

COUNCIL OF THE DISTRICT OF COLUMBIA

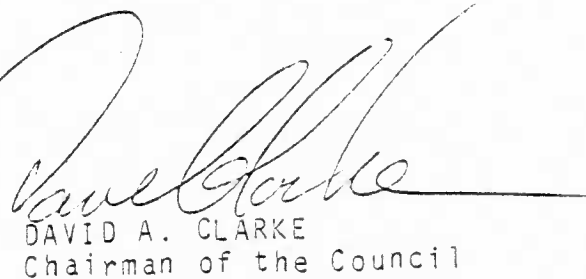
NOTICE

D.C. LAW 5-91

"District of Columbia Public Transit Vehicle Safety Amendment Act of 1984".

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. 5-295 on first and second readings, April 10, 1984 and April 30, 1984, respectively. Following the signature of the Mayor on May 9, 1984, this legislation was assigned Act No. 5-132, published in the May 25, 1984 edition of the D.C. Register, (Vol. 31 page 2539) and transmitted to Congress May 15, 1984 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 5-91, effective June 29, 1984.


DAVID A. CLARKE
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

May 15,16,17,18,21,22,23,24,30,31

June 1,4,5,6,7,8,11,12,13,14,15,18,19,20,21,22,25,26,27,28

D.C. LAW 5 - 91

AN ACT

EFFECTIVE DATE JUN 29 1984

DC. ACT 5-132

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 09 1984

To amend the Act to Regulate Public Conduct on Public Passenger Vehicles to establish as unlawful conduct the misuse of emergency safety mechanisms which are designed to allow passengers to open the doors of a public transit vehicle operated by the Washington Metropolitan Area Transit Authority; and for other purposes.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "District of Columbia Public Transit Vehicle Safety Amendment Act of 1984".

Sec. 2. The Council of the District of Columbia finds that:

(a) The board of directors of the Washington Metropolitan Area Transit Authority ("WMATA") has adopted a policy to permit self-evacuation by passengers from WMATA's rail transit cars under emergency circumstances.

New,
D.C. Code
sec. 44-2
(1984 sup

(b) To permit emergency passenger-initiated evacuation from rail transit cars, WMATA will install devices to permit passengers to open rail car doors.

(c) Misuse of these safety devices would create unsafe conditions for rail car passengers, and, therefore should be used only in emergency circumstances by a passenger who believes, in good faith, that activation of the device is necessary to prevent death or injury.

(d) In order to deter persons from activating the door-opening mechanism without good cause or with malice, it is necessary to establish legal prohibitions against misuse of the device and penalties for violations.

Sec. 3. The Act to Regulate Public Conduct on Public Passenger Vehicles, effective September 23, 1975 (D.C. Law 1-18; D.C. Code, sec. 44-223 et seq.), is amended as follows:

(a) Section 2 (D.C. Code, sec. 44-223) is amended by adding a new subsection to read as follows:

D.C. Code
sec. 44-2
(1983 sup

"(c) It is unlawful for any person, while aboard a rail transit car which is transporting passengers within the District of Columbia, knowingly to cause the doors of any rail transit car to open by activating a safety device designed to allow emergency evacuation of passengers. It is an affirmative defense to a prosecution under this subsection that the person charged believed, in good faith, that the action was necessary to protect people from injury or death."

(b) Section 5 (D.C. Code, sec. 44-226) is amended as follows:

D.C. Code
sec. 44-2
Note,
D.C. Code
sec. 23-1
44-223.1
(1981 ed.

(1) By changing "Violation of section 2" to "Violation of section 2(b)";

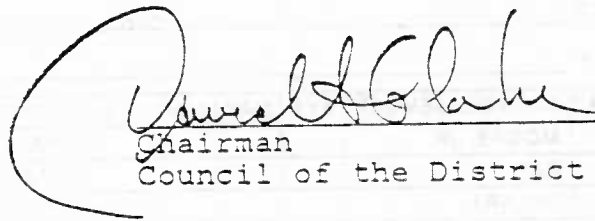
(2) By inserting after the 1st sentence a new sentence to read as follows:

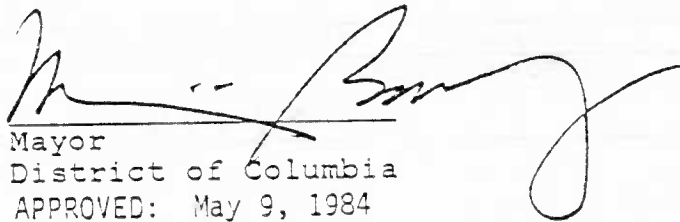
"A violation of section 2(c) shall be punishable by a fine of not more than two hundred fifty dollars or imprisonment of not more than ninety days, or both."; and

(3) By adding at the end a new sentence to read
as follows:

"All prosecutions under this act shall be brought by
the Corporation Counsel."

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, sec.
1-233(c)(1)).


Chairman
Council of the District of Columbia


Mayor
District of Columbia
APPROVED: May 9, 1984



COUNCIL OF THE DISTRICT OF COLUMBIA
Council Period Five — Second Session

RECORD OF OFFICIAL COUNCIL VOTE

DOCKET NO: B 5-295

Item on Consent Calendar

ACTION & DATE: Adopted First Reading, 4-10-84

VOICE VOTE: Unanimous

Recorded vote on request

Absent: Spaulding and 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 | | | | | MOORE, JR. | | | | | SPAULDING | | | | |
| CRAWFORD | | | | | RAY | | | | | WILSON | | | | |
| JARVIS | | | | | ROLARK | | | | | WINTER | | | | |
| KANE | | | | | SHACKLETON | | | | | | | | | |
| MASON | | | | | SMITH, JR. | | | | | | | | | |

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

CERTIFICATION RECORD

Russell Smith
Secretary to the Council

5/4/84
Date

Item on Consent Calendar

ACTION & DATE: Adopted Final Reading, 4-30-84

VOICE VOTE: Unanimous

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 | | | | | MOORE, JR. | | | | | SPAULDING | | | | |
| CRAWFORD | | | | | RAY | | | | | WILSON | | | | |
| JARVIS | | | | | ROLARK | | | | | WINTER | | | | |
| KANE | | | | | SHACKLETON | | | | | | | | | |
| MASON | | | | | SMITH, JR. | | | | | | | | | |

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

CERTIFICATION RECORD

Russell Smith
Secretary to the Council

5/4/84
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 | | | | | MOORE, JR. | | | | | SPAULDING | | | | |
| CRAWFORD | | | | | RAY | | | | | WILSON | | | | |
| JARVIS | | | | | ROLARK | | | | | WINTER | | | | |
| KANE | | | | | SHACKLETON | | | | | | | | | |
| MASON | | | | | SMITH, JR. | | | | | | | | | |

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

CERTIFICATION RECORD