

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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District of
Columbia
Official Code*

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To amend the Taxicab Drivers Protection Act of 2000 to provide enhanced penalties for the commission of certain enumerated offenses against a transit operator or Metrorail station manager while in the performance of duty; to amend section 3 of An act for the preservation of the public peace and the protection of property within the District of Columbia to increase the penalty for throwing a stone or other missile in enumerated locations; and to require that notices of the enhanced penalties for the commission of certain enumerated offenses against a transit operator or Metrorail station manager be posted on Metrobuses and Metrorail trains, in Metrorail stations, and on the DC Circulator.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Transit Operator Protection and Enhanced Penalty Amendment Act of 2008".

Sec. 2. The Taxicab Drivers Protection Act of 2000, effective June 9, 2001 (D.C. Law 13-307; D.C. Official Code § 22-3751 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 22-3751) is amended as follows:

(1) The section heading is amended by striking the period and inserting the phrase "for offenses committed against taxicab drivers." in its place.

(2) Strike the word "lawfully".

(b) A new section 2a is added to read as follows:

"Sec. 2a. Enhanced penalties for offenses committed against transit operators and Metrorail station managers.

"(a) Any person who commits an offense enumerated in section 3 of this section against a transit operator, who, at the time of the offense, is authorized to operate and is operating a mass transit vehicle in the District of Columbia, or against Metrorail station manager while on duty in the District of Columbia, may be punished by a fine of up to one and ½ times the maximum fine otherwise authorized for the offense and may be imprisoned for a term of up to one and ½ times the maximum term of imprisonment otherwise authorized by the offense, or both.

Amend
§ 22-3751

“(b) For the purposes of this section, the term:

“(1) "Mass transit vehicle" means any publicly or privately owned or operated commercial vehicle for the carriage of 6 or more passengers, including any Metrobus, Metrorail, Metroaccess, or DC Circulator vehicle or other bus, trolley, or van operating within the District of Columbia.

“(2) “Metrorail station manager” means any Washington Metropolitan Area Transit Authority employee who is assigned to supervise a Metrorail station from a kiosk at that station.

“(3) "Transit operator" means a person who is licensed to operate a mass transit vehicle.

(c) Section 3 (D.C. Official Code § 22-3752) is amended to read as follows:

Amend
§ 22-3752

“Sec. 3. Enumerated offenses.

“The provisions of sections 2 and 2a shall apply to the following offenses or any attempt or conspiracy to commit any of the following offenses: murder, manslaughter, aggravated assault, assault with a dangerous weapon, mayhem or maliciously disfiguring, threats to do bodily harm, first degree sexual abuse, second degree sexual abuse, third degree sexual abuse, fourth degree sexual abuse, misdemeanor sexual abuse, robbery, carjacking, and kidnapping.”.

Sec. 3. Section 3 of An act for the preservation of the public peace and the protection of property within the District of Columbia, approved July 29, 1892 (27 Stat. 322; D.C. Official Code § 22-1309), is amended by striking the phrase “five dollars” and inserting the phrase “\$500” in its place.

Amend
§ 22-1309

Sec. 4. Notice of enhanced penalties for commission of offenses against transit operators and Metrorail station managers.

(a)(1) The Washington Metropolitan Area Transit Authority shall post or otherwise provide conspicuous notice of the enhanced penalties for the commission of certain offenses against transit operators and Metrorail station managers in the District of Columbia pursuant to section 2a of the Taxicab Drivers Protection Act of 2000, passed on 2nd reading on April 1, 2008 (Enrolled version of Bill 17-233) (“Act”), on all Metrobus buses and Metrorail trains operating in the District of Columbia, and at or near all Metrorail station kiosks within the District of Columbia.

(2) The Mayor shall post or otherwise provide similar notice on all DC Circulator buses.

(b) The absence of notice on a vehicle or at a Metrorail station required under this section shall not constitute a defense to or otherwise invalidate or prevent the imposition of the enhanced penalties provided in section 2a of the Act.

Sec. 5. Fiscal impact statement.

The Council adopts the March 4, 2008 fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 6. Effective date.

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), a 60-day period of Congressional review as provided in section 602(c)(2) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(2)), and publication in the District of Columbia Register.

Chairman
Council of the District of Columbia

Mayor
District of Columbia