

DISTRICT OF COLUMBIA
OFFICIAL CODE

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

CHAPTER 26.
REGULATION OF PARKING.

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DISTRICT OF COLUMBIA OFFICIAL CODE
CHAPTER 26. REGULATION OF PARKING.

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CHAPTER 26. REGULATION OF PARKING.

SUBCHAPTER I. GENERAL PROVISIONS.

§ 50-2601. FINDINGS AND DECLARATION OF NECESSITY.

It is hereby declared that the free circulation of traffic of all kinds through the highways of the District is necessary to the health, safety, and general welfare of the public, whether residing in said District, or traveling to, through, or from said District in the course of lawful pursuits; that in recent years the greatly increased use by the public of motor vehicles of all kinds has caused serious traffic congestion on the highways of the District; that the parking of motor vehicles on the highways of the District has contributed to this congestion to such an extent as to interfere seriously with the primary use of such highways for the movement of traffic; that such parking prevents the free circulation of traffic in, through, and from said District, impedes rapid and effective fighting of fires and the disposition of police forces in the District, threatens irreparable loss in valuations of property in the District, which can no longer be readily reached by vehicular traffic, and endangers the health, safety, and welfare of the general public; that this parking nuisance can be reduced by providing sufficient off-street parking facilities conveniently located in the several residential, commercial, industrial, and governmental areas of the District; that adequate off-street parking facilities have not been provided by private enterprise; that it may be necessary to supplement private parking spaces by off-street parking facilities provided by public undertaking; and that the enactment of this subchapter, as well as the use of land for the purposes set forth in this subchapter, is hereby declared to be a public necessity.

(Feb. 16, 1942, 56 Stat. 90, ch. 76, § 1.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 40-802.

1973 Ed., § 40-802.

Temporary Amendments of Section

For temporary (225 day) amendment of section 7 of D.C. Law 17-170, see § 2 of Adams Morgan Taxicab Zone Temporary Amendment Act of 2008 (D.C. Law 17-243, October 21, 2008, law notification 55 DCR 11706).

Temporary Addition of Section

For temporary (225 day) additions, see §§ 2 to 8 of Performance Parking Pilot Zone Temporary Act of 2008 (D.C. Law 17-170, June 5, 2008, law notification 55 DCR 6975).

Emergency Act Amendments

For temporary (90 day) additions, see §§ 2 to 8 of Performance Parking Pilot Zone Emergency Act of 2008 (D.C. Act 17-320, March 19, 2008, 55 DCR 3432).

For temporary (90 day) amendment of D.C. Act 17-320, see § 2 of Performance Parking Pilot Zone Emergency Amendment Act of 2008 (D.C. Act 17-355, April 17, 2008, 55 DCR 5375).

For temporary (90 day) amendment of section 7 of D.C. Law 17-170, see § 2 of Adams Morgan Taxicab Zone Emergency Amendment Act of 2008 (D.C. Act 17-428, July 16, 2008, 55 DCR 8252).

For temporary (90 day) amendment of section 7 of D.C. Law 17-170, see § 2 of Adams Morgan Taxicab Zone Congressional Review Emergency Amendment Act of 2008 (D.C. Act 17-557, October 27, 2008, 55 DCR 12006).

§ 50-2602. DEFINITIONS.

When used in this subchapter, unless the context indicates otherwise:

- (1) The term "District" means the District of Columbia.
- (2) The term "Mayor" means the Mayor of the District of Columbia.
- (3) Repealed.
- (4) The term "parking facilities" means 1 or more public off-street parking areas for motor vehicles, including necessary structures.
- (5) The term "motor vehicle" means any device propelled by an internal combustion engine, electricity, or steam. The term "motor vehicle" shall not include traction engines, road rollers, vehicles propelled only upon rails or tracks, personal mobility devices, as defined by § 50-2201.02(12), or a battery-operated wheelchair when operated by a person with a disability.
- (6) Repealed.
- (7) Repealed.

(Feb. 16, 1942, 56 Stat. 91, ch. 76, § 2; Sept. 26, 1980, D.C. Law 3-108, § 3(a), 27 DCR 3781; Mar. 15, 1985, D.C. Law 5-176, § 8, 32 DCR 748; Feb. 28, 1996, D.C. Law 11-95, § 2, 42 DCR 7180; Mar. 25, 2003, D.C. Law 14-235, § 12, 49 DCR 9788; Oct. 28, 2003, D.C. Law 15-35, § 13(d), 50 DCR 6579; Mar. 13, 2004, D.C. Law 15-105, § 90(a), 51 DCR 881; Nov. 16, 2006, D.C. Law 16-175, § 4(a), 53 DCR 6499; Mar. 6, 2007, D.C. Law 16-224, § 210, 53 DCR 10225.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 40-804.

1973 Ed., § 90-803.

Effect of Amendments

D.C. Law 14-235 rewrote par. (5) which had read as follows:

"(5) The term 'motor vehicle' means any vehicle propelled by an internal-combustion engine, 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 15-35 repealed pars. (6) and (7) which had read as follows:

"(6) The term 'abandoned vehicle' means any motor vehicle, trailer, or semitrailer:

"(A) That is inoperable and left unattended on public property for more than 72 hours;

"(B) That has remained illegally on public property for more than 72 hours;

"(C) That has remained on public property for more than 72 hours and:

"(i) Is not displaying current valid registration; or

"(ii) Is displaying registration of another vehicle;

"(D) That has remained on private property for more than 30 days and is inoperable in that 1 or more of its major mechanical components, including, but not limited to, engine, transmission, drive train, or wheels, is missing or not functional unless such vehicle is kept in an enclosed building completely shielded from the view of individuals on the adjoining properties; or

"(E) That has remained unclaimed for 45 days after proper notice."

"(7) The term 'junk vehicle' means any vehicle that is wrecked, dismantled, or in irreparable condition."

D.C. Law 15-105, in par. (3), validated a previously made technical correction.

D.C. Law 16-175 repealed par. (3), which had read as follows:

"(3) The term 'Agency' means the Motor Vehicle Parking Agency created in § 50- 2604."

D.C. Law 16-224, in par. (5), revived the provisions of D.C. Law 14-235 that expired on October 1, 2005, and substituted "personal 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, in par. (5), purported to substitute "person with a disability" for "handicapped person".

Temporary Amendments of Section

For temporary (225 day) amendment of section, see § 12 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 § 13(d) of the Removal and Disposition of Abandoned, Dangerous and Other Unlawfully Parked Vehicles Reform Emergency Act of 2002 (D.C. Act 15-104, June 20, 2003, 50 DCR 5534).

For temporary (90 day) amendment of section, see § 13(d) of Removal and Disposition of Abandoned and Other Unlawfully Parked Vehicles Reform Congressional Review Emergency Act of 2003 (D.C. Act 15-171, October 6, 2003, 50 DCR 9163).

For temporary (90 day) amendment of section, see § 12 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 § 12 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 § 210 of Personal Mobility Device Emergency Amendment Act of 2006 (D.C. Act 16-528, December 4, 2006, 53 DCR 9826).

Legislative History of Laws

For legislative history of D.C. Law 3-108, see Historical and Statutory Notes following § 50-2634.

Law 5-176 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.

Law 11-95, the "Prohibition on Abandoned Vehicles Amendment Act of 1995," was introduced in Council and assigned Bill No. 11-071, which was referred to the Committee on Consumer and Regulatory Affairs. The Bill was adopted on first and second readings on November 7, 1995, and December 5, 1995, respectively. Signed by the Mayor on December 19, 1995, it was assigned Act No. 11-178 and transmitted to both Houses of Congress for its review. D.C. Law 11-95 became effective on February 28, 1996.

For Law 15-35, see notes following § 50-2201.03.

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

Law 16-175, the "Parking Amendment Act of 2006", was introduced in Council and assigned Bill No. 16-536 which was referred to the Committee on Public Works and environment. The Bill was adopted on first and second readings on June 20, 2006, and July 11, 2006, respectively. Signed by the Mayor on July 21, 2006, it was assigned Act No. 16-453 and transmitted to both Houses of Congress for its review. D.C. Law 16-175 became effective on November 16, 2006.

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

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

Miscellaneous Notes

Motor Vehicle Parking Agency abolished: See Historical and Statutory Notes following § 50-2604.

Expiration of Law 14-235: Section 14 of D.C. Law 14-235 provided that the act shall expire on October 1, 2005.

§ 50-2603. POWER OF MAYOR TO ACQUIRE PROPERTY; CONSTRUCT AND MAINTAIN PARKING FACILITIES; DISPOSE OF PROPERTY; ESTABLISH RATES; INSTALL PARKING METERS; MAKE STREET IMPROVEMENTS.

The Mayor of the District of Columbia is authorized to exercise all powers necessary and convenient to carry out the purposes of this subchapter, the said purposes being hereby declared to be the acquisition, creation, and operation, in any manner hereinafter provided, under public regulations, of public off-street parking facilities in the District of Columbia as a necessary incident to insuring in the public interest the free circulation of traffic in and through the District of Columbia and to promoting the economic growth and stability of neighborhood commercial centers. Such powers include, but shall not be limited to, the powers hereinafter enumerated:

- (1) The power to acquire any property, real or personal, or any interest therein, by purchase, lease, gift, bequest, devise, or grant, or by condemnation under the provisions of Chapter 13 of Title 16 in any area of the District. In the case of neighborhood municipal off-street parking, condemnation powers, under the provisions of Chapter 13 of Title 16 of the District of Columbia Official Code, shall not be used to acquire residential property on which there are improvements or commercial property with improvements that are in use. Before acquiring any real property for neighborhood municipal off-street parking facilities or establishing such facilities the Mayor shall hold at least 1 public hearing and

request any affected advisory neighborhood commission(s) for its comments and reports within 30 days of such request. Before acquiring any area for parking facilities the Mayor shall request the National Capital Planning Commission for its recommendations and it shall be the duty of said Commission to report thereon within 30 days of such request;

(2) The power to undertake, by contract or otherwise, the clearance and improvement of any such property as well as the construction, establishment, reconstruction, alteration, repair, maintenance, and operation thereon of parking facilities; to contract, by lease or otherwise, with competitive bidding, with any individual, firm, association, or corporation, private or public, for the operation of any parking facilities for such period, not exceeding 5 years, as the Mayor shall determine, and to terminate, without prior notice, any contract in the event of any failure or omission of any party thereto to observe or enforce the rules or schedules of rates made under authority of paragraph (4) of this section. The words "such property" in this paragraph shall include, in addition to property acquired under this subchapter, any other property, heretofore or hereafter acquired by the District, until needed for the purpose for which it was acquired, or if no longer needed for the purpose for which it was acquired, or upon which parking facilities may be established without impairing its use for the purpose for which it was acquired. Before establishing any parking facilities upon the property not acquired under authority of this subchapter, the Mayor shall request the National Capital Planning Commission for its recommendations and it shall be the duty of said Commission to report thereon within 30 days of such request;

(3) The power to sell, exchange, transfer, or assign any property, real or personal, or any interest therein, acquired under authority of this subchapter, whether or not improved; provided, that such action shall be in accordance with the general law covering the disposal of such property by the District of Columbia;

(4) The power to establish and from time to time to revise, with or without public hearings, uniform schedules of rates to be charged for use of space in each such parking facility; to provide rate differentials between said parking facilities for such reasons as the amount of space occupied, the location of the facility, and other reasonable differences; and to prescribe and promulgate such rules and regulations for the carrying out of the provisions of this subchapter as may be necessary to keep said parking facilities subject at all times to public regulation, and to insure the maintenance and operation of such parking facilities in a clean and orderly manner and in such a manner as to provide efficient and adequate service to the public. The rates to be charged for parking of motor vehicles within said parking facilities shall be fixed at the lowest possible rates, consistent with the achievement of the purposes of this subchapter, that will defray the cost of maintaining, operating, and administering the parking facilities; liquidate within such time as the Council shall determine the cost of acquiring and improving the required property for parking-facility purposes; and provide for the acquisition and improvement of other necessary parking facilities, but without any purpose of obtaining for the District any profit or surplus revenue from the operation of said parking facilities. There shall be no discrimination in rates or privileges among the members of the public using said parking facilities;

(5) The power to secure and install mechanical parking meters or parking devices on the streets, avenues, roads, highways, and other public spaces in the District under the jurisdiction and control of the said Mayor such meters or devices to be located at such points as the Mayor may determine, and the said Council is authorized and empowered to make and, the Mayor to enforce, rules and regulations for the control of parking of vehicles on such streets, avenues, roads, highways, and other public spaces, and as an aid to such regulation and control of the parking of vehicles the Council may prescribe fees for the parking of vehicles where meters or devices are installed;

(6) The power to lease on competitive bids for terms not exceeding 50 years, any property acquired pursuant to this subchapter, or any other property heretofore or hereafter acquired by the District if no longer needed for the purpose for which it was acquired, and to stipulate in any such lease that the lessee shall erect at his or its expense a structure or structures on the land leased, which structure or structures and property shall be used, maintained and operated for the purposes of this subchapter, including purposes incidental thereto, subject to regulation as provided in paragraph (4) of this section, except that the rates for use of space in parking facilities covered by any such lease shall be fixed and regulated by the Council so as to allow to the lessee a fair return, as fixed by the Mayor, on the cost of such structure or structures, together with an amount sufficient to amortize within the term of any such lease the cost of such structure or structures. Every such lease shall be entered into upon such terms and conditions as the Mayor shall impose including, but not limited to, requirements that such structure or structures shall conform with plans and specifications approved by the Mayor, that such structure or structures shall become the property of the District upon termination or expiration of any such lease; that the lessee shall furnish security in the form of a penal bond or otherwise to guarantee fulfillment of his or its obligations, and any other requirement which, in the judgment of the Mayor, shall be related to the accomplishment of the purposes of this subchapter;

(7) The power to use moneys in the fund established by § 50-2607 for the purpose of widening or channelizing streets or making other street improvements to correct or improve traffic conditions in the vicinity of off-street parking facilities, and to correct traffic conditions resulting from a lack or shortage of parking facilities.

(8)(A) The following amounts collected from the parking of vehicles where meters or devices are installed shall be dedicated to paying a portion of the District's annual operating subsidies to the Washington Metropolitan Area Transit Authority:

- (i) \$30,578,700 for fiscal year 2013;
- (ii) \$30,578,700 for fiscal year 2014;
- (iii) \$30,976,223 for fiscal year 2015; and
- (iv) \$31,378,914 for fiscal year 2016, and each year thereafter.

(B) Pursuant to § 50-2531.01, one-half of the net revenue derived from any modifications to meter rates, meter hours, or metered areas within each performance parking zone shall be deposited in the Performance Parking Fund; provided, that the net revenue:

(i) For performance parking zones established:

(I) After September 30, 2012, shall be the amount in excess of the revenue that would have been collected if the Mayor had kept the meter rates, meter hours, and metered areas in effect as of September 30, 2012; and

(II) Before October 1, 2011, shall be the amount in excess of the revenue that would have been collected if the Mayor had kept the meter rates, meter hours, and metered areas in effect as of September 30, 2011;

(ii) For the H Street Performance Parking Zone shall be the amount in excess of the revenue that would have been collected if the Mayor kept the meter rates, meter hours, and metered areas in effect as of June 1, 2012.

(C) Other fees collected for the parking of vehicles where meters or devices are installed shall be dedicated to the Sustainable Transportation Fund established by § 50-921.15.

(Feb. 16, 1942, 56 Stat. 91, ch. 76, § 3; Dec. 16, 1944, 58 Stat. 808, ch. 595, § 1; June 19, 1948, 62 Stat. 565, ch. 599; Aug. 20, 1958, 72 Stat. 686, Pub. L. 85-692, § 1; July 29, 1970, 84 Stat. 587, Pub. L. 91-358, title I, § 166(g); Sept. 26, 1980, D.C. Law 3-108, § 3(a), (b), 27 DCR 3781; Nov. 16, 2006, D.C. Law 16-175, § 4(b), 53 DCR 6499; Sept. 20, 2012, D.C. Law 19-168, §§ 6004, 6025, 59 DCR 8025.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 40-805.

1973 Ed., § 40-804.

Effect of Amendments

D.C. Law 16-175, in par. (1), substituted "any area of the District" for "any area of the District as to which the agency shall have made a determination that public parking facilities are necessary or expedient"; in par. (2), substituted "acquired" for "acquired; provided, that in each case the agency shall have made a determination that parking facilities thereon are necessary or expedient"; and, in par. (3), substituted "Columbia" for "Columbia; provided further, that the agency shall have first determined such property to be no longer necessary for the purposes of this subchapter."

D.C. Law 19-168, in par. (5), deleted ", in addition to those mechanical parking meters and devices installed pursuant to the authority conferred on the said Mayor by § 50-2633," following "said Mayor"; and added par. (8).

Temporary Amendments of Section

Section 4 of D.C. Law 19-97 added par. (8) to read as follows:

"(8) As of October 1, 2011, all fees collected for the parking of vehicles where meters or devices are installed shall be dedicated annually to paying the District's annual operating subsidies to the Washington Metropolitan Area Transit Authority."

Section 6(b) of D.C. Law 19-97 provides that the act shall expire after 225 days of its having taken effect.

Section 2 of D.C. Law 19-134 added par. (8) to read as follows:

"(8) As of October 1, 2011, all fees collected for the parking of vehicles where meters or devices are installed shall be dedicated annually to paying the District's annual operating subsidies to the Washington Metropolitan Area Transit Authority, except for fees collected in performance parking pilot zones, pursuant to the Performance Parking Pilot Zone Act of 2008, effective November 25, 2008 (D.C. Law 17-279; D.C. Official Code § 50-2531 *et seq.*) ('2008 act'), and dedicated in section 5 of the 2008 act."

Section 4(b) of D.C. Law 19-341 provides that the act shall expire after 225 days of its having taken effect.

Emergency Act Amendments

For temporary (90 day) amendment of section, see § 4 of District Department of Transportation Omnibus Emergency Amendment Act of 2011 (D.C. Act 19-254, December 21, 2011, 58 DCR 11215).

For temporary (90 day) amendment of section, see §§ 2, 3 of DDOT Omnibus Conforming Emergency Amendment Act of 2012 (D.C. Act 19-317, February 28, 2012, 59 DCR 1860).

Legislative History of Laws

For legislative history of D.C. Law 3-108, see Historical and Statutory Notes following § 50-2634.

For Law 16-175, see notes following § 50-2602.

For history of Law 19-168, see notes under § 50-320.

Miscellaneous Notes

Appropriations authorized: Public Law 104-194, 110 Stat. 2362, the District of Columbia Appropriations Act, 1997, provided for construction projects an increase of \$46,923,000 (including an increase of \$34,000,000 for the highway trust fund, reallocations and rescissions for a net rescission of \$120,496,000 from local funds appropriated under this heading in prior fiscal years and an additional \$133,419,000 in Federal funds), as authorized by §§ 34-2405.01 through 34-2405.08; §§ 34-2413.08, 34-2413.10 and 34-2304; and §§ 10-619 and 47-3404; including acquisition of sites, preparation of plans and specifications, conducting preliminary surveys, erection of structures, including building improvement and alteration and treatment of grounds, to remain available until expended: Provided, That funds for use of each capital project implementing agency shall be managed and controlled in accordance with all procedures and limitations established under the Financial Management System: Provided further, That all funds provided by this appropriation title shall be available only for the specific projects and purposes intended: Provided further, That notwithstanding the foregoing, all authorizations for capital outlay projects, except those projects covered by the first sentence of section 23(a) of the Federal-Aid Highway Act of 1968, approved August 23, 1968 (82 Stat. 827; Public Law 90-495; D.C. Code, sec. 9-107.01, note), for which funds are provided by this appropriation title, shall expire on September 30, 1998, except authorizations for projects as to which funds have been obligated in whole or in part prior to September 30, 1998: Provided further, That upon expiration of any such project authorization the funds provided herein for the project shall lapse.

§ 50-2604. MOTOR VEHICLE PARKING AGENCY; CREATION AND COMPOSITION; TERM; POWERS.[REPEALED]

(Feb. 16, 1942, 56 Stat. 92, ch. 76, § 4; Dec. 16, 1944, 58 Stat. 808, ch. 595, § 2; Sept. 26, 1980, D.C. Law 3-108, § 3(a), 27 DCR 3781; Nov. 16, 2006, D.C. Law 16-175, § 4(c), 53 DCR 6499.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 40-806.

1973 Ed., § 40-805.

Legislative History of Laws

For legislative history of D.C. Law 3-108, see Historical and Statutory Notes following § 50-2634.

For Law 16-175, see notes following § 50-2602.

Miscellaneous Notes

Motor Vehicle Parking Agency abolished: The Motor Vehicle Parking Agency was abolished and the functions thereof transferred to the Board of Commissioners of the District of Columbia by Reorganization Plan No. 5 of 1952. The Agency was reestablished by Reorganization Order No. 54, dated June 30, 1953, and continued by Organization Order No. 106, dated May 17, 1955. The functions of the Motor Vehicle Parking Agency were transferred to the Department of Highways and Traffic by Commissioner's Order 72-159, dated June 22, 1972. Reorganization Plan No. 2 of 1975 combined the Department of Highways and Traffic and the Department of Motor Vehicles to form the Department of Transportation.

The functions of the Department of Transportation were transferred to the Department of Public Works by Reorganization Plan No. 4 of 1983, effective March 1, 1984.

Federal Works Agency abolished: The Federal Works Agency and the office of Federal Works Administrator were abolished and the functions thereof transferred to the Administrator of General Services by the Act of June 30, 1949, 63 Stat. 380, § 103. Certain functions of the Federal Works Administrator with respect to public roads were transferred to the Secretary of Commerce by Reorganization Plan No. 7 of 1949, and subsequently transferred to the Secretary of Transportation by § 1655 of Title 49 of the United States Code.

Department of Vehicles and Traffic abolished: See Historical and Statutory Notes following § 50-2201.03.

§ 50-2605. ESTABLISHMENT OF PARKING FACILITIES.

Parking facilities may be established in any section or portion of the District except that no parking facilities shall be established upon any property zoned residential without the approval of the Zoning Commission of the District. The Zoning Commission may grant such approval only after public notice and hearing in accordance with § 6-641.03. Neighborhood municipal off-street parking facilities shall not be located in districts zoned C-3-B and C-R, nor shall they be established on lots on which housing currently exists.

(Feb. 16, 1942, 56 Stat. 93, ch. 76, § 5; Sept. 26, 1980, D.C. Law 3-108, § 3(c), 27 DCR 3781; Mar. 29, 1988, D.C. Law 7-98, § 3, 35 DCR 1048.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 40-807.

1973 Ed., § 40-806.

Legislative History of Laws

For legislative history of D.C. Law 3-108, see Historical and Statutory Notes following § 50-2634.

For legislative history of D.C. Law 7-98, see Historical and Statutory Notes following § 50-2641.

Miscellaneous Notes

Mayor authorized to establish advisory committee: Section 17 of D.C. Law 10- 153 provided:

"(a) Notwithstanding any other law, in the implementation of Chapter 8 of Title 40 [chapter 26 of Title 50, 2001 Ed.], the Mayor shall establish an advisory committee of not more than 7 residents from the Adams Morgan community for the purpose of advising the Mayor on the size of a public parking facility to be built in the Adams Morgan community and the parking facility's compatibility with the neighborhood.

"(b) The 7 committee members shall be appointed by the Mayor with the advice and consent of the Council by resolution. If the Council does not approve the nomination of a committee member within 45 days after submission by the Mayor, the nomination shall be deemed approved.

"(c) The advisory committee shall remain in existence until such time as the Mayor determines the size and design of the parking facility or until the Mayor determines not to proceed with the parking facility."

§ 50-2606. RECORDS AND DATA AVAILABLE; ADDITIONAL SURVEYS.

The National Capital Planning Commission and the Highway Planning Survey Unit shall make available such records and factual data and make such additional surveys as the Mayor may deem necessary to carry out the purposes of this subchapter.

(Feb. 16, 1942, 56 Stat. 93, ch. 76, § 6; Sept. 26, 1980, D.C. Law 3-108, § 3(a), 27 DCR 3781; Nov. 16, 2006, D.C. Law 16-175, § 4(d), 53 DCR 6499.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 40-808.

1973 Ed., § 40-807.

Effect of Amendments

D.C. Law 16-175 deleted "or the Agency" following "Mayor".

Legislative History of Laws

For legislative history of D.C. Law 3-108, see Historical and Statutory Notes following § 50-2634.

For Law 16-175, see notes following § 50-2602.

Miscellaneous Notes

Motor Vehicle Parking Agency abolished: See Historical and Statutory Notes following § 50-2604.

§ 50-2607. DEPOSIT OF FEES AND MONEYS INTO GENERAL FUND.

All moneys derived from the sale or assignment of any property, real or personal, shall be deposited in the Local Transportation Fund as established by § 9-111.01a.

(Feb. 16, 1942, 56 Stat. 93, ch. 76, § 7; Dec. 16, 1944, 58 Stat. 809, ch. 595, § 3; Mar. 2, 1962, 76 Stat. 18, Pub. L. 87-408, § 601; Jan. 22, 1976, D.C. Law 1-42, § 3(c), 22 DCR 6312; Nov. 16, 2006, D.C. Law 16-175, § 4(e), 53 DCR 6499; Apr. 8, 2011, D.C. Law 18-370, § 627, 58 DCR 1008.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 40-809.

1973 Ed., § 40-808.

Effect of Amendments

D.C. Law 16-175 rewrote the section which had read as follows:

"All fees and other moneys collected under this subchapter, including all fees collected pursuant to §§ 50-2632 and 50-2633, and all moneys derived from the sale or assignment of any property, real or personal, shall be deposited in the General Fund of the District of Columbia as established by the Revenue Funds Availability Act of 1975."

D.C. Law 18-370 substituted "Local Transportation Fund" for "Local Roads Construction and Maintenance Fund".

Emergency Act Amendments

For temporary (90 day) amendment of section, see § 627 of Fiscal Year 2011 Supplemental Budget Support Emergency Act of 2010 (D.C. Act 18-694, January 19, 2011, 58 DCR 662).

Legislative History of Laws

For legislative history of D.C. Law 1-42, see Historical and Statutory Notes following § 50-1501.03.

For Law 16-175, see notes following § 50-2602.

For history of Law 18-370, see notes under § 50-921.10.

Miscellaneous Notes

Section 629 of D.C. Law 18-370 provides:

"Sec. 629. Applicability.

"This subtitle shall apply as of October 1, 2011; except, that sections 622 and 623(a)(2) shall apply as of the effective date of this act."

§ 50-2608. APPROPRIATIONS; EMPLOYMENT OF DIRECTOR; SALARIES OF MEMBERS OF AGENCY.

The Mayor shall include in his annual budget such amounts as may be required from the highway fund established in § 47-2301 for the purpose of carrying out the provisions of this subchapter.

(Feb. 16, 1942, 56 Stat. 93, ch. 76, § 8; Oct. 28, 1949, 63 Stat. 992, title XI, ch. 782, § 1106(a); Mar. 2, 1962, 76 Stat. 18, Pub. L. 87-408, § 602; Mar. 3, 1979, D.C. Law 2-139, § 3205(n), 25 DCR 5740; Sept. 26, 1980, D.C. Law 3-108, § 3(a), 27 DCR 3781; Nov. 16, 2006, D.C. Law 16-175, § 4(f), 53 DCR 6499.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 40-810.

1973 Ed., § 40-809.

Effect of Amendments

D.C. Law 16-175 rewrote the section which had read as follows:

"The Mayor shall include in his annual budget such amounts as may be required from the highway fund established in § 47-2301, for the purpose of carrying out the provisions of this subchapter. The Mayor is authorized to employ a director and such other personal services as may be necessary to carry out the provisions of this subchapter. The Mayor shall fix the compensation of the members of said Agency without reference to the provisions of the Classification Act of 1923; provided, however, that the compensation of any members shall not exceed \$500 per annum; and provided further, that no compensation for services as a member of such agency shall be provided for any member who holds a salaried public office or position, in the District of Columbia or the federal government."

Legislative History of Laws

For legislative history of D.C. Law 2-139, see Historical and Statutory Notes following § 50-2201.01.

For legislative history of D.C. Law 3-108, see Historical and Statutory Notes following § 50-2634.

For Law 16-175, see notes following § 50-2602.

§ 50-2609. ACQUISITION OF NEW PARKING FACILITIES PROHIBITED; OPERATION AND EXPANSION OF EXISTING FACILITIES; EXEMPT FACILITIES.[REPEALED]

(Feb. 16, 1942, 56 Stat. 93, ch. 76, § 10, as added Mar. 2, 1962, 76 Stat. 19, Pub. L. 87-408, § 603; Sept. 26, 1980, D.C. Law 3-108, § 3(a), (d), 27 DCR 3781; Nov. 16, 2006, D.C. Law 16-175, § 4(g), 53 DCR 6499.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 40-811.

1973 Ed., § 40-809a.

Legislative History of Laws

For legislative history of D.C. Law 3-108, see Historical and Statutory Notes following § 50-2634.

For Law 16-175, see notes following § 50-2602.

§ 50-2610. RULEMAKING; COUNCIL REVIEW FOR 18 DCMR § 2407.

(a) The Mayor is authorized to make fee increases and to promulgate rules necessary to implement section 2407 of Title 18 of the District of Columbia Municipal Regulations (18 DCMR § 2407), entitled Temporary and Emergency Parking Restrictions.

(b) Any proposed fee increases, rules, or regulations shall be submitted by the Mayor to the Council in a proposed resolution for a 45-day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve or disapprove the proposed resolution within this 45-day period, the proposed resolution shall be deemed approved.

(Feb. 16, 1942, 56 Stat. 93, ch. 76, § 12, as added Nov. 16, 2006, D.C. Law 16-175, § 4(h), 53 DCR 6499.)

HISTORICAL AND STATUTORY NOTES

Legislative History of Laws

For Law 16-175, see notes following § 50-2602.

SUBCHAPTER II. PARKING ON PROPERTY CONTROLLED BY THE UNITED STATES.

§ 50-2621. VEHICLES IMPOUNDED; ABANDONED AND JUNK VEHICLES; PENALTIES.[REPEALED]

(Jan. 15, 1942, 56 Stat. 5, ch. 4, § 1; Apr. 1, 1942, 56 Stat. 190, ch. 207, § 1; July 8, 1963, 77 Stat. 77, Pub. L. 88-60, § 1; July 29, 1970, 84 Stat. 570, Pub. L. 91-358, title I, § 155(a); Sept. 12, 1978, D.C. Law 2-104, § 504, 25 DCR 1275; Sept. 14, 1982, D.C. Law 4-146, § 2, 29 DCR 3151; Sept. 9, 1989, D.C. Law 8-24, § 7(a), 36 DCR 4575; Aug. 4, 1990, D.C. Law 8-153, § 3, 37 DCR 4042; Sept. 26, 1990, D.C. Law 8-170, § 3, 37 DCR 4839; Feb. 28, 1996, D.C. Law 11-95, § 3(a), 42 DCR 7180; Apr. 20, 1999, D.C. Law 12-264, §§ 44, 64, 46 DCR 2118; Apr. 3, 2001, D.C. Law 13-267, § 2, 48 DCR 1248.; Oct. 28, 2003, D.C. Law 15-35, § 13(e)(1), 50 DCR 6579.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 40-812.

1973 Ed., § 40-810.

Emergency Act Amendments

For temporary amendment of section, see § 2 of the Prohibition on Abandoned Vehicles Emergency Amendment Act of 1998 (D.C. Act 12-526, December 16, 1998, 45 DCR 15).

For temporary (90 day) repeal of section, see § 13(e)(1) of the Removal and Disposition of Abandoned, Dangerous and Other Unlawfully Parked Vehicles Reform Emergency Act of 2002 (D.C. Act 15-104, June 20, 2003, 50 DCR 5534).

For temporary (90 day) repeal of section, see § 13(e)(1) of Removal and Disposition of Abandoned and Other Unlawfully Parked Vehicles Reform Congressional Review Emergency Act of 2003 (D.C. Act 15-171, October 6, 2003, 50 DCR 9163).

Legislative History of Laws

Law 2-104 was introduced in Council and assigned Bill No. 2-195, which was referred to the Committee on the Judiciary. The Bill was adopted on first and second readings on June 13, 1978 and June 27, 1978, respectively. Signed by the Mayor on July 1, 1978, it was assigned Act No. 2-215 and transmitted to both Houses of Congress for its review.

Law 4-146 was introduced in Council and assigned Bill No. 4-238. The Bill was adopted on first and second readings on June 8, 1982, and June 22, 1982, respectively. Signed by the Mayor on July 12, 1982, it was assigned Act No. 4-214 and transmitted to both Houses of Congress for its review.

Law 8-24 was introduced in Council and assigned Bill No. 8-10, which was referred to the Committee on Public Works. The Bill was adopted on first and second readings on May 16, 1989 and May 30, 1989, respectively. Signed by the Mayor on June 14, 1989, it was assigned Act No. 8-46 and transmitted to both Houses of Congress for its review.

Law 8-153, the "Motor Vehicle Fees Amendment Temporary Act of 1990," was introduced in Council and assigned Bill No. 8-591. The Bill was adopted on first and second readings on May 29, 1990, and June 12, 1990, it was assigned Act No. 8-213 and transmitted to both Houses of Congress for its review.

Law 8-170, the "Motor Vehicle Fees Amendment Act of 1990," was introduced in Council and assigned Bill No. 8-213, which was referred to the Committee on Finance and Revenue. The Bill was adopted on first and second readings on June 12, 1990, and June 26, 1990, respectively. Signed Act No. 8-235 and transmitted to both Houses of Congress for its review.

For legislative history of D.C. Law 11-95, see Historical and Statutory Notes following § 50-2602.

Law 12-264, the "Technical Amendments Act of 1998," was introduced in Council and assigned Bill No. 12-804, which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on November 10, 1998, and December 1, 1998, respectively. Signed by the Mayor on January 7, 1999, it was assigned Act No. 12-626 and transmitted to both Houses of Congress for its review. D.C. Law 12-264 became effective on April 20, 1999.

For D.C. Law 13-267, see notes following § 50-2401.

Effective Dates

Section 12 of D.C. Law 8-24 provided that the 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 § 1-206.02(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; or by November 1, 1989, whichever occurs later. D.C. Law 8-24 was effective September 9, 1989.

Transfer of Functions

The functions of the Department of Transportation were transferred to the Department of Public Works by Reorganization Plan No. 4 of 1983, effective March 1, 1984.

Miscellaneous Notes

Effect of repeal provisions: Section 14 of D.C. Law 15-35 provides: "Any repeal of a law or regulation by this act shall not invalidate any enforcement action, adjudication, or any other action made or taken pursuant to such law or regulation."

Application of Law 15-35: Section 15 of D.C. Law 15-35 provides: "This act shall apply to all vehicles impounded after its effective date. This act shall also apply to all vehicles impounded prior to its effective date provided that notice is sent to the owners and lien holders in accordance with the provisions of subsections 7(b) or (c), as is applicable."

Driveway parking pilot program: Section 3 of D.C. Law 16-186 provides:

"(a) The Mayor shall conduct at least one temporary pilot program of 6 months to test the feasibility of allowing a District resident with a driveway in front of his or her home to park a vehicle on the street in front of the driveway entrance, notwithstanding the prohibition in section 2405 of Title 18 of the District of Columbia Municipal Regulations.

"(b) Within 3 months of the conclusion of the temporary pilot program, the Mayor shall present to the Council a report detailing the results of the pilot program, which shall include:

"(1) A section on comments from homeowners, visitors, and business owners regarding their experiences with the pilot program; and

"(2) The Mayor's recommendations for or against moving forward with the program citywide."

§ 50-2622. NOTICE TO OWNER OF ABANDONED OR JUNK VEHICLE TAKEN INTO CUSTODY.[REPEALED]

(Jan. 15, 1942, ch. 4, § 1a, as added Sept. 9, 1989, D.C. Law 8-24, § 7(b), 36 DCR 4575; Feb. 28, 1996, D.C. Law 11-95, § 3(b), 42 DCR 7180; Oct. 28, 2003, D.C. Law 15-35, § 13(e)(1), 50 DCR 6579.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 40-812.1.

Emergency Act Amendments

For temporary (90 day) repeal of section, see § 13(e)(1) of the Removal and Disposition of Abandoned, Dangerous and Other Unlawfully Parked Vehicles Reform Emergency Act of 2002 (D.C. Act 15-104, June 20, 2003, 50 DCR 5534).

For temporary (90 day) repeal of section, see § 13(e)(1) of Removal and Disposition of Abandoned and Other Unlawfully Parked Vehicles Reform Congressional Review Emergency Act of 2003 (D.C. Act 15-171, October 6, 2003, 50 DCR 9163).

Legislative History of Laws

Law 8-24, "District of Columbia Abandoned and Junk Vehicle Removal Amendment Act of 1989," was introduced in Council and assigned Bill No. 8-10, which was referred to the Committee on Public Works. The Bill was adopted on first and second readings on May 16, 1989 and May 30, 1989, respectively. Signed by the Mayor on June 14, 1989, it was assigned Act No. 8-46 and transmitted to both Houses of Congress for its review.

For legislative history of D.C. Law 11-95, see Historical and Statutory Notes following § 50-2602.

Effective Dates

Section 12 of D.C. Law 8-24 provided that the 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 § 1-206.02(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; or by November 1, 1989, whichever occurs later. D.C. Law 8-24 was effective September 9, 1989.

Miscellaneous Notes

Effect of repeal provisions: Section 14 of D.C. Law 15-35 provides: "Any repeal of a law or regulation by this act shall not invalidate any enforcement action, adjudication, or any other action made or taken pursuant to such law or regulation."

Application of Law 15-35: Section 15 of D.C. Law 15-35 provides: "This act shall apply to all vehicles impounded after its effective date. This act shall also apply to all vehicles impounded prior to its effective date provided that notice is sent to the owners and lien holders in accordance with the provisions of subsections 7(b) or (c), as is applicable."

§ 50-2623. SALE OF ABANDONED VEHICLE AT PUBLIC AUCTION; DISPOSAL OF JUNK VEHICLES; DISPOSITION OF PROCEEDS.[REPEALED]

(Jan. 15, 1942, ch. 4, § 1b, as added Sept. 9, 1989, D.C. Law 8-24, § 7(b), 36 DCR 4575; Feb. 28, 1996, D.C. Law 11-95, § 3(c), 42 DCR 7180; Oct 28, 2003, D.C. Law 15-35, § 13(e)(1), 50 DCR 6579.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 40-812.2.

Emergency Act Amendments

For temporary (90 day) repeal of section, see § 13(e)(1) of the Removal and Disposition of Abandoned, Dangerous and Other Unlawfully Parked Vehicles Reform Emergency Act of 2002 (D.C. Act 15-104, June 20, 2003, 50 DCR 5534).

For temporary (90 day) amendment of section, see § 603 of Fiscal Year 2004 Budget Support Emergency Act of 2003 (D.C. Act 15-105, June 20, 2003, 50 DCR 5613).

For temporary (90 day) amendment of section, see § 603 of Fiscal Year 2004 Budget Support Congressional Review Emergency Act of 2003 (D.C. Act 15-149, September 22, 2003, 50 DCR 8360).

For temporary (90 day) repeal of section, see § 13(e)(1) of Removal and Disposition of Abandoned and Other Unlawfully Parked Vehicles Reform Congressional Review Emergency Act of 2003 (D.C. Act 15-171, October 6, 2003, 50 DCR 9163).

Legislative History of Laws

For legislative history of D.C. Law 8-24, see Historical and Statutory Notes following § 50-2622.

For legislative history of D.C. Law 11-95, see Historical and Statutory Notes following § 50-2602.

Effective Dates

Section 12 of D.C. Law 8-24 provided that the 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 § 1-206.02(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; or by November 1, 1989, whichever occurs later. D.C. Law 8-24 was effective September 9, 1989.

Editor's Notes

D.C. Law 15-39, § 603, purports to amend subsecs. (b) and (c) of this section previously repealed by D.C. Law 15-35.

Miscellaneous Notes

Effect of repeal provisions: Section 14 of D.C. Law 15-35 provides: "Any repeal of a law or regulation by this act shall not invalidate any enforcement action, adjudication, or any other action made or taken pursuant to such law or regulation."

Application of Law 15-35: Section 15 of D.C. Law 15-35 provides: "This act shall apply to all vehicles impounded after its effective date. This act shall also apply to all vehicles impounded prior to its effective date provided that notice is sent to the owners and lien holders in accordance with the provisions of subsections 7(b) or (c), as is applicable."

§ 50-2624. ADMINISTRATOR OF GENERAL SERVICES TO ENFORCE REGULATIONS.

Nothing contained in this section and subchapter II of Chapter 24 of this title shall be construed to interfere with the charge and control committed to the Administrator of General Services over the public buildings and property of the United States in the District of Columbia or any other officer charged with the custody and control of property of the United States in the District of Columbia and such officers with respect to such property, under their respective jurisdiction and control, are hereby authorized and empowered to make and enforce all regulations for the parking of vehicles upon the property of the United States in the District of Columbia (other than public highways), to remove and impound any vehicle, parked, stored, or left in violation of this section and subchapter II of Chapter 24 of this title and to keep the same impounded until the owner thereof, or other duly authorized person, shall deposit collateral for his appearance in court to answer for such violation, the amount of collateral to be fixed by the officer charged with the custody and control of property of the United States in the District of Columbia in an amount not to exceed \$25.

Violations of regulations for the parking of cars upon the property of the United States in the District of Columbia shall be subject to the penalties prescribed in subchapter II of Chapter 24 of this title and all prosecutions for the violations thereof shall be upon information filed by the United States Attorney in the Superior Court of the District of Columbia.

(Jan. 15, 1942, 56 Stat. 6, ch. 4, § 2; Apr. 1, 1942, 56 Stat. 190, ch. 207, § 1; July 8, 1963, 77 Stat. 77, Pub. L. 88-60, § 1; July 29, 1970, 84 Stat. 570, Pub. L. 91-358, title I, § 155(a); Oct. 28, 2003, D.C. Law 15-35, § 13(e)(2), 50 DCR 6579.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 40-813.

1973 Ed., § 40-811.

Effect of Amendments

D.C. Law 15-35 substituted "subchapter II of Chapter 24 of this title" for "§ 50-261" throughout the section.

Emergency Act Amendments

For temporary (90 day) amendment of section, see § 13(e)(2) of the Removal and Disposition of Abandoned, Dangerous and Other Unlawfully Parked Vehicles Reform Emergency Act of 2002 (D.C. Act 15-104, June 20, 2003, 50 DCR 5534).

For temporary (90 day) amendment of section, see § 13(e)(2) of Removal and Disposition of Abandoned and Other Unlawfully Parked Vehicles Reform Congressional Review Emergency Act of 2003 (D.C. Act 15-171, October 6, 2003, 50 DCR 9163).

Legislative History of Laws

For Law 15-35, see notes following § 50-2201.03.

Transfer of Functions

All functions of the Federal Works Administrator and the Commissioner of Public Buildings were transferred to the Administrator of General Services by § 103(a) of the Act of June 30, 1949, 63 Stat. 380.

Miscellaneous Notes

Effect of repeal provisions: Section 14 of D.C. Law 15-35 provides: "Any repeal of a law or regulation by this act shall not invalidate any enforcement action, adjudication, or any other action made or taken pursuant to such law or regulation."

Application of Law 15-35: Section 15 of D.C. Law 15-35 provides: "This act shall apply to all vehicles impounded after its effective date. This act shall also apply to all vehicles impounded prior to its effective date provided that notice is sent to the owners and lien holders in accordance with the provisions of subsections 7(b) or (c), as is applicable."

SUBCHAPTER III. MISCELLANEOUS.

§ 50-2631. PARKING SPACE FOR MEMBERS OF CONGRESS.

On and after June 29, 1956, the Council of the District of Columbia is authorized and directed to designate, reserve, and properly mark appropriate and sufficient parking spaces on the streets adjacent to all public buildings in such District for the use of members of Congress engaged on public business.

(June 29, 1956, 70 Stat. 447, ch. 479, § 1.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 40-710.

1973 Ed., § 40-604.

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 402(300) 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 the District of Columbia Council, subject to the right of the Commissioner as provided in § 406 of the Plan. 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.

§ 50-2632. PARKING OF AUTOMOBILES IN MUNICIPAL CENTER; REGULATIONS; VIOLATIONS AND PENALTIES.

(a) The Council of the District of Columbia is authorized, in its discretion, to permit such officers and employees of the District of Columbia government as the Council may select to park motor vehicles in any building or buildings now or hereafter erected upon squares no. 490, 491, and 533, and reservation no. 10, in the District of Columbia, known as the Municipal Center, and to make regulations, which the Mayor shall enforce, for the control of the parking of such vehicles, including the authority to prescribe fees and charges, which the Mayor shall collect, for the privilege of parking of such vehicles.

(b) The Council is further authorized, in its discretion, to permit the public to park motor vehicles in such

portion or portions of squares no. 490, 491, and 533, and reservation no. 10, in the District of Columbia, known as the Municipal Center, as may be set apart by the said Council for such purpose, and to make such regulations, which the Mayor shall enforce, as the Council may deem advisable for the control of parking in such portion or portions of the Municipal Center as the Council may set apart for such purpose, including authority to restrict the privilege of parking therein to persons having business in the Municipal Center, and to make regulations, which the Mayor shall enforce, to prohibit parking in all portions of the Municipal Center not set apart by the Council for such purpose. The Council is further authorized in its discretion, to prescribe fees and charges, which the Mayor shall collect, for the privilege of parking motor vehicles in such portion or portions of the Municipal Center as may be set apart for such purpose, and, to aid in the collection of such fees and charges and the enforcement of such regulations, the Mayor may install mechanical parking meters or devices.

(c) The Council is further authorized to prescribe reasonable penalties of fine not to exceed \$25 or imprisonment not to exceed 10 days for the violation of any regulation promulgated under the authority of this section.

(June 6, 1940, 54 Stat. 241, ch. 253, §§ 1, 2, 3.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 40-711.

1973 Ed., § 40-604a.

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 402(301, 302, 303) 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 the District of Columbia Council, subject to the right of the Commissioner as provided in § 406 of the Plan. 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.

Miscellaneous Notes

Delegation of functions: Reorganization Order No. 18, dated October 23, 1952, created in the Department of General Administration under the direction and control of the Director of General Administration, an Administrative Services Office. This office was assigned the duties of maintaining records of space allotted to District employees for parking privately owned motor vehicles on District or Federal property and also to review requests for and make recommendations for assignments and execute control of approved assignments. Reorganization Order No. 18 was revoked by Organization Order No. 3, dated December 13, 1967, Part IVA of which continued the Administrative Services Office and the parking functions thereof. The Administrative Services Office and the functions stated in Part IVA of Organization Order No. 3 were transferred to the Director of the Department of General Services by Commissioner's Order No. 69-96, dated March 7, 1969.

§ 50-2633. PARKING METERS.[REPEALED]

(April 4, 1938, 52 Stat. 192, ch. 62, § 11; Apr. 8, 2011, D.C. Law 18-370, § 628, 58 DCR 1008; Sept. 14, 2011, D.C. Law 19-21, § 6082, 58 DCR 6226; Sept. 20, 2012, D.C. Law 19-168, § 6003, 59 DCR 8025.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 40-724.

1973 Ed., § 40-616.

Emergency Act Amendments

For temporary (90 day) amendment of section, see § 628 of Fiscal Year 2011 Supplemental Budget Support Emergency Act of 2010 (D.C. Act 18-694, January 19, 2011, 58 DCR 662).

For temporary (90 day) addition of section, see § 2 of Citizens with Disabilities Parking Fairness Emergency Act of 2012 (D.C. Act 19-342, April 10, 2012, 59 DCR 2877).

Legislative History of Laws

For history of Law 18-370, see notes under § 50-921.10.

For history of Law 19-21, see notes under § 50-231.

For history of Law 19-168, see notes under § 50-320.

Miscellaneous Notes

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.

Section 629 of D.C. Law 18-370 provides:

"Sec. 629. Applicability.

"This subtitle shall apply as of October 1, 2011; except, that sections 622 and 623(a)(2) shall apply as of the effective date of this act."

Short title: Section 6081 of D.C. Law 19-21 provided that subtitle I of title VI of the act may be cited as "Performance Parking Pilot Zone Amendment Act of 2011".

§ 50-2633.01. PARKING METER FEE MORATORIUM; EXCEPTIONS.

(a) The Director of the District Department of Transportation (" Director") shall exempt particular neighborhoods from Saturday meter enforcement where the Director determines that Saturday meter enforcement would not be in the public interest. In making such a determination, the Director shall consider whether Saturday meter enforcement is necessary to maintain available curbside parking; provided, that by October 15, 2009, the Director shall submit to the Council for approval, by resolution, the neighborhoods to be exempted from Saturday enforcement and the criteria used to exempt each neighborhood. Nothing in this subsection may be implemented until the Council affirmatively approves the submission of the Director.

(b) No person shall park at a parking meter on a Saturday between 7:00 a.m. and 6:30 p.m. for more than 2 hours, unless current signage permits parking for a longer time. Failure to move the vehicle after 2 hours on a Saturday, between 7:00 a.m. and 6:30 p.m., shall constitute a violation unless current signage permits parking for a longer time.

(c) The Mayor may promulgate rules to exempt certain streets from the provisions of this subchapter when necessary to accommodate special needs or situations identified by proximate businesses or District agencies, subject to approval by the Council.

(Apr. 5, 2005, D.C. Law 15-273, § 2, 52 DCR 825; Mar. 3, 2010, D.C. Law 18-111, § 6022, 57 DCR 181.)

HISTORICAL AND STATUTORY NOTES

Effect of Amendments

D.C. Law 18-111 rewrote subsec. (a), which had read as follows:

"(a) Except as provided in subsection (b) of this section, no citation shall be issued for a parking meter fee violation at any time on a Saturday, or on other days between the hours of 6:30 p.m. and 7:00 a.m."

Temporary Addition of Section

For temporary (225 day) addition, see § 2 of Parking Meter Fee Moratorium Temporary Act of 2001 (D.C. Law 14-68, February 27, 2002, law notification 49 DCR 2278).

For temporary (225 day) addition, see § 2 of Parking Meter Fee Moratorium Temporary Act of 2002 (D.C.

Law 14-245, March 25, 2003, law notification 50 DCR 2758).

For temporary (225 day) addition, see § 2 of Parking Meter Fee Moratorium Temporary Act of 2003 (D.C. Law 15-94, March 10, 2004, law notification 51 DCR 3614).

For temporary (225 day) addition, see § 2 of Parking Meter Fee Moratorium Temporary Act of 2004 (D.C. Law 15-247, March 17, 2005, law notification 52 DCR 4123).

Emergency Act Amendments

For temporary (90 day) addition of § 50-2661, see § 2 of Parking Meter Fee Moratorium Emergency Act of 2001 (D.C. Act 14-149, October 23, 2001, 48 DCR 10197).

For temporary (90 day) addition of § 50-2661, see § 2 of Parking Meter Fee Moratorium Congressional Review Act of 2002 (D.C. Act 14-262, January 30, 2002, 49 DCR 1440).

For temporary (90 day) parking meter fee moratorium, see § 2 of Parking Meter Fee Moratorium Emergency Act of 2002 (D.C. Act 14-496, October 23, 2002, 49 DCR 9786).

For temporary (90 day) parking meter fee moratorium, see § 2 of Parking Meter Fee Moratorium Congressional Review Emergency Act of 2003 (D.C. Act 15-12, January 27, 2003, 50 DCR 1485).

For temporary (90 day) parking meter fee moratorium, see § 2 of Parking Meter Fee Moratorium Emergency Act of 2003 (D.C. Act 15-226, November 25, 2003, 50 DCR 10709).

For temporary (90 day) parking meter fee moratorium, see § 2 of Parking Meter Fee Moratorium Congressional Review Emergency Act of 2004 (D.C. Act 15-345, January 29, 2004, 51 DCR 1831).

For temporary (90 day) parking meter fee moratorium, see § 2 of Parking Meter Fee Moratorium Emergency Act of 2004 (D.C. Act 15-587, November 1, 2004, 51 DCR 10712).

For temporary (90 day) parking meter fee moratorium, see § 2 of Parking Meter Fee Moratorium Congressional Review Emergency Act of 2005 (D.C. Act 16-15, February 17, 2005, 52 DCR 2956).

For temporary (90 day) amendment of section, see § 6022 of Fiscal Year 2010 Budget Support Second Emergency Act of 2009 (D.C. Act 18-207, October 15, 2009, 56 DCR 8234).

For temporary (90 day) amendment of section, see § 6022 of Fiscal Year Budget Support Congressional Review Emergency Amendment Act of 2009 (D.C. Act 18-260, January 4, 2010, 57 DCR 345).

Legislative History of Laws

Law 15-273, the "Parking Meter Fee Moratorium Act of 2004", was introduced in Council and assigned Bill No. 15-220, which was referred to the Committee on Public works and the Environment. The Bill was adopted on first and second readings on November 9, 2004, and December 7, 2004, respectively. Signed by the Mayor on December 29, 2004, it was assigned Act No. 15-664 and transmitted to both Houses of Congress for its review. D.C. Law 15-273 became effective on April 5, 2005.

For Law 18-111, see notes following § 50-313.

Miscellaneous Notes

Short title: Section 6020 of D.C. Law 18-111 provided that subtitle C of title VI of the act may be cited as the "Equitable Parking Meter Rates Amendment Act of 2009".

§ 50-2634. PARKING ADJACENT TO NEIGHBORHOOD COMMERCIAL CENTERS.

The Council of the District of Columbia finds that:

- (1) A number of traditional neighborhood commercial centers have suffered and declined;
- (2) Many of these declining neighborhood commercial centers have traditionally encouraged and promoted minority entrepreneurship and employment opportunities;
- (3) One of the District's goals is the revitalization of neighborhood commercial areas for the purposes of creating new jobs, increasing incomes, and increasing the availability of goods and services at the neighborhood level particularly in low- and moderate-income neighborhoods;
- (4) One of the major problems hindering the revitalization of neighborhood commercial centers is the lack of adequate short-term parking facilities for shoppers; and
- (5) If the District is to achieve its goal of revitalization of these commercial areas and maximize their growth potential, low-cost short-term parking must be provided in or adjacent to such centers.

(Sept. 26, 1980, D.C. Law 3-108, § 2, 27 DCR 3781.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 40-803.

Legislative History of Laws

Law 3-108 was introduced in Council and assigned Bill No. 3-191, which was referred to the Committee on Transportation and Environmental Affairs. The Bill was adopted on first and second readings on July 15, 1980 and July 29, 1980, respectively. Signed by the Mayor on July 31, 1980, it was assigned Act No. 3-233 and transmitted to both Houses of Congress for its review.

SUBCHAPTER IV. CITIZENS' ADVISORY TASK FORCE. [EXPIRED]

§ 50-2641. [EXPIRED]

HISTORICAL AND STATUTORY NOTES

Legislative History of Laws

Law 7-98, "Neighborhood Municipal Off-Street Parking Facilities Amendment Act of 1987", was introduced in Council and assigned Bill No. 7-288, which was referred to the Committee on Public Works. The Bill was adopted on first and second readings on January 5, 1988 and January 19, 1988, respectively. Signed by the Mayor on February 9, 1988, it was assigned Act No. 7-142 and transmitted to both Houses of Congress for its review.

Delegation of Authority

Delegation of authority pursuant to D.C. Law 7-98, "Neighborhood Municipal Off-Street Parking Facilities Amendment Act of 1987.", see Mayor's Order 88-186, August 17, 1988.

Delegation of authority pursuant to D.C. Law 7-98, "Neighborhood Municipal Off-Street Parking Facilities Amendment Act of 1987", see Mayor's Order 88-186, August 17, 1988.

Miscellaneous Notes

Expiration of Citizens' Advisory Task Force: Pursuant to subsection (h) of former § 50-2641, the Citizens' Advisory Task Force, which was established by D.C. Law 7-98, was to complete its work and submit a final report with recommendations to the Mayor and the Council 4 years from March 29, 1988, on which date all authority of the Task Force would expire. The Citizens' Advisory Task Force is, therefore, deemed to have expired on March 29, 1992.

SUBCHAPTER V. CURBSIDE LOADING ZONES.

§ 50-2651. CURB LOADING ZONE MANAGEMENT PROGRAM.

(a) The Mayor shall establish a curb loading zone management program ("program"). The purpose of the program is to increase availability and efficiency of curb loading zones and reduce double parking by loading vehicles. The Mayor shall submit rules for this program to the Council pursuant to § 50-2652. The program rules may include:

- (1) Establishing loading zone meter fees;
- (2) Determining minimum curb loading zone space requirements;
- (3) Providing for enhanced enforcement, which may include the following:
 - (A) Increased fines for violations;
 - (B) Dedicated enforcement personnel;
 - (C) Improved signage; and
 - (D) Automated enforcement;
- (4) Determining eligibility for use of curb loading zones;
- (5) Providing for electronic payment cards; and
- (6) Establishing requirements for monitoring loading zone performance and for adjusting meter rates, loading zone space requirements, and enforcement to improve performance.

(b) The Mayor shall consult with business organizations, residents, and other appropriate stakeholders in developing the curb loading zone management program.

(Oct. 22, 2009, D.C. Law 18-66, § 2, 56 DCR 6608.)

HISTORICAL AND STATUTORY NOTES

Legislative History of Laws

Law 18-66, the "Commercial Curbside Loading Zone Implementation Amendment Act of 2009", as introduced in Council and assigned Bill No. 18-153, which was referred to the Committee on Public Works and Transportation. The bill was adopted on first and second readings on June 30, 2009, and July 14, 2009, respectively. Signed by the Mayor on July 28, 2009, it was assigned Act No. 18-162 and transmitted to both Houses of Congress for its review. D.C. Law 18-66 became effective on October 22, 2009.

§ 50-2652. RULES.

(a) Within 120 days of October 22, 2009, the Mayor, pursuant to subchapter I of Chapter 5 of Title 2, shall issue rules to implement the provisions of this subchapter.

(b) The proposed rules shall be submitted to the Council for a 30-day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve or disapprove the proposed rules, in whole or in part, by resolution within this 30-day review period, the proposed rules shall be deemed approved.

(Oct. 22, 2009, D.C. Law 18-66, § 3, 56 DCR 6608.)

HISTORICAL AND STATUTORY NOTES

Legislative History of Laws

For Law 18-66, see notes following § 50-2651.

Delegation of Authority

Delegation of Rulemaking Authority under the Commercial Curbside Loading Zone Implementation Act of 2009, see Mayor's Order 2010-63, April 23, 2010 (57 DCR 3511).