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COUNCIL OF THE DISTRICT OF COLUMBIA

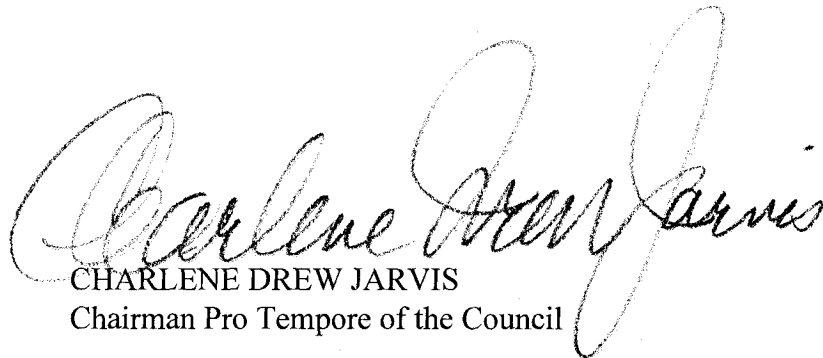
NOTICE

D.C. LAW 11-244

"Mandatory Use of Seat Belts Amendment Act of 1996".

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. 11-693, on first and second readings, November 7, 1996 and December 3, 1996, respectively. Following the signature of the Mayor on December 24, 1996, pursuant to Section 404(e) of "the Act", and was assigned Act No. 11-504, and published in the February 28, 1997, edition of the D.C. Register (Vol. 44 page 1155) and transmitted to Congress on January 24, 1997 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 11-244, effective April 9, 1997.



CHARLENE DREW JARVIS
Chairman Pro Tempore of the Council

Dates Counted During the 30-day Congressional Review Period:

Feb. 3,4,5,6,7,10,11,12,13,24,25,26,27,28

Mar. 3,4,5,6,10,11,12,13,14,17,18,19,20,21

Apr. 7,8

AN ACT

D.C. ACT 11-504

Codification
District of
Columbia
Code
1997 Supp.

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DECEMBER 24, 1996

To amend the Mandatory Use of Seat Belts Act of 1985 to require the driver and all passengers in a motor vehicle to wear a properly adjusted and fastened safety belt while the driver is in control of the vehicle, to provide an exemption for passengers in a vehicle if all seating positions with seat belts in the vehicle are occupied by other persons, provided that the driver shall insure that children 16 years of age and under shall have preference to seating positions with seat belts, to provide for an enforcement date, to provide that efforts to educate the public about the requirements and purpose of this act shall be multi-lingual and in alternative formats, to increase the monetary fine for a violation, to provide for primary enforcement, to provide for the assessment of 2 points to the driving record of a driver found in violation, to make the driver of the vehicle, except the operator of a passenger vehicle for hire, responsible for ensuring that passengers comply with this act; to amend Title 31 of the District of Columbia Municipal Regulations to establish a mandatory seatbelt usage signage requirement for passenger vehicles for hire; and to provide for a \$100 fine for drivers of public vehicles for hire who fail to comply with the signage requirement.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Mandatory Use of Seat Belts Amendment Act of 1996".

Sec. 2. The Mandatory Use of Seat Belts Act of 1985, effective December 12, 1985 (D.C. Law 6-73; D.C. Code § 40-1601 *et seq.*) is amended as follows:

(a) Section 3 (D.C. Code § 40-1602) is amended as follows:

(1) Subsection (a) is amended to read as follows:

"(a) Except as provided in the Child Restraint Act of 1982, effective March 10, 1983 (D.C. Law 4-194; D.C. Code § 40-1201 *et seq.*), the driver and all passengers in a motor vehicle shall wear a properly adjusted and fastened safety belt while the driver is in control of the vehicle."

(2) Subsection (b)(1) is amended by striking the word "or";

Section
40-1602

ENROLLED ORIGINAL

(3) Subsection (b)(2) is amended by striking the "." and inserting in its place "; or"; and

(4) A new subsection (b)(3) is added to read as follows:

"(3) Riders who are passengers in a vehicle if all seating positions with seat belts in the vehicle are occupied by other persons. The driver shall insure that children 16 years of age and under have preference to seating positions with seat belts over persons more than 16 years of age."

(b) Section 6 (D.C. Code § 40-1605) is amended to read as follows:

Section
40-1605

"For the first 6 months after its effective date, the Mayor of the District of Columbia shall educate the public about the requirements and the purpose of the Mandatory Use of Seat Belts Amendment Act of 1996. The efforts to educate the public shall be multi-lingual and in alternative formats."

(c) Section 7 (D.C. Code § 40-1606) is amended as follows:

Section
40-1606

(1) Subsection (a) is amended by striking the phrase "this act" wherever it appears and inserting the phrase "the Mandatory Use of Seat Belts Amendment Act of 1996" in its place; and

(2) Subsection (b)(1) is amended to read as follows:

"(b)(1) The penalties provisions in paragraph (2) of this subsection and subsection (d) of this section shall not be enforced until 6 months after the effective date of the Mandatory Use of Seat Belts Amendment Act of 1996. The Mayor shall issue rules consistent with the purpose and regulatory scheme created by this act. The Mayor shall issue the rules pursuant to title 1 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1203; D.C. Code § 1-1501 *et seq.*)."

(3) Subsection (b)(2) is amended to read as follows:

"(b)(2) The penalty imposed by the Mayor for violating this act shall be \$50, although the Mayor may subsequently increase the amount of the penalty.";

(4) Subsection (c) is repealed;

(5) Subsection (d) is amended to read as follows:

"(d) The Department of Public Works shall assign 2 points pursuant to 18 DCMR 303 to the driving record of a driver found in violation of this act."; and

(6) Subsection (f) is amended to read as follows:

"(f) The driver of the vehicle, except operators of passenger vehicles for hire, shall be responsible for ensuring that passengers comply with this chapter."

Sec. 3. Title 31 of the District of Columbia Municipal Regulations (Taxicabs and Public Vehicles for Hire) (31 DCMR) is amended as follows:

DCMR

(1) Section 607 of Chapter 6 (Seatbelts) (31 DCMR 607) is amended by adding a new subsection 607.2 to read as follows:

"607.2 All passenger vehicles for hire shall contain a sign which states the following:

"District law requires mandatory use of seat belts. There is a \$50 penalty for non-compliance".

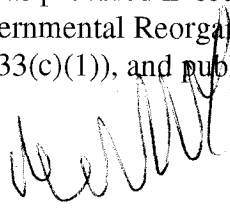
(2) Section 825 of Chapter 8 (Civil Fines for Taxicab Infractions) (31 DCMR 825) is amended by adding to the list of fines after the fine for "Loitering", the following language:

"Mandatory use of seat belts signage
Failure to have \$100.00".

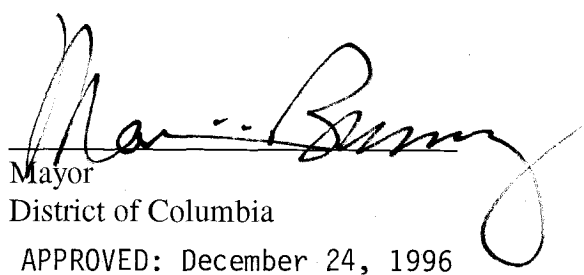
Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-233(c)(3)).

Sec. 5. This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), approval by the Financial Responsibility and Management Assistance Authority as provided in section 203(a) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, approved April 17, 1995 (109 Stat. 116; D.C. Code § 47-392.3(a)), a 30-day period of Congressional review 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.



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED: December 24, 1996



COUNCIL OF THE DISTRICT OF COLUMBIA

COUNCIL PERIOD ELEVEN

RECORD OF OFFICIAL COUNCIL VOTE

Docket No. B11-693

[] ITEM ON CONSENT CALENDAR

[X] ACTION & DATE ADOPTED FIRST READING, 11-7-96

[X] VOICE VOTE APPROVED, BRAZIL VOTED NO
RECORDED VOTE ON REQUEST

ABSENT THOMAS

[] ROLL CALL VOTE - Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Clarke					Jarvis					Smith, Jr.				
Brazil					Lightfoot					Thomas, Sr.				
Chavous					Mason					Whittington				
Cropp					Patterson									
Evans					Ray									

X+ Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

Charles J. ...
Secretary to the Council

December 11, 1996
Date

[X] ITEM ON CONSENT CALENDAR

[X] ACTION & DATE ADOPTED FINAL READING, 12-3-96

[X] VOICE VOTE APPROVED
RECORDED VOTE ON REQUEST RAY

ABSENT

[] ROLL CALL VOTE - Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Clarke					Jarvis					Smith, Jr.				
Brazil					Lightfoot					Thomas, Sr.				
Chavous					Mason					Whittington				
Cropp					Patterson									
Evans					Ray									

X-indicates no

AB-Absent

NV-Present not voting

CERTIFICATION RECORD

Charles J. ...
Secretary to the Council

December 11, 1996
Date

[] ITEM ON CONSENT CALENDAR

[] ACTION & DATE

[] VOICE VOTE
RECORDED VOTE ON REQUEST

ABSENT

[] ROLL CALL VOTE - Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Clarke					Jarvis					Smith, Jr.				
Brazil					Lightfoot					Thomas, Sr.				
Chavous					Mason					Whittington				
Cropp					Patterson									
Evans					Ray									

X - Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

Secretary to the Council

Date