

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

*Codification
District of
Columbia
Official Code*

2001 Edition

2009 Winter
Supp.

West Group
Publisher

To amend section 47-2862 of the District of Columbia Official Code to add vehicle conveyance fees to the charges that must be paid before the District will issue certain permits and licenses; to amend the District of Columbia Traffic Act, 1925 and the District of Columbia Traffic Adjudication Act of 1978 to provide for the imposition and collection of a vehicle conveyance fee when an illegally parked vehicle is towed to a public street; and to amend Chapter 24 of Title 18 of the District of Columbia Municipal Regulations to provide for the imposition and collection of a towing and storage fee when an illegally parked vehicle is towed to a privately operated vehicle storage facility.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Vehicle Towing, Storage, and Conveyance Fee Amendment Act of 2008”.

Sec. 2. Section 47-2862(a) of the District of Columbia Official Code is amended as follows:

Amend
§ 47-2862

- (a) Paragraph (4) is amended by striking the word “or” at the end.
- (b) Paragraph (5) is amended by striking the phrase “fees.” and inserting the phrase “fees; or” in its place.
- (c) A new paragraph (6) is added to read as follows:
“(6) Owes a vehicle conveyance fee, as that term is defined in § 50-2302.01(i).”.

Sec. 3. The District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1121; D.C. Official Code § 50-2201.01 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 50-2201.02) is amended by adding a new paragraph (16) to read as follows:

Amend
§ 50-2201.02

“(16) “Vehicle conveyance fee” shall have the same meaning as provided in section 102(i) of the District of Columbia Traffic Adjudication Act of 1978, effective September 12, 1978 (D.C. Law 2-104; D.C. Official Code § 50-2301.02(i)).”.

(b) Section 6(k)(1) (D.C. Official Code § 50-2201.03(k)(1)), is amended by striking the phrase “notices of infraction” and inserting the phrase “notices of infraction or vehicle conveyance fees” in its place.

Amend
§ 50-2201.03

ENROLLED ORIGINAL

Sec. 4. The District of Columbia Traffic Adjudication Act of 1978, effective September 12, 1978 (D.C. Law 2-104; D.C. Official Code § 50-2301.01 *et seq.*), is amended as follows:

(a) Section 102 (D.C. Official Code § 50-2301.02) is amended by adding new paragraphs (h) and (i) to read as follows:

Amend
§ 50-2301.02

“(h) The term “related vehicle conveyance fee” means a vehicle conveyance fee that is related to a civil fine because the imposition of each arises from the same parking infraction.

“(i) The term “vehicle conveyance fee” means the charge for moving (by towing or otherwise) an unattended vehicle parked in violation of any traffic regulation (except overtime parking of less than 24 hours) to a legal parking place, other than at an impoundment facility.”.

(b) Section 305 (D.C. Official Code § 50-2303.05) is amended as follows:

Amend
§ 50-2303.05

(1) Subsection (a)(1)(A) is amended by striking the phrase “civil fine” and inserting the phrase “civil fine and any related vehicle conveyance fee” in its place.

(2) Subsection (c) is amended by striking the phrase “civil fine” and inserting the phrase “civil fine, any related vehicle conveyance fee assessed by the District,” in its place.

(3) Subsection (d) is amended as follows:

(A) Paragraph (1) is amended by striking the period and inserting the phrase “and any related vehicle conveyance fee.” in its place.

(B) Paragraph (2) is amending by striking the phrase “penalties and fines” and inserting the phrase “penalties, fines, and any vehicle conveyance fees” in its place.

(c) Section 306(d) (D.C. Official Code § 50-2303.06(d)) is amended by striking the phrase “appropriate penalties” and inserting the phrase “appropriate penalties and vehicle conveyance fee” in its place.

Amend
§ 50-2303.06

(d) Section 505 (D.C. Official Code § 50-2201.21) is amended to read as follows:

Amend
§ 50-2201.21

“Sec. 505. Rules for towing and impoundment of vehicles, and vehicle conveyance fees. “The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules regarding towing and impoundment of vehicles in connection with enforcement of the District's parking restrictions and to establish the amount of, and implement a system for collecting, a vehicle conveyance fee.”.

Sec. 5. Chapter 24 of Title 18 of the District of Columbia Municipal Regulations is amended as follows:

DCMR

(a) Section 2421 (18 DCMR § 2421) is amended as follows:

(1) Subsection 2421.1 is amended by adding a new sentence at the end to read as follows: “The Director may authorize a vehicle to be towed by, or impounded at a facility operated by, a private tow crane operator.”.

(2) Subsection 2421.2 is amended to read as follows:

“2421.2 The notice, reclamation, and disposition procedures and towing and storage fees set forth in sections 6 through 10 of the Removal and Disposition of Abandoned and Other

Unlawfully Parked Vehicles Reform Act of 2003, effective October 28, 2003 (D.C. Law 15-35; D.C. Official Code §§ 50-2421.06 through 50-2421.10), shall apply to any vehicle impounded pursuant to this section at a District government impoundment facility.”.

(c) New subsections 2421.8 and 2421.9 are added to read as follows:

“2421.8 The notice, reclamation, and disposition procedures set forth in sections 7, 8, 9(a)(5), (a)(6), and (b), 10, and 11 of the Removal and Disposition of Abandoned and Other Unlawfully Parked Vehicles Reform Act of 2003, effective October 28, 2003 (D.C. Law 15-35; D.C. Official Code §§ 50-2421.07, 50-2421.08, 50-2421.09(a)(5), (a)(6), and (b), 50-2421.10 and 50-2421.11), shall apply to any vehicle impounded under this section at a privately operated storage facility.

“2421.9 If, after a vehicle is reclaimed under subsection 2421.8, the notice of infraction that provided the basis for the impoundment is dismissed by an appropriate administrative tribunal or court, the vehicle owner or operator shall be refunded the cost of booting, towing, and vehicle storage fees paid to reclaim the vehicle.” .

(b) Section 2422 is repealed.

Sec. 6. 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 Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 7. 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 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

Chairman
Council of the District of Columbia

Mayor
District of Columbia