

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 7-222

- "Motor Vehicle Operator's Permit Revocation Amendment Act of 1988".

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. 7-489 on first and second readings November 29, 1988, and December 13, 1988, respectively. Following the signature of the Mayor on January 6, 1989, this legislation was assigned Act No. 7-297 published in the January 20, 1989, edition of the D.C. Register, (Vol. 36 page 570) and transmitted to Congress on January 23, 1989 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 7-222, effective March 16, 1989.

DAVID A. CLARKE  
Chairman to the Council

Dates Counted During the 30-day Congressional Review Period:

January	24,25,26,27,30,31
February	1,2,3,6,7,8,9,21,22,23,24,27,28
March	1,2,3,6,7,8,9,10,13,14,15

Codification,  
District of Columbia Code  
(1989 Supp.)

AN ACT

D.C. ACT 7 - 297

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JAN 06 1989

To amend An Act To provide for regulation of motor vehicle traffic in the District of Columbia, increase the number of judges of the police court, and for other purposes, to provide for the revocation of a motor vehicle operator's permit or privilege for not less than 6 months and not more than 2 years for a violation of the District of Columbia Uniform Controlled Substances Act of 1981.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Motor Vehicle Operator's Permit Revocation Amendment Act of 1988".

Sec. 2. An Act To provide for regulation of motor vehicle traffic in the District of Columbia, increase the number of judges of the police court, and for other purposes, approved March 3, 1925 (43 Stat. 1121; D.C. Code, sec. 40-301 et seq.), is amended by adding a new section 13a to read as follows:

"Sec. 13a. Revocation of motor vehicle operator's permit.

New, Section  
40-302.1

"(a) In addition to any other penalty authorized for a violation of the District of Columbia Uniform Controlled Substances Act of 1981, effective August 5, 1981 (D.C. Law 4-29; D.C. Code, sec. 33-501 et seq.) ("Uniform Controlled Substances Act"), or an adjudication of juvenile delinquency pursuant to subchapter I of Chapter 23 of Title 16 of the District of Columbia Code, the Mayor may revoke the motor vehicle operator's permit of a District resident or the privilege to operate a motor vehicle in the District of a nonresident convicted of or adjudicated a juvenile delinquent as a result of a violation of the Uniform Controlled Substances Act who the Mayor finds to be not qualified to operate a motor vehicle in a manner that will not endanger public safety. If a person is convicted of a violation of the Uniform Controlled Substances Act before

the person is 16 years of age, the revocation period shall not begin to run until the person is 16 years of age. A copy of the conviction or adjudication shall be forwarded, by the court, to the Mayor. The revocation shall be for not less than 6 months and not more than 2 years.

"(b) The Mayor shall conduct the revocation hearing in accordance with chapters 3 and 10 of the Vehicle and Traffic Regulations, 18 DCMR 300 et seq., and the hearing examiner shall, within 30 days from the conclusion of the hearing, issue written findings of fact and conclusions of law.

"(c) Upon the expiration of 6 months of the revocation period, the Mayor may restore the privilege to operate a motor vehicle in the District or issue a motor vehicle operator's permit to the person if:

"(1) The person has not been convicted of any further violation of the Uniform Controlled Substances Act during the revocation period;

"(2) The person passes the standard required examinations for a motor vehicle operator's permit;

"(3) A mental health professional certifies that the person has received drug counseling; and

"(4) A physician certifies that the person is physically and mentally qualified to operate a motor vehicle in a manner that will not endanger public safety.

"(d) Notwithstanding any other provision of this section, the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1203, D.C. Code, sec. 1-1501 et seq.), shall apply to each proceeding, decision, or other administrative action provided for in this act.

"(e) Any person found guilty of operating a motor vehicle in the District during the period for which the person's license or privilege is revoked, shall, for each offense, be fined not more than \$5,000, imprisoned for not more than 1 year, or both."

Sec. 3. Section 16-2318 of the District of Columbia Code is amended to read as follows:

Section  
16-2318

"A consent decree, order of adjudication, or order of disposition in a proceeding under this subchapter is not a conviction of crime and does not impose any civil disability ordinarily resulting from a conviction, except the revocation of a motor vehicle operator's permit or privilege in accordance with the Motor Vehicle Operator's Permit Revocation Amendment Act of 1988, nor does it operate to disqualify a child in any future civil service examination, appointment or application for public service examination, or appointment or application for public service in either the Government of the United States or of the District of Columbia."

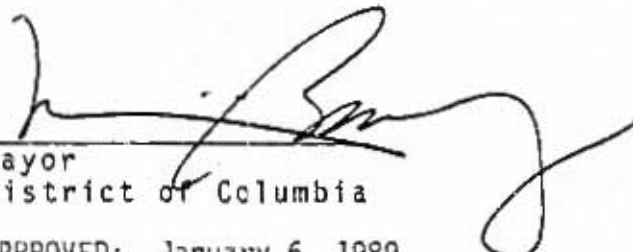
Sec. 4. Section 16-2331(b) of the District of Columbia Code is amended by adding a new paragraph (8) to read as follows:

Section:  
16-2331

"The Mayor in accordance with the Motor Vehicle Operator's Permit Revocation Amendment Act of 1988."

Sec. 5. 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)), and publication in either 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: January 6, 1989



**COUNCIL OF THE DISTRICT OF COLUMBIA**  
Council Period Seven

**RECORD OF OFFICIAL COUNCIL VOTE**

DOCKET NO: B7-489

Item on Consent Calendar

ACTION & DATE: Adopted First Reading, 11-29-88

VOICE VOTE: Approved

Recorded vote on request

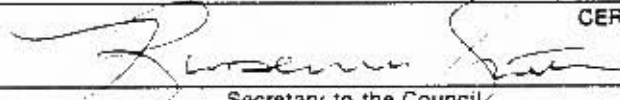
Absent: Crawford, Rolark and Smith

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					NATHANSON					THOMAS SR.				
CRAWFORD					RAY					WILSON				
JARVIS					ROLARK					WINTER				
KANE					SCHWARTZ									
MASON					SMITH, JR.									

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

**CERTIFICATION RECORD**

  
Secretary to the Council

12-22-88  
Date

Item on Consent Calendar

ACTION & DATE: Adopted Final Reading, 12-13-88

VOICE VOTE: Approved

Recorded vote on request

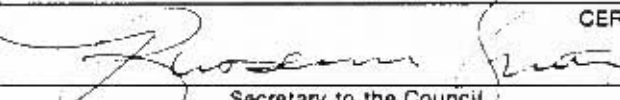
Absent: Wilson and Smith

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					NATHANSON					THOMAS, SR.				
CRAWFORD					RAY					WILSON				
JARVIS					ROLARK					WINTER				
KANE					SCHWARTZ									
MASON					SMITH, JR.									

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

**CERTIFICATION RECORD**

  
Secretary to the Council

12-27-88  
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					NATHANSON					THOMAS, SR.				
CRAWFORD					RAY					WILSON				
JARVIS					ROLARK					WINTER				
KANE					SCHWARTZ									
MASON					SMITH, JR.									

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

**CERTIFICATION RECORD**

Secretary to the Council

Date