examiners to adjudicate notices of civil infractions issued to taxicab operators and owners, and to clarify the procedures for administrative appeal.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "District of Columbia Taxicab Commission Adjudicatory Authority Amendment Act of 1990".

Sec. 2. The District of Columbia Taxicab Commission Establishment Act of 1985, effective March 25, 1986 (D.C. Law 6-97; D.C. Code, sec. 40-1701 et seq.), is amended as follows:

(a) Section 8(b) (D.C. Code, sec. 40-1707(b)) is amended as follows: Section  
40-1707

(1) Paragraph (2)(H) is repealed.

(2) A new paragraph (3) is added to read as follows:

"(3) The Commission's Panel on Adjudication shall have the jurisdiction, power, and discretion to consider appeals taken from any act, decision, or order of a 3-member component of the Panel on Adjudication that exercises adjudicatory functions, as determined by a majority of the Panel on Adjudication."

(b) Section 10(e) (D.C. Code, sec. 40-1709(e)) is amended by striking the phrase "8(b)(2)(H)" and inserting the phrase "8(b)(3)" in its place. Section  
40-1709

(c) A new section 10a is added to read as follows: New Section  
40-1709.1  
"Sec. 10a. (a) The Panel on Adjudication shall appoint at least 1 attorney to serve as a hearing examiner to adjudicate notices of civil infractions issued to taxicab operators or owners pursuant to section 825 of Title 15 of the District of Columbia Municipal Regulations ("DCMR").

"(b) A hearing examiner may:

"(1) Preside over a hearing in a contested matter;

"(2) Compel the attendance of a witness by subpoena, administer an oath, take testimony of a witness under oath, and dismiss, rehear, or continue a case;

"(3) Conduct a hearing in accordance with rules promulgated pursuant to section 11; and

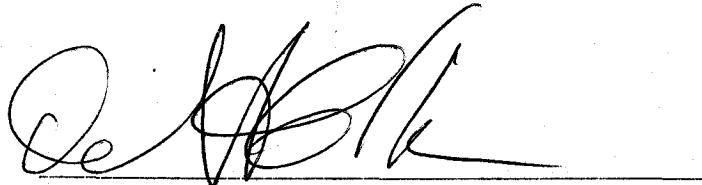
"(4) Issue a proposed decision including the imposition of a fine for a civil infraction set forth in section 825 of Title 15 of the DCMR.

"(c) Any party adversely affected by a proposed decision of a hearing examiner may appeal the decision to a 3-member component of the Panel on Adjudication in accordance with rules promulgated pursuant to section 11."

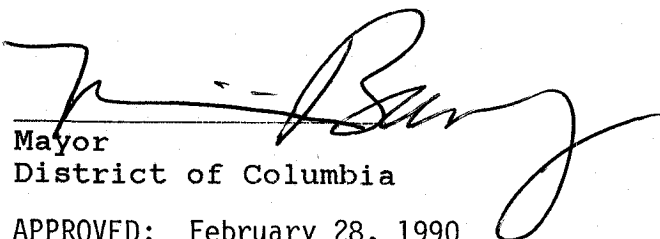
(d) Section 13(h)(2) (D.C. Code, sec. 40-1712(h)(2)) is amended by striking the phrase "Bureau of Traffic Adjudication" and inserting the phrase "Panel on Adjudication" in its place.

Section  
40-1712

Sec. 3. 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)), and publication in either the District of Columbia Register, the District of Columbia Statutes-at-Large, or the District of Columbia Municipal Regulations.



Chairman  
Council of the District of Columbia



Mayor  
District of Columbia

APPROVED: February 28, 1990



**COUNCIL OF THE DISTRICT OF COLUMBIA**  
**Council Period Eight**

**RECORD OF OFFICIAL COUNCIL VOTE**

Bill 8-342

DOCKET NO: \_\_\_\_\_

Item on Consent Calendar

ACTION & DATE: Adopted First Reading, 1-30-90

VOICE VOTE: Approved

Recorded vote on request

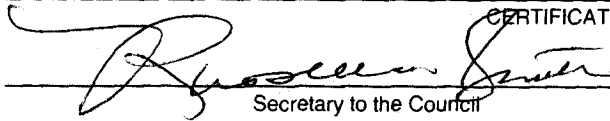
Absent: Smith and Lightfoot

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					MASON					THOMAS, SR.				
CRAWFORD					NATHANSON					WILSON				
JARVIS					RAY					WINTER				
KANE					ROLARK									
LIGHTFOOT					SMITH, JR.									

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

CERTIFICATION RECORD

  
 Secretary to the Council

2-15-90  
 Date

Item on Consent Calendar

ACTION & DATE: Adopted Final Reading, 2-13-90

VOICE VOTE: Approved

Recorded vote on request

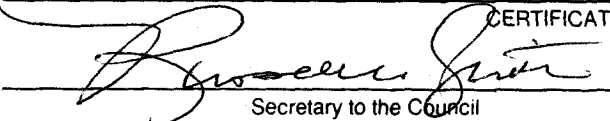
Absent: Kane

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					MASON					THOMAS, SR.				
CRAWFORD					NATHANSON					WILSON				
JARVIS					RAY					WINTER				
KANE					ROLARK									
LIGHTFOOT					SMITH, JR.									

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

CERTIFICATION RECORD

  
 Secretary to the Council

2-15-90  
 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					MASON					THOMAS, SR.				
CRAWFORD					NATHANSON					WILSON				
JARVIS					RAY					WINTER				
KANE					ROLARK									
LIGHTFOOT					SMITH, JR.									

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

CERTIFICATION RECORD

\_\_\_\_\_  
 Secretary to the Council

\_\_\_\_\_  
 Date