

# ENROLLMENT(S)





COUNCIL OF THE DISTRICT OF COLUMBIA

Council Period Nine

RECORD OF OFFICIAL COUNCIL VOTE

DOCKET NO: Bill 9-501

X Item on Consent Calendar

X ACTION & DATE: Adopted First Reading, 6-23-92

X VOICE VOTE: Approved

Recorded vote on request

Absent: all present

ROLL CALL VOTE: - RESULT ( )

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

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

CERTIFICATION RECORD

Signature of Secretary to the Council

Secretary to the Council

Date: July 8, 1992

Date

X Item on Consent Calendar

X ACTION & DATE: Adopted Final Reading, 7-7-92

X VOICE VOTE: Approved

Recorded vote on request

Absent: all present

ROLL CALL VOTE: - RESULT ( )

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Absent:

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

CERTIFICATION RECORD

Secretary to the Council

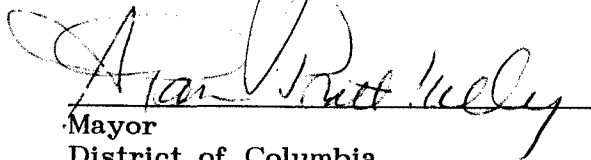
Date

Columbia Statutes-at-Large, or the District of Columbia Municipal Regulations.



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Chairman  
Council of the District of Columbia



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Mayor  
District of Columbia

APPROVED: July 23, 1992

"(4) All cargo and cargo areas, including the removal of cargo seals when necessary to conduct a safety inspection.

"Sec. 4b. Consent to inspection.

New Section  
6-3303.2

"(a) The operation of a vehicle subject to this act and its implementing regulations on any highway or roadway in the District shall constitute the consent of the driver and the owner of the vehicle to the inspection pursuant to section 4a.

"(b) The driver of a vehicle shall obey every sign and every direction of a police officer to stop the vehicle and submit to an inspection."

(c) Section 5 (D.C. Code §6-3304) is amended to read as follows:

Section  
6-3304

"Sec. 5. Penalties.

"(a) Violations of this act or any rule promulgated pursuant to section 6 shall be adjudicated as provided by the District of Columbia Traffic Adjudication Act of 1978, effective September 12, 1978 (D.C. Law 2-104; D.C. Code §40-601 *et seq.*).

"(b) The Mayor, by rule, may establish civil fines and penalties for violations of this act or any rule promulgated pursuant to section 6.

"(c)(1) As an alternative sanction, any person who knowingly or willfully violates this act, or any rule promulgated pursuant to section 6 shall be subject to a fine of not less than \$100 and not more than \$10,000, imprisonment not to exceed 1 year for each violation, or both. Each day shall constitute a separate violation and the penalties prescribed shall be applicable to each violation.

"(2) Prosecution for violations of this subsection shall be brought by the Corporation Counsel."

(d) A new section 5a is added to read as follows:

New Section  
6-3304.1

"Sec. 5a. Reimbursements.

"(a) The owner of any hazardous material motor carrier that releases a hazardous material shall reimburse the District for all expenditures made by the District to contain, remove, or respond to such a release.

"(b) The Mayor shall notify by certified mail the owner of any hazardous material motor carrier that releases a hazardous material of the costs incurred by the District to contain, remove, or respond to the release.

"(c) If the owner of the hazardous material motor carrier does not reimburse the District for all expenditures made to contain, remove, or respond to the release, within 10 days of the posting of notice by the Mayor, the Corporation Counsel may bring a civil action to seek reimbursement from the owner of the motor carrier."

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

AN ACT

Codification

D.C. ACT 9-271

District of Columbia Code

(1993 Supplement)

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JULY 23, 1992

To amend the District of Columbia Traffic Adjudication Act of 1978 to provide for administrative adjudication of violations of rules and to amend the District of Columbia Hazardous Materials Transportation and Motor Carrier Safety Act of 1988 to provide civil penalties for violation of the act, to authorize members of the Metropolitan Police Department to conduct inspections of motor carriers, to require reimbursement to the District of Columbia for costs relating to the containment and removal of a hazardous materials release, and to rescind the requirement that hazardous materials transporters obtain District of Columbia permits.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Traffic Adjudication and Motor Carrier Safety Amendment Act of 1992".

Sec. 2. Section 201 of the District of Columbia Traffic Adjudication Act of 1978, effective September 12, 1978 (D.C. Law 2-104; D.C. Code §40-611), is amended by adding the phrase "including rules issued pursuant to the District of Columbia Hazardous Materials Transportation and Motor Carrier Safety Act of 1988, effective March 16, 1989 (D.C. Law 7-190; D.C. Code §6-3301 et seq.)," after the word "District,".

Section 40-611

Sec. 3. The District of Columbia Hazardous Materials Transportation and Motor Carrier Safety Act of 1988, effective March 16, 1989 (D.C. Law 7-190; D.C. Code §6-3301 et seq.), is amended as follows:

(a) Section 4(7) (D.C. Code §6-3303(8)) is repealed.

(b) New sections 4a and 4b are added to read as follows:

"Sec. 4a. Stops and inspection.

"To determine compliance with this act and its implementing regulations, a police officer may stop the driver of a motor vehicle and enter upon the premises of a motor carrier that is regulated pursuant to this act and inspect any of the following:

"(1) All equipment, parts, and accessories, including carrier maintenance, certification, and safety records;

"(2) All driver records, including driver's license, permits, hours of service records, certificate of physical examination, and training records;

"(3) All manifests, including bills of lading or other shipping documents; and

Section 6-3303  
New Section 6-3303.1

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 9-173

"Traffic Adjudication and Motor Carrier  
Safety 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. 9-501 on first and second readings, June 23, 1992, and July 7, 1992, respectively. Following the signature of the Mayor on July 23, 1992, this legislation was assigned Act No. 9-271, published in the August 7, 1992, edition of the D.C. Register, (Vol. 39 page 5834) and transmitted to Congress on July 27, 1992 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 9-173, effective October 1, 1992.



JOHN A. WILSON  
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

July 27,28,29,30,31

August 3,4,5,6,7,10,11,12

September 8,9,10,11,14,15,16,17,18,21,22,23,24,25,28,29,30