

ENROLLMENT(S)

(5)



COUNCIL OF THE DISTRICT OF COLUMBIA


NOTICE

D.C. LAW 10-163

Motor Vehicle Tinted Window Amendment Act of 1994".

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. 10-422 on first and second readings, June 7, 1994, and June 21, 1994, respectively. Following the signature of the Mayor on July 8, 1994, this legislation was assigned Act No. 10-276, and published in the July 22, 1994, edition of the D.C. Register (Vol.41 page 4886) and transmitted to Congress on July 15, 1994 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 10-163 effective August 26, 1994.


DAVID A. CLARKE
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

July 15,18,19,20,21,22,25,26,27,28,29

August 1,2,3,4,5,8,9,10,11,12,15,16,17,18,19,22,23,24,25

AN ACT

D.C. ACT 10-276

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JULY 8, 1994

To amend the District of Columbia Traffic Act, 1925, and title 18 of the District of Columbia Municipal Regulations to regulate the tinting of motor vehicle windows.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Motor Vehicle Tinted Window Amendment Act of 1994".

Sec. 2. The District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Code § 40-701 *et seq.*), is amended by adding a new section 11a to read as follows:

"Sec. 11a. Tinted windows prohibited.

"(a) Except as provided in subsection (b) of this section, no motor vehicle may be operated or parked upon the public streets or spaces of the District of Columbia with:

"(1) A front windshield or front side windows that allow less than 70% light transmittance; or

"(2) A rear windshield or rear side windows that allow less than 50% light transmittance.

"(b) A motor vehicle may be operated or parked upon the public streets of the District of Columbia with a front windshield that allows less than 70% light transmittance above the AS-1 line, or within 5 inches from the top of the windshield.

"(c) Any person who operates or parks a motor vehicle in violation of subsection (a) of this section shall be issued a \$50 citation.

"(d)(1) Except as provided by subsection (f) of this section, any motor vehicle found to violate subsection (a) of this section shall be required to be inspected at an official District Inspection Station within 5 business days after the finding.

"(2) If the motor vehicle is not brought into compliance with subsection (a) of this section by the end of the 5-day period, the owner of the vehicle shall be fined not more than \$1,000.

"(e)(1) Except as provided by subsection (f) of this section, any motor vehicle found to violate subsection (a) of this section on a second or subsequent occasion shall be required to be inspected at an official District Inspection Station within 5 business days after the second or subsequent finding.

New
Section
40-718.1

"(2) If the motor vehicle is not brought into compliance with subsection (a) of this section by the end of the 5-day period, the owner of the vehicle may be fined not more than \$5,000.

"(f) Any police officer or other authorized government agent of the District may order the immediate removal of a motor vehicle from the public streets to an official District Inspection Station if the police officer or other authorized government agent determines that the health and safety of the public is at risk due to window tinting in violation of subsection (a) of this section.

"(g) No person shall install window tinting on a motor vehicle, which is not exempt pursuant to subsection (h) of this section, in the District of Columbia which would cause the motor vehicle to violate subsection (a) of this section if the vehicle were operated or parked on the public streets of the District of Columbia.

"(h) Limousines, ambulances, buses and hearses, meeting the requirements of 18 DCMR 413.10, church-owned vehicles, and all official government vehicles, shall be exempt from the requirements of this section.

"(i) Nothing in this act shall be construed to modify or affect any federal law concerning the window tinting of motor vehicles that is applicable to manufacturers, importers, dealers, or motor vehicle repair businesses for new or used motor vehicles and equipment."

Sec. 3. Section 734 of title 18 of the District of Columbia Municipal Regulations is amended by adding new subsections 734.8 to 734.19 to read as follows:

DCMR

"734.8 Except as provided in subsection 734.9, no motor vehicle may be operated or parked upon the public streets or spaces of the District of Columbia with:

"(A) A front windshield or front side windows that allow less than 70% light transmittance; or

"(B) A rear windshield or rear side windows that allow less than 50% light transmittance.

"734.9 A motor vehicle may be operated or parked upon the public streets of the District of Columbia with a front windshield that allows less than 70% light transmittance above the AS-1 line, or within 5 inches from the top of the windshield.

"734.10 Any person who operates or parks a motor vehicle in violation of subsection 734.8 shall be issued a \$50 citation.

"734.11 Any motor vehicle found to violate subsection 734.8 shall be required to be inspected at an official District Inspection Station within 5 business days after the finding.

"734.12 If the motor vehicle described in subsection 734.11 is not brought into compliance with subsection 734.8 by the end of the 5-day period, the owner of the vehicle shall be fined not more than \$1,000.

"734.13 Any motor vehicle found to violate subsection 734.8 on a second or subsequent occasion shall be required to be inspected at an official District Inspection Station within 5 business days after the second or subsequent finding.

"734.14 If the motor vehicle described in subsection 734.13 is not brought into compliance with subsection 734.8 by the end of the 5-day period, the owner of the vehicle may be fined not more than \$5,000 or the motor vehicle may be forfeited.

"734.15 No person shall install window tinting on a motor vehicle, which is subject to the provisions of this section, in the District of Columbia with a front windshield tinted below the AS-1 line, or 5 inches from the top of the windshield, or with rear side windows and rear windshield that allow less than 50% light transmittance.

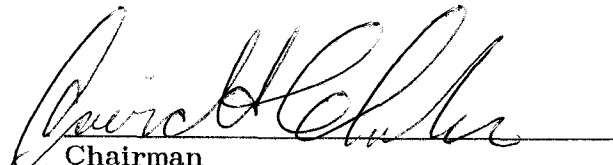
"734.16 Any person who violates subsection 734.15 shall be fined not more than \$1,000.

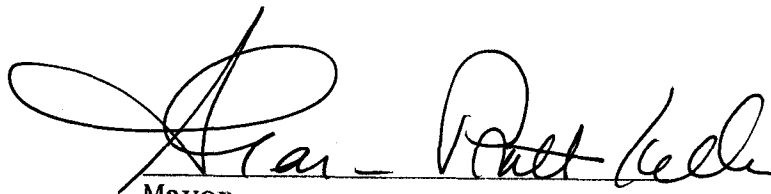
"734.17 Any person who violates subsection 734.15 on a second or subsequent occasion shall be fined not more than \$5,000.

"734.18 Notwithstanding subsections 734.11 and 734.13, any police officer or other authorized government agent of the District may order the immediate removal of a motor vehicle from the public streets to an official District Inspection Station if the police officer or other authorized government agent determines that the health and safety of the public is at risk due to window tinting in violation of subsection 734.8.

"734.19 Limousines, ambulances, buses and hearses, meeting the requirements of 18 DCMR 413.10, church-owned vehicles, and all official government vehicles, shall be exempt from the requirements of subsections 734.8 - 734.18."

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 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: July 8, 1994



COUNCIL OF THE DISTRICT OF COLUMBIA

Council Period Ten

RECORD OF OFFICIAL COUNCIL VOTE

DOCKET NO: Bill 10-422

Item on Consent Calendar

ACTION & DATE: Adopted First Reading, 6-7-94

VOICE VOTE: Approved

Recorded vote on request

Absent: Chavous

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					EVANS					RAY				
BARRY					JARVIS					SMITH, JR.				
BRAZIL					LIGHTFOOT					THOMAS, SR.				
CHAVOUS					MASON									
CROPP					NATHANSON									

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

CERTIFICATION RECORD

Philip Jen
Secretary to the Council

June 22, 1994
Date

Item on Consent Calendar

ACTION & DATE: Adopted Final Reading, 6-21-94

VOICE VOTE: Approved

Recorded vote on request

Absent: Smith

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					EVANS					RAY				
BARRY					JARVIS					SMITH, JR.				
BRAZIL					LIGHTFOOT					THOMAS, SR.				
CHAVOUS					MASON									
CROPP					NATHANSON									

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

CERTIFICATION RECORD

Philip Jen
Secretary to the Council

June 22, 1994
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					EVANS					RAY				
BARRY					JARVIS					SMITH, JR.				
BRAZIL					LIGHTFOOT					THOMAS, SR.				
CHAVOUS					MASON									
CROPP					NATHANSON									

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

CERTIFICATION RECORD

Secretary to the Council

Date



COUNCIL OF THE DISTRICT OF COLUMBIA
WASHINGTON, D.C. 20004

JUN 23 1994

The Honorable Sharon Pratt Kelly
Mayor of the District of Columbia
441 4th Street, N.W., 11th Floor
Washington, D.C. 20001

Re: Transmittal of Bill 10-422, "Motor Vehicle Tinted Window
Amendment Act of 1994".

Date of Council Action: 06-21-94

Dear Mayor Kelly:

The above named enacted bill is hereby transmitted in accordance with Section 404(e) of the District of Columbia Self-Government and Governmental Reorganization Act, P.L. 93-198.

Attached to this bill, for your information, is the report of the Council's standing committee with jurisdiction over this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "David A. Clarke".

David A. Clarke
Chairman of the Council

Enclosure



IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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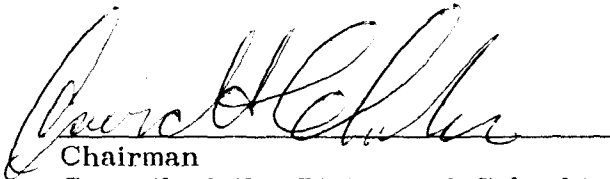
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Chairman
Council of the District of Columbia

Mayor
District of Columbia



COUNCIL OF THE DISTRICT OF COLUMBIA

Council Period Ten

RECORD OF OFFICIAL COUNCIL VOTE

DOCKET NO: Bill 10-422

Item on Consent Calendar

ACTION & DATE: Adopted First Reading, 6-7-94

VOICE VOTE: Approved

Recorded vote on request

Absent: Chavous

ROLL CALL VOTE - RESULT

Table with 16 columns: COUNCIL MEMBER, AYE, NAY, N.V., A.B. and 4 rows of member names (CHMN. CLARKE, BARRY, BRAZIL, CHAVOUS, CROPP, EVANS, JARVIS, LIGHTFOOT, MASON, NATHANSON, RAY, SMITH, JR., THOMAS, SR.).

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

CERTIFICATION RECORD

Secretary to the Council (Signature)

Date: June 22, 1994

Item on Consent Calendar

ACTION & DATE: Adopted Final Reading, 6-21-94

VOICE VOTE: Approved

Recorded vote on request

Absent: Smith

ROLL CALL VOTE - RESULT

Table with 16 columns: COUNCIL MEMBER, AYE, NAY, N.V., A.B. and 4 rows of member names (CHMN. CLARKE, BARRY, BRAZIL, CHAVOUS, CROPP, EVANS, JARVIS, LIGHTFOOT, MASON, NATHANSON, RAY, SMITH, JR., THOMAS, SR.).

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

CERTIFICATION RECORD

Secretary to the Council (Signature)

Date: June 22, 1994

Item on Consent Calendar

ACTION & DATE:

VOICE VOTE:

Recorded vote on request

Absent:

ROLL CALL VOTE - RESULT

Table with 16 columns: COUNCIL MEMBER, AYE, NAY, N.V., A.B. and 4 rows of member names (CHMN. CLARKE, BARRY, BRAZIL, CHAVOUS, CROPP, EVANS, JARVIS, LIGHTFOOT, MASON, NATHANSON, RAY, SMITH, JR., THOMAS, SR.).

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

CERTIFICATION RECORD

Secretary to the Council

Date