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COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 9-253

"Drug User's Automobile Forfeiture
Amendment Act of 1992".

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. 9-154 on first and second readings, December 1, 1992, and December 15, 1992, respectively. Following the signature of the Mayor on January 14, 1993, this legislation was assigned Act No. 9-399, published in the January 29, 1993, edition of the D.C. Register, (Vol. 40 page 790) and transmitted to Congress on January 26, 1993 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 9-253, effective March 25, 1993.



JOHN A. WILSON
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

January 26,27

February 2,3,4,16,17,18,19,22,23,24,25,26

March 1,2,3,4,5,8,9,10,11,12,15,16,17,18,23,24

AN ACT

D.C. ACT 9-399

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JANUARY 14, 1993

To amend the District of Columbia Traffic Act of 1925 to impose a mandatory revocation of an operator's permit upon conviction of a narcotics offense and to amend the District of Columbia Controlled Substances Act of 1981 to utilize automobile forfeiture to deter drug trafficking.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Drug User's Automobile Forfeiture Amendment Act of 1992".

Sec. 2. Section 13a of the District of Columbia Traffic Act of 1925, approved March 3, 1925 (43 Stat. 1125; D.C. Code § 40-302.1), is amended to read as follows:

Section
40-302.1

"Sec. 13a. Revocation of motor vehicle operator's permit.


"(a) The Mayor shall revoke, in the absence of compelling circumstances warranting an exception, the motor vehicle operator's permit of a District resident or the privilege to operate a motor vehicle in the District of a non-resident, convicted as a result of the commission of a drug offense or adjudicated a juvenile delinquent as a result of the commission of a drug offense. Where the person is imprisoned as a result of the drug offense, the revocation shall occur following the person's release from imprisonment. If a person does not have an operator's permit, or the permit is or has been revoked or suspended at the time of the conviction of a drug offense, the issuance or reinstatement of an operator's permit will be delayed for a period of at least six months and not more than two years. If a person is convicted for the commission of a drug offense or adjudicated a delinquent for the commission of a drug offense before the person is sixteen years of age, the period of disqualification shall not begin to run until the person is sixteen years of age. A copy of the conviction or adjudication shall be forwarded by the court to the Mayor. The revocation shall be for not less than six months and not more than two years.


"(b) For the purposes of this section, the term "drug offense" means: (1) the possession, distribution, manufacture, cultivation, sale, transfer, or the attempt or conspiracy to possess, distribute, manufacture, cultivate, sell, or transfer any substance the possession of which is prohibited under the Comprehensive Drug Abuse Prevention and Control Act of 1970, approved October 27, 1970 (84 Stat. 1236; 21 U.S.C. § 801 et seq.), the District of Columbia Uniform Controlled Substances Act of 1981, effective August 5, 1981 (D.C. Law 4-29; D.C. Code § 33-501 et seq.), or the law of any state, territory, or possession

of the United States; or (2) the operation of a motor vehicle under the influence of such a substance.

Sec. 3. Section 502(a)(4)(C) of the District of Columbia Uniform Controlled Substances Act of 1981, effective August 5, 1982 (D.C. Law 4-29; D.C. Code § 33-552(a)(4)(C)), is repealed.

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 § 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: January 14, 1993



COUNCIL OF THE DISTRICT OF COLUMBIA

Council Period Nine

RECORD OF OFFICIAL COUNCIL VOTE

DOCKET NO: Bill 9-154

Item on Consent Calendar

ACTION & DATE: Adopted First Reading, 12-1-92

VOICE VOTE: Approved

Recorded vote on request

Absent: Cropp, Jarvis and Thomas

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. WILSON					JARVIS					ROLARK				
BRAZIL					LIGHTFOOT					SMITH, JR.				
CRAWFORD					MASON					THOMAS, SR.				
CROPP					NATHANSON									
EVANS					RAY									

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

CERTIFICATION RECORD

Depli Jones
Secretary to the Council

December 25, 1992
Date

Item on Consent Calendar

ACTION & DATE: Adopted Final Reading, 12-15-92

VOICE VOTE: Approved

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. WILSON					JARVIS					ROLARK				
BRAZIL					LIGHTFOOT					SMITH, JR.				
CRAWFORD					MASON					THOMAS, SR.				
CROPP					NATHANSON									
EVANS					RAY									

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

CERTIFICATION RECORD

Depli Jones
Secretary to the Council

December 25, 1992
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. WILSON					JARVIS					ROLARK				
BRAZIL					LIGHTFOOT					SMITH, JR.				
CRAWFORD					MASON					THOMAS, SR.				
CROPP					NATHANSON									
EVANS					RAY									

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

CERTIFICATION RECORD

Secretary to the Council

Date