

DISTRICT OF COLUMBIA
OFFICIAL CODE

TITLE 50.
MOTOR AND NON-MOTOR VEHICLES AND
TRAFFIC.

CHAPTER 11.
INSPECTION.

2001 Edition

DISTRICT OF COLUMBIA OFFICIAL CODE

CHAPTER 11. INSPECTION.

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CHAPTER 11. INSPECTION.

SUBCHAPTER I. GENERAL.

§ 50-1101. FEE.

(a) Except as otherwise currently provided in § 601 of Title 18 of the District of Columbia Municipal Regulations or as otherwise provided by the Council of the District of Columbia, all motor vehicles and trailers registered in the District of Columbia shall be inspected for safety and exhaust emissions at periodic intervals not more than 2 years apart. At the time of registration, or when otherwise established by the Director, an inspection fee shall be levied and collected for each motor vehicle or trailer. The Mayor may issue inspection stickers, without requiring safety and exhaust emissions inspections, for new motor vehicles and trailers not previously registered in any jurisdiction. The new vehicle inspections stickers may be valid for up to a 4-year period.

(b) The Mayor may prescribe regulations and establish a fee to permit a person who owns a motor vehicle or trailer not required to be registered in the District of Columbia to have such motor vehicle or trailer inspected for safety or exhaust emissions in the District of Columbia.

(c) Notwithstanding subsection (a) of this section, the Mayor may exempt zero and ultra-low emission vehicles, as defined in Part 88 of Title 40 of the Code of Federal Regulations, (40 C.F.R. 88.101.94 *et seq.*), from exhaust emissions inspections.

(Feb. 18, 1938, 52 Stat. 78, ch. 31, § 1; July 16, 1947, 61 Stat. 360, ch. 258, Art. IV, § 1; Oct. 12, 1968, 82 Stat. 1002, Pub. L. 90-567, § 1; Oct. 31, 1969, 83 Stat. 174, Pub. L. 91-106, title IV, § 403; Apr. 7, 1977, D.C. Law 1-110, § 3, 23 DCR 8740; Feb. 25, 1978, D.C. Law 2-41, § 4, 24 DCR 3629; Mar. 16, 1982, D.C. Law 4-82, § 2, 29 DCR 159; Apr. 3, 1982, D.C. Law 4-97, § 8, 29 DCR 765; July 1, 1982, D.C. Law 4-122, § 3, 29 DCR 2080; Aug. 17, 1991, D.C. Law 9-30, § 3, 38 DCR 4215; Apr. 26, 1994, D.C. Law 10-106, § 2(a), 41 DCR 1014; Apr. 27, 2001, D.C. Law 13-289, § 203(a), 48 DCR 2057; Mar. 14, 2007, D.C. Law 16-279, § 203, 54 DCR 903; Aug. 16, 2008, D.C. Law 17-219, § 6012, 55 DCR 7598.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 40-201.

1973 Ed., § 40-201.

Effect of Amendments

D.C. Law 13-289, in subsec. (a), substituted "At the time of registration, or when otherwise established by the Director, an inspection fee shall be levied and collected for each motor vehicle or trailer." for "At the time of the registration of each motor vehicle or trailer there shall be levied and collected an inspection fee which shall be included in and be a part of the total registration fee."

D.C. Law 16-279, in subsec. (a), substituted "new motor vehicles and trailers" for "new passenger vehicles"; and added subsec. (c).

D.C. Law 17-219, in subsec. (a), substituted "valid for up to a 4-year period" for "valid for a 2-year period".

Temporary Amendments of Section

For temporary (225 day) amendment of section, see § 107 of Omnibus Budget Support Temporary Act of 1991 (D.C. Law 9-19, June 21, 1991, law notification 38 DCR 5786).

Legislative History of Laws

Law 1-110 was introduced in Council and assigned Bill No. 1-255, which was referred to the Committee on Transportation and Environmental Affairs. The Bill was adopted on first and second readings in November 23, 1976 and December 7, 1976, respectively,. Signed by the Mayor on January 5, 1976, it was assigned Act No. 1-195 and transmitted to both Houses of Congress for its review.

Law 2-41 was introduced in Council and assigned Bill No. 2-83, which was referred to the Committee on

Finance and Revenue. The Bill was adopted on first and second readings on July 26, 1977 and September 13, 1977, respectively. Signed by the Mayor on November 2, 1977, it was assigned Act No. 2-97 and transmitted to both Houses of Congress for its review.

Law 4-82 was introduced in Council and assigned Bill No. 4-302, which was referred to the Committee on Transportation and Environmental Affairs. The Bill was adopted on first and second readings on November 24, 1981, and December 8, 1981, respectively. Signed by the Mayor on December 21, 1981, it was assigned Act No. 4-136 and transmitted to both Houses of Congress for its review.

For legislative history of D.C. Law 4-97, see Historical and Statutory Notes following § 50-1405.01.

For legislative history of D.C. Law 4-122, see Historical and Statutory Notes following § 50-1401.02.

Law 9-30, the "District of Columbia Motor Vehicle Services Fees Amendment Act of 1991," was introduced in Council and assigned Bill No. 9-163, which was referred to the Committee on Public Works. The Bill was adopted on first and second readings on June 4, 1991, and June 18, 1991, respectively. Signed by the Mayor on July 2, 1991, it was assigned Act No. 9-57 and transmitted to both Houses of Congress for its review.

Law 10-106, the "Motor Vehicle Biennial Inspection Amendment Act of 1993," was introduced in Council and assigned Bill No. 10-6, which was referred to the Committee on Public Works and the Environment. The Bill was adopted on first and second readings on January 4, 1994, and February 1, 1994, respectively. Signed by the Mayor on February 18, 1994, it was assigned Act No. 10-194 and transmitted to both Houses of Congress for its review. D.C. Law 10-106 became effective on April 26, 1994.

For D.C. Law 13-289, see notes following § 50-401.

For Law 16-279, see notes following § 50-312.

For Law 17-219, see notes following § 50-921.11.

§ 50-1102. MOTOR VEHICLE BIENNIAL INSPECTION FUND.

(a)(1) There is hereby established the District of Columbia Motor Vehicle Biennial Inspection Fund ("the Fund"). The Fund shall be a revolving fund and not be a part of nor lapse into the General Fund of the District or any other fund of the District.

(2) The Fund shall be classified as a governmental fund and shall be accounted for in accordance with subchapter V of Chapter 3 of Title 47, and any other applicable law.

(b) The Mayor shall administer the Fund to finance the following:

(1) The implementation, oversight, operation, and periodic upgrading of the District of Columbia's Enhanced Vehicle Emissions Inspection Program and its vehicle safety inspection program; and

(2) The purchase, maintenance, and upgrading of equipment; program administration; technical skills training; contracts for services; and any other activities necessary to comply with federal and District of Columbia vehicle emissions and safety inspections legislative mandates.

(c) The inspection fee levied and collected pursuant to § 50-1101, shall be established in an amount sufficient to cover the costs of implementation, operation, and periodic upgrading of the District of Columbia's vehicle emissions and safety inspection programs, and shall be deposited into the Fund. The Mayor may, from time to time, adopt rules that adjust the inspection fee as necessary to compensate the District for the cost of implementing, overseeing, operating, and upgrading the vehicle emissions and safety inspection programs, and such adjustments shall be made in accordance with an evaluation of the annual audited accounting required by subsection (d) of this section.

(d) Obligations and expenditures of amounts from the Fund shall be based on an annual appropriation approved by Congress following the submission of a budgetary request by the Mayor. As part of the Mayor's annual budgetary request, the Mayor shall submit an audited accounting of the use of the Fund during the previous fiscal year.

(Feb. 18, 1938, 52 Stat. 78, ch. 31, § 2; Sept. 5, 1997, D.C. Law 12-13, § 2, 44 DCR 3618)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 40-202.

1973 Ed., § 40-202.

Legislative History of Laws

Law 12-13, the "Motor Vehicle Biennial Inspection Fund Act of 1997," was introduced in Council and assigned Bill No. 12-18, which was referred to the Committee on Public Works and the Environment. The Bill was adopted on first and second readings on March 4, 1997, and May 6, 1997, respectively. Signed by the Mayor on May 23, 1997, it was assigned Act No. 12-90 and transmitted to both Houses of Congress for its review. D.C. Law 12-13 became effective on September 5, 1997.

Office of Collector of Taxes abolished: The Office of the Collector of Taxes was abolished and the functions thereof transferred to the Board of Commissioners of the District of Columbia by Reorganization Plan No. 5 of 1952. All functions of the Office of the Collector of Taxes including the functions of all officers, employees and subordinate agencies were transferred to the Director, Department of General Administration by Reorganization Order No. 3, dated August 28, 1952. Reorganization Order No. 20, dated November 10, 1952, transferred the functions of the Collector of Taxes to the Finance Office. The same Order provided for the Office of the Collector of Taxes headed by a Collector in the Finance Office, and abolished the previously existing Office of the Collector of Taxes. Reorganization Order No. 20 was superseded and replaced by Organization Order No. 121, dated December 12, 1957, which provided that the Finance Office (consisting of the Office of the Finance Officer, Property Tax Division, Revenue Division, Treasury Division, Accounting Division, and Data Processing Division) would continue under the direction and control of the Director of General Administration, and that the Treasury Division would perform the function of collecting revenues of the District of Columbia and depositing the same with the Treasurer of the United States. Organization Order No. 121 was revoked by Organization Order No. 3, dated December 13, 1967, Part IVC of which prescribed the functions of the Finance Office within a newly established Department of General Administration. The executive functions of the Board of Commissioners were transferred to the Commissioner of the District of Columbia by § 401 of Reorganization Plan No. 3 of 1967. Functions of the Finance Office as stated in Part IVC of Organization Order No. 3 were transferred to the Director of the Department of Finance and Revenue by Commissioner's Order No. 69-96, dated March 7, 1969.

§ 50-1103. APPROPRIATIONS FOR INSPECTION FACILITIES.

The annual estimates of appropriations for the government of the District of Columbia for the fiscal year 1939 and succeeding fiscal years shall include estimates of appropriations for the construction and/or rental and/or leasing of ground and buildings, the purchase of equipment and supplies, and the payment of salaries of mechanics, laborers, clerks, and other employees to carry out the annual inspection of all motor vehicles and trailers in the District of Columbia.

(Feb. 18, 1938, 52 Stat. 78, ch. 31, § 3; July 16, 1947, 61 Stat. 360, ch. 258, Art. IV, § 2.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 40-203.

1973 Ed., § 40-203.

§ 50-1104. VEHICLES EXEMPT FROM FEE.

All motor vehicles and trailers owned and officially used by the government of the United States, the government of the District of Columbia or the Washington Metropolitan Area Transit Authority shall be subject to inspection.

(Feb. 18, 1938, 52 Stat. 78, ch. 31, § 4; July 16, 1947, 61 Stat. 360, ch. 258, Art. IV, § 3; Apr. 27, 2001, D.C. Law 13-289, § 203(b), 48 DCR 2057.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 40-204.

1973 Ed., § 40-204.

Effect of Amendments

D.C. Law 13-289 rewrote the section which had read:

"All motor vehicles and trailers owned and officially used by the government of the United States or by the government of the District of Columbia or by the representatives of foreign governments, shall be subject to annual inspection, such inspections to be furnished without charge."

Legislative History of Laws

For D.C. Law 13-289, see notes following § 50-401.

§ 50-1105. VEHICLES NOT INSPECTED, OR UNSAFE.

The Mayor of the District of Columbia or his designated agent may refuse to register any motor vehicle or

trailer which has not been inspected as required, or which is unsafe or improperly equipped, or otherwise unfit to be operated, and for like reason he may revoke or suspend any registration already made; provided, that the provisions of § 50-1403.01(a) shall be applicable in all cases where registration is refused, revoked, or suspended under the terms of this chapter.

(Feb. 18, 1938, 52 Stat. 78, ch. 31, § 5.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 40-205.

1973 Ed., § 40-205.

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 401 of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to a single Commissioner. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

§ 50-1106. PENALTIES.

(a) Any individual, partnership, firm, or corporation found guilty of using or permitting the use of any unregistered motor vehicle or trailer, or who is found guilty of using or permitting the use of the same during the period for which any such vehicle's registration is revoked or suspended under the terms of this chapter, shall, for each such offense, be fined not more than \$300.

(b) A late penalty of \$15 shall be assessed if a vehicle has not been inspected by the date required by the Director pursuant to the provisions of this chapter. An additional late penalty of \$15 shall be assessed for each month that the vehicle has not been inspected. All late penalties shall be deposited into the District of Columbia Motor Vehicle Biennial Inspection Fund established in § 50-1102.

(Feb. 18, 1938, 52 Stat. 78, ch. 31, § 6; Apr. 27, 2001, D.C. Law 13-289, § 203(c), 48 DCR 2057.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 40-206.

1973 Ed., § 40-206.

Effect of Amendments

D.C. Law 13-289 designated the existing text as subsec. (a) and added subsec. (b).

Legislative History of Laws

For D.C. Law 13-289, see notes following § 50-401.

§ 50-1107. REGULATIONS BY MAYOR.

The Mayor of the District of Columbia shall make such regulations as in his judgment are necessary for the administration of this chapter, and may affix thereto such reasonable fines and penalties as in his judgment are necessary to enforce such regulations. The Mayor may issue any rules or regulations or amend any existing rules or regulations as needed to comply with the requirements of federal laws and regulations in implementing the District's vehicle exhaust emission regulation and inspection program, or as needed to comply with federal grant eligibility requirements.

(Feb. 18, 1938, 52 Stat. 78, ch. 31, § 7; Apr. 26, 1994, D.C. Law 10-106, § 2(b), 41 DCR 1014.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 40-207.

1973 Ed., § 40-207.

For legislative history of D.C. Law 10-106, see Historical and Statutory Notes following § 50-1101.

§ 50-1108. "MOTOR VEHICLE" DEFINED.

As used in this chapter, the term "motor vehicle" means all vehicles propelled by internal-combustion engines, electricity, or steam. The term "motor vehicle" shall not include traction engines, road rollers, vehicles propelled only upon rails or tracks, personal assistive mobility devices, as defined by § 50-2201.02(12), or a battery-operated wheelchair when operated by a person with a disability.

(Feb. 18, 1938, 52 Stat. 78, ch. 31, § 8, as added Mar. 15, 1985, D.C. Law 5-176, § 10, 32 DCR 748; Mar. 25, 2003, D.C. Law 14-235, § 4, 49 DCR 9788; Mar. 13, 2004, D.C. Law 15-105, § 90(a), 51 DCR 881; Mar. 6, 2007, D.C. Law 16-224, § 203, 53 DCR 10225.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 40-208.

Effect of Amendments

D.C. Law 14-235 rewrote the section which had read as follows:

"As used in this chapter the term 'motor vehicle' means all vehicles propelled by internal combustion engines, electricity, or steam. The term 'motor vehicle' shall not include traction engines, road rollers, vehicles propelled only upon rails or tracks, and battery-operated wheelchairs when operated by a handicapped person at speeds not exceeding 10 miles per hour."

D.C. Law 15-105 validated a previously made technical correction.

D.C. Law 16-224 revived the provisions of D.C. Law 14-235 that expired on October 1, 2005, and substituted "personal assistive mobility devices, as defined by § 50-2201.02(12), or a battery-operated wheelchair when operated by a person with a disability" for "electric personal assistive mobility devices, as defined by § 50-2201.02(12), and battery-operated wheelchairs when operated by a handicapped person at speeds not exceeding 10 miles per hour".

D.C. Law 16-305 purported to substitute "person with a disability" for "handicapped person".

Temporary Amendments of Section

For temporary (225 day) amendment of section, see § 4 of Motor Vehicle Definition Electric Personal Assistive Mobility Device Exemption Temporary Amendment Act of 2006 (D.C. Law 16-85, April 4, 2006, law notification 53 DCR 3344).

Emergency Act Amendments

For temporary (90 day) amendment of section, see § 4 of Motor Vehicle Definition Electric Personal Assistive Mobility Device Exemption Emergency Amendment Act of 2005 (D.C. Act 16-237, December 22, 2005, 53 DCR 249).

For temporary (90 day) amendment of section, see § 4 of Motor Vehicle Definition Electric Personal Assistive Mobility Device Exemption Congressional Review Emergency Amendment Act of 2006 (D.C. Act 16-323, March 23, 2006, 53 DCR 2567).

For temporary (90 day) amendment of section, see § 203 of Personal Mobility Device Emergency Amendment Act of 2006 (D.C. Act 16-528, December 4, 2006, 53 DCR 9826).

Legislative History of Laws

Law 5-176, "Motor Vehicle Definition Wheelchair Exception Amendment Act of 1984," was introduced in Council and assigned Bill No. 5-382, which was referred to the Committee on Transportation and Environmental Affairs. The Bill was adopted on first and second readings on December 4, 1984, and December 18, 1984, respectively. Signed by the Mayor on January 11, 1985, it was assigned Act No. 5-241 and transmitted to both Houses of Congress for its review.

For Law 14-235, see notes following § 50-601.

For Law 15-105, see notes following § 50-203.

For Law 16-224, see notes following § 50-601.

For Law 16-305, see notes following § 50-101.

Miscellaneous Notes

Expiration of Law 14-235: Section 14 of D.C. Law 14-235 provided that the act shall expire on October 1,

2005.

§ 50-1109. NOTIFICATION OF INSPECTION STICKER EXPIRATION.

The Mayor shall notify an owner of the expiration date of the owner's vehicle inspection sticker. The required notice shall be mailed to the named owner at the address of record at least 30 days prior to the date of expiration. If the Director does not deliver the notice as required, the first of any tickets issued for failure to display a current inspection sticker for that inspection period may be dismissed through mail or in-person adjudication.

(Feb. 18, 1938, ch. 31, § 9, as added Apr. 8, 2005, D.C. Law 15-307, § 703, 52 DCR 1700.)

HISTORICAL AND STATUTORY NOTES

Legislative History of Laws

For Law 15-307, see notes following § 50-1331.01.

SUBCHAPTER II. VEHICLE INSPECTION TASK FORCE.

§ 50-1121. VEHICLE INSPECTION TASK FORCE.

(a) There is established a Vehicle Inspection Task Force ("Task Force") to study the impact of the elimination of mandatory vehicle safety inspections for private vehicles, in order to recommend whether the District should restore mandatory vehicle safety inspection for private vehicles of any or all types, and to recommend any improvements to the District's current vehicle safety inspection program for commercial vehicles, or any restored vehicle safety inspection program, for private vehicles that could improve the cost-effectiveness of these programs and reduce the burden of these inspections upon residents and businesses. If the Task Force concludes that some new, restored, or expanded vehicle safety program is in the best interests of the District, the Task Force shall also recommend how to fund such a program.

(b)(1) The Task Force shall consist of at least 7 members, to be selected by the Mayor and the Chairperson of the Council committee with oversight over the Department of Motor Vehicles.

(2) The Chairperson of the Council committee shall choose a chairperson for the task force, who shall represent the interests of the driving public of the District of Columbia, and the Mayor and Chairperson of the Council committee shall each select half of the remaining members.

(3) At a minimum, the membership shall include:

- (A) A representative of the Department of Motor Vehicles;
- (B) A representative of the Metropolitan Police Department;
- (C) Representatives of the driving public;
- (D) Traffic safety advocates; and
- (E) Other governmental bodies that may be considered relevant to the Task Force's mission.

(Sept. 24, 2010, D.C. Law 18-223, § 6092, 57 DCR 6242.)

HISTORICAL AND STATUTORY NOTES

Emergency Act Amendments

For temporary (90 day) addition, see § 6092 of Fiscal Year 2011 Budget Support Emergency Act of 2010 (D.C. Act 18-463, July 2, 2010, 57 DCR 6542).

Legislative History of Laws

Law 18-223, the "Fiscal Year 2011 Budget Support Act of 2010", was introduced in Council and assigned Bill No. 18-731, which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on May 26, 2010, and June 15, 2010, respectively. Signed by the Mayor on July 2, 2010, it was assigned Act No. 18-462 and transmitted to both Houses of Congress for its review. D.C. Law 18-223 became effective on September 24, 2010.

Miscellaneous Notes

Short title: Section 6091 of D.C. Law 18-223 provided that subtitle J of title VI of the act may be cited as the "Vehicle Inspection Task Force Act of 2010".

§ 50-1122. DURATION OF TASK FORCE.

The Task Force shall complete its study and submit its report to the Council and Mayor no later than February 28, 2011.

(Sept. 24, 2010, D.C. Law 18-223, § 6093, 57 DCR 6242.)

HISTORICAL AND STATUTORY NOTES

Emergency Act Amendments

For temporary (90 day) addition, see § 6093 of Fiscal Year 2011 Budget Support Emergency Act of 2010 (D.C. Act 18-463, July 2, 2010, 57 DCR 6542).

Legislative History of Laws

For Law 18-223, see notes following § 50-1121.