

DISTRICT OF COLUMBIA
OFFICIAL CODE

TITLE 8.
ENVIRONMENTAL AND ANIMAL CONTROL
AND PROTECTION.

CHAPTER 19.
DANGEROUS DOGS.

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DISTRICT OF COLUMBIA OFFICIAL CODE

CHAPTER 19. DANGEROUS DOGS.

TABLE OF CONTENTS

§ 8-1901. Definitions.

§ 8-1902. Determination of a potentially dangerous or dangerous dog.

§ 8-1903. Consequences of a dangerous or potentially dangerous dog determination.

§ 8-1904. Dangerous dog and potentially dangerous dog registration requirements.

§ 8-1905. Dangerous dog and potentially dangerous dog owner responsibilities.

§ 8-1906. Penalties.

§ 8-1907. Annual dangerous dog licensing drive; educational program.

§ 8-1908. Rules.

CHAPTER 19. DANGEROUS DOGS.

§ 8-1901. DEFINITIONS.

For the purposes of this chapter, the term:

- (1) (A) "Dangerous dog" means any dog that without provocation:
 - (i) Causes a serious injury to a person or domestic animal; or
 - (ii) Engages in behavior described in paragraph (4)(A)(i) of this section subsequent to having been determined to be a potentially dangerous dog pursuant to § 8-1902.
- (B) The term "dangerous dog" shall not include dogs used by law enforcement officials when the dog is being used for legitimate law enforcement purposes.
- (2) "Impound" means taken into the custody of the Mayor.
- (3) "Owner" means any person, firm, corporation, organization, or department possessing, harboring, keeping, having an interest in, or having control or custody of a dog.
- (4)(A) "Potentially dangerous dog" means any dog that:
 - (i) Without provocation, chases or menaces a person or domestic animal in an aggressive manner, causing an injury to a person or domestic animal that is less severe than a serious injury;
 - (ii) In a menacing manner, approaches without provocation any person or domestic animal as if to attack, or has demonstrated a propensity to attack without provocation or otherwise to endanger the safety of human beings or domestic animals; or
 - (iii) Is running at-large and has been impounded by an animal control agency 3 or more times in the District within any 12-month period.
- (B) The term "potentially dangerous dog" shall not include dogs used by law enforcement officials when the dog is being used for legitimate law enforcement purposes.
- (5) "Proper enclosure" means secure confinement indoors or secure confinement outdoors in a locked structure designed and constructed to:
 - (A) Deter escape of the dog;
 - (B) Protect the dog from the elements; and
 - (C) Prevent contact with the dog from humans and other domestic animals.
- (6) "Serious injury" means any physical injury that results in broken bones or lacerations requiring multiple sutures or cosmetic surgery.

(Oct. 18, 1988, D.C. Law 7-176, § 2, 35 DCR 4787; Dec. 5, 2008, D.C. Law 17-281, § 105(a), 55 DCR 9186.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 6-1021.1.

Effect of Amendments

D.C. Law 17-281 rewrote the section which had read as follows:

"For purposes of this chapter, the term:

"(1)(A) 'Dangerous dog' means any dog that:

"(i) Has bitten or attacked a person or domestic animal without provocation; or

"(ii) In a menacing manner, approaches without provocation any person or domestic animal as if to attack, or has demonstrated a propensity to attack without provocation or otherwise to endanger the safety of human beings or domestic animals.

"(B) The term 'dangerous dog' shall not include dogs used by law enforcement officials for legitimate law enforcement purposes.

"(2) 'Serious injury' means any physical injury that results in broken bones or lacerations requiring multiple sutures or cosmetic surgery.

"(3) 'Proper enclosure' means secure confinement indoors or secure confinement in a locked pen or structure measuring at least 5 feet in width, 10 feet in length, and 6 feet in height, with secure sides and a secure top, which provides protection from the elements for the dog, is suitable to prevent the entry of young children, and is designed to prevent the animal from escaping while on the owner's property.

"(4) 'Owner' means any person, firm, corporation, organization, or department possessing, harboring, keeping, having an interest in, or having control or custody of a dog.

"(5) 'Impound' means taken into the custody of the Mayor of the District of Columbia."

Emergency Act Amendments

For temporary amendment of section, see § 2(a) of the Pit Bull and Rottweiler Dangerous Dog Designation Emergency Amendment Act of 1996 (D.C. Act 11-257, April 16, 1996, 43 DCR 2156).

For temporary amendment of section, see § 3(a) of the Dangerous Dog Designation Emergency amendment Act of 1996 (D.C. Act 11-351, August 12, 1996, 43 DCR 4553).

Legislative History of Laws

Law 7-176, the "Dangerous Dog Amendment Act of 1988," was introduced in Council and assigned Bill No. 7-276, which was referred to the Committee on Human Services. The Bill was adopted on first and second readings on May 17, 1988 and May 31, 1988, respectively. Signed by the Mayor on June 9, 1988, it was assigned Act No. 7-190 and transmitted to both Houses of Congress for its review.

For Law 17-281, see notes following § 8-1801.

Delegation of Authority

Delegation of authority under D.C. Law 7-176, the Dangerous Dog Amendment Act of 1988, see Mayor's Order 90-83, June 4, 1990.

Delegation of authority under D.C. Law 7-176, the "Dangerous Dog Amendment Act of 1988", see Mayor's Order 2000-98, June 14, 2000 (47 DCR 5277).

Delegation of Authority pursuant to D.C. Law 7-176, the Dangerous Dog Amendment Act of 1988, see Mayor's Order 2009-40, March 23, 2009 (56 DCR 6777).

§ 8-1902. DETERMINATION OF A POTENTIALLY DANGEROUS OR DANGEROUS DOG.

(a) The Mayor is authorized to conduct an investigation and make a determination as to whether a dog is a potentially dangerous or dangerous dog. In determining whether a dog is a potentially dangerous or dangerous dog, the Mayor shall consider all evidence obtained or presented to the Mayor relevant to the issue of whether the dog's behavior was the result of provocation or otherwise justified under the circumstances.

(b)(1) A dog shall not be determined to be a potentially dangerous or dangerous dog if the dog injured:

(A) A person who, at the time of injury, was committing a willful trespass upon the premises lawfully occupied by the owner;

(B) A person who, at the time of injury, was provoking, tormenting, abusing, or assaulting the dog or has repeatedly, in the past, provoked, tormented, abused, or assaulted the dog;

(C) A person or domestic animal because, at the time of injury, the dog was responding to injury, or was protecting itself or its offspring; or

(D) A person or domestic animal because, at the time of injury, the dog was protecting or defending a human being within the immediate vicinity of the dog from an attack or assault.

(2) The burden of proof on establishing that the dog falls into one of the categories described in paragraph (1) of this subsection is on the owner.

(c) The Mayor shall provide notice of the determination to the owner by personal service, posting, or prepaid mail. The owner may contest the determination and request a hearing by filing a written appeal within 15 business days of the date the notice of determination is served, posted, or mailed. The Mayor shall provide reasonable notice of the hearing to the owner.

(d)(1) If the Mayor has probable cause to believe a dog is a potentially dangerous or dangerous dog and may pose a threat to public safety, the Mayor, after providing notice to the owner of the probable cause determination, may obtain a search warrant pursuant to Rule 204 of the Superior Court of the District of

Columbia Rules of Civil Procedure and impound the dog pending final disposition of the case.

(2) The owner shall be liable to the District for the costs and expenses of the impoundment of the dog unless the dog is determined to be neither a potentially dangerous or dangerous dog. If a dog is determined to be a potentially dangerous or dangerous dog, the owner, prior to reclaiming the dog in accordance with § 8-1903, shall reimburse the animal control agency its costs and expenses for the care of the dogs while in the animal control agency's custody plus any reasonable veterinary fees incurred for the dog during the period of impoundment. An owner's failure to pay the costs and expenses within 5 days of a final determination shall result in ownership of the dog reverting to the animal control agency.

(e)(1) The hearing shall be held not less than 5, and not more than 10 days, excluding holidays, Saturdays, and Sundays, after service of notice of the hearing upon the owner. The hearing shall be open to the public. The owner shall have the opportunity to present evidence as to why the dog should not be declared a potentially dangerous or dangerous dog, including evidence of provocation or justification pursuant to subsection (b) of this section, or not be determined to pose a threat to public safety if returned to its owner. The Mayor may decide all issues for or against the owner regardless of whether the owner appears at the hearing.

(f) Within 5 days after the hearing, the Mayor shall notify the owner in writing of the determination of the hearing officer.

(g)(1) Within 5 days of the issuance of an order by the hearing officer determining that the dog is a potentially dangerous or dangerous dog, the owner may bring a petition in the Superior Court of the District of Columbia seeking review of the determination.

(2) A court order vacating the determination shall not prevent the Mayor from later determining that the dog is a potentially dangerous or dangerous dog or poses a threat to public safety, based upon the dog's subsequent behavior.

(Oct. 18, 1988, D.C. Law 7-176, § 3, 35 DCR 4787; Dec. 5, 2008, D.C. Law 17-281, § 105(b), 55 DCR 9186; Sept. 26, 2012, D.C. Law 19-171, § 66, 59 DCR 6190.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 6-1021.2.

Effect of Amendments

D.C. Law 17-281 rewrote the section which had read as follows:

"(a) If the Mayor has probable cause to believe that a dog is a dangerous dog, the Mayor may convene a hearing for the purpose of determining whether the dog in question shall be declared a dangerous dog and to determine if the dog would constitute a significant threat to the public health and safety if returned to its owner. Prior to a hearing, the Mayor shall conduct or cause to be conducted an investigation and shall provide reasonable notification of the hearing to the owner.

"(b) Following notice to the owner and prior to the hearing, if the Mayor has probable cause to believe that a dog is a dangerous dog and may pose an immediate threat of serious harm to human beings or other domestic animals, the Mayor may obtain a search warrant pursuant to Rule 204 of the District of Columbia Superior Court Rules of Civil Procedure and impound the dog pending disposition of the case. The owner of the dog shall be liable to the District for the costs and expenses of keeping the dog.

"(c) The hearing shall be held within no less than 5, and no more than 10 days, excluding holidays, Saturdays and Sundays, after service of notice upon the owner of the dog. The hearing shall be informal and open to the public. The owner shall have the opportunity to present evidence as to why the dog should not be declared a dangerous dog or not determined to be a significant threat to the public health and safety if returned to its owner. The Mayor may decide all issues for or against the owner of the dog regardless of whether the owner fails to appear at the hearing.

"(d) Within 5 days after the hearing, the owner shall be notified in writing of the determination by the Mayor.

"(e) If the owner contests the determination, the owner may, within 5 days of the determination, bring a petition in the Superior Court of the District of Columbia seeking de novo review of the determination. A decision by the Superior Court of the District of Columbia shall not affect the Mayor's right to later declare a dog to be a dangerous dog or to determine that the dog constitutes a threat to the public health and safety, for any subsequent actions of the dog."

D.C. Law 19-171, in subsec. (e)(1), validated a previously made technical correction.

Emergency Act Amendments

For temporary amendment of section, see § 2(b) of the Pit Bull and Rottweiler Dangerous Dog Designation Emergency Amendment Act of 1996 (D.C. Act 11-257, April 16, 1996, 43 DCR 2156).

For temporary amendment of section, see § 3(b) of the Dangerous Dog Designation Emergency Amendment

Act of 1996 (D.C. Act 11-351, August 12, 1996, 43 DCR 4553).

For temporary addition of a § 6-1021.2a, see § 2(c) of the Pit Bull and Rottweiler Dangerous Dog Designation Emergency Amendment Act of 1996 (D.C. Act 11-257, April 16, 1996, 43 DCR 2156).

For temporary addition of a § 6-1021.2a, see § 3(c) of the Dangerous Dog Designation Emergency Amendment Act of 1996 (D.C. Act 11-351, August 12, 1996, 43 DCR 4553).

Legislative History of Laws

For legislative history of D.C. Law 7-176, see Historical and Statutory Notes following § 8-1901.

For Law 17-281, see notes following § 8-1801.

For history of Law 19-171, see notes under § 8-105.02.

§ 8-1903. CONSEQUENCES OF A DANGEROUS OR POTENTIALLY DANGEROUS DOG DETERMINATION.

(a) If the Mayor determines that a dog is a potentially dangerous or dangerous dog, the owner shall comply with the requirements of §§ 8-1904 and 8-1905 and any other special security or care requirements the Mayor may establish.

(b) If a potentially dangerous or dangerous dog has been impounded and determined to pose a threat to public safety, the Mayor may only return the dog to its owner if the owner has:

- (1) Met the registration requirements of § 8-1904;
- (2) Agreed to comply with the requirements of § 8-1905, where necessary; and
- (3) Met or agreed to comply with any additional security or care requirements established by the Mayor.

(c) The Mayor may humanely destroy a dog if:

- (1) The dog has been determined to be a threat to public safety if it is returned to the owner;
- (2) The owner fails to comply with the registration requirements of § 8-1904, the requirements of § 8-1905, or any special security or care requirements established by the Mayor;
- (3) The owner fails to reimburse the animal control agency for the costs and expenses of the dog's impoundment as required by § 8-1902(d)(2); or
- (4) The owner forfeits the dog for humane destruction.

(Oct. 18, 1988, D.C. Law 7-176, § 4, 35 DCR 4787; Dec. 5, 2008, D.C. Law 17-281, § 105(c), 55 DCR 9186.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 6-1021.3.

Effect of Amendments

D.C. Law 17-281 rewrote the section which had read as follows:

"If a determination is made that a dog is a dangerous dog under § 8-1902, the owner shall comply with the provisions of §§ 8-1904 and 8-1905 and any other special security or care requirements established by the Mayor, and in accordance with a time schedule established by the Mayor. A dangerous dog determined to constitute a significant threat to the public health and safety if returned to its owner may be humanely destroyed."

Emergency Act Amendments

For temporary amendment of section, see § 2(d) of the Pit Bull and Rottweiler Dangerous Dog Designation Emergency Amendment Act of 1996 (D.C. Act 11-257, April 16, 1996, 43 DCR 2156).

For temporary amendment of section, see § 3(d) of the Dangerous Dog Designation Emergency Amendment Act of 1996 (D.C. Act 11-351, August 12, 1996, 43 DCR 4553).

Legislative History of Laws

For legislative history of D.C. Law 7-176, see Historical and Statutory Notes following § 8-1901.

For Law 17-281, see notes following § 8-1801.

§ 8-1904. DANGEROUS DOG AND POTENTIALLY DANGEROUS DOG

REGISTRATION REQUIREMENTS.

(a) The Mayor shall issue a certificate of registration to the owner of a potentially dangerous dog if the owner establishes to the satisfaction of the Mayor that:

- (1) The owner of the potentially dangerous dog is 18 years of age or older;
- (2) A valid license has been issued for the potentially dangerous dog pursuant to District law;
- (3) The potentially dangerous dog has current vaccinations;
- (4) The owner has a proper enclosure, as determined by the Mayor, to confine the potentially dangerous dog;
- (5) The owner has paid an annual fee in an amount to be determined by the Mayor, in addition to regular dog licensing fees, to register the potentially dangerous dog;
- (6) The potentially dangerous dog has been spayed or neutered;
- (7) The potentially dangerous dog has been implanted with a microchip containing owner identification information; and
- (8) The owner has written permission of the property owner, if the dog owner is not the property owner, and from a homeowner's association, if appropriate, to house the dog on the premises where the dog will be kept.

(b) The Mayor shall issue a certificate of registration to the owner of a dangerous dog if the owner, in addition to satisfying the requirements for registration of a potentially dangerous dog pursuant to subsection (a) of this section, establishes to the satisfaction of the Mayor that the owner of the dangerous dog has posted on the premises a clearly visible, printed warning sign, in type that is readable from not less than 50 feet, that there is a dangerous dog on the property, and that includes a conspicuous warning symbol that informs children of the presence of a dangerous dog.

(Oct. 18, 1988, D.C. Law 7-176, § 5, 35 DCR 4787; Dec. 5, 2008, D.C. Law 17-281, § 105(d), 55 DCR 9186.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 6-1021.4.

Effect of Amendments

D.C. Law 17-281 rewrote the section which had read as follows:

"The Mayor shall issue a certificate of registration to the owner of a dangerous dog if the owner establishes to the satisfaction of the animal control agency that:

- "(1) The owner of the dangerous dog is 18 years of age or older;
- "(2) A valid license has been issued for the dangerous dog pursuant to District law;
- "(3) The dangerous dog has current vaccinations;
- "(4) The owner of the dangerous dog has the written permission of the property owner where the dangerous dog will be kept;
- "(5) The owner of the dangerous dog has a proper enclosure to confine the dangerous dog;
- "(6) The owner of the dangerous dog has posted on the premises a clearly visible written warning sign that there is a dangerous dog on the property with a conspicuous warning symbol that informs children of the presence of a dangerous dog;
- "(7) The owner of the dangerous dog has secured a policy of liability insurance issued by an insurer qualified under District law in the amount of at least \$50,000 insuring the owner for any personal injuries inflicted by the dangerous dog and containing a provision requiring the District to be named as an additional insured for the sole purpose of requiring the insurance company to notify the District of any cancellation, termination, or expiration of the liability insurance policy;
- "(8) The dangerous dog has been presented to the appropriate agency to be photographed for identification purposes; and
- "(9) The owner has paid an annual fee in an amount to be determined by the Mayor, in addition to regular dog licensing fees, to register the dangerous dog."

Emergency Act Amendments

For temporary addition of a § 6-1021.4a, see § 2(e) of the Pit Bull and Rottweiler Dangerous Dog Designation Emergency Amendment Act of 1996 (D.C. Act 11-257, April 16, 1996, 43 DCR 2156).

For temporary amendment of section, see § 3(e) of the Dangerous Dog Designation Emergency Amendment

Act of 1996 (D.C. Act 11-351, August 12, 1996, 43 DCR 4553).

For temporary addition of a § 6-1024.4a [1981 Ed.], see § 3(f) of the Dangerous Dog Designation Emergency Amendment Act of 1996 (D.C. Act 11-351, August 12, 1996, 43 DCR 4553).

Legislative History of Laws

For legislative history of D.C. Law 7-176, see Historical and Statutory Notes following § 8-1901.

For Law 17-281, see notes following § 8-1801.

§ 8-1905. DANGEROUS DOG AND POTENTIALLY DANGEROUS DOG OWNER RESPONSIBILITIES.

It shall be unlawful to:

- (1) Keep a potentially dangerous or dangerous dog without a valid certificate of registration issued under § 8-1904;
- (2) Permit a potentially dangerous dog to be outside a proper enclosure unless the potentially dangerous dog is under the control of a responsible person and restrained by a chain or leash, not exceeding 4 feet in length;
- (3) Fail to maintain a dangerous dog exclusively on the owner's property except for medical treatment or examination. When removed from the owner's property for medical treatment or examination, the dangerous dog shall be caged or under the control of a responsible person and muzzled and restrained with a chain or leash, not exceeding 4 feet in length. The muzzle shall be made in a manner that will not cause injury to the dangerous dog or interfere with its vision or respiration, but shall prevent it from biting any human being or animal;
- (4) Fail to notify the Mayor within 24 hours if a potentially dangerous or dangerous dog is on the loose, is unconfined, has attacked another domestic animal, has attacked a human being, has died, has been sold, or has been given away. If the potentially dangerous or dangerous dog has been sold or given away, the owner shall also provide the Mayor with the name, address, and telephone number of the new owner of the potentially dangerous or dangerous dog;
- (5) Fail to surrender a potentially dangerous or dangerous dog to the Mayor for safe confinement pending disposition of the case when there is a reason to believe that the potentially dangerous or dangerous dog poses a threat to public safety;
- (6) Fail to comply with any special security or care requirements for a potentially dangerous or dangerous dog the Mayor may establish pursuant to § 8-1903; or
- (7) Remove a dangerous dog from the District without written permission from the Mayor.

(Oct. 18, 1988, D.C. Law 7-176, § 6, 35 DCR 4787; Dec. 5, 2008, D.C. Law 17-281, § 105(e), 55 DCR 9186.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 6-1021.5.

Effect of Amendments

D.C. Law 17-281 rewrote the section which had read as follows:

"It shall be unlawful for the owner of a dangerous dog in the District to:

- "(1) Keep a dangerous dog without a valid certificate of registration issued under § 8-1904;
- "(2) Permit the dangerous dog to be outside the proper enclosure unless the dangerous dog is under the control of a responsible person and is muzzled and restrained by a substantial chain or leash, not exceeding 4 feet in length. The muzzle shall be made in a manner that will not cause injury to the dangerous dog or interfere with its vision or respiration but shall prevent it from biting any human being or animal;
- "(3) Fail to notify the Mayor within 24 hours if a dangerous dog is on the loose, is unconfined, has attacked another animal, has attacked a human being, has died, has been sold, or has been given away. If the dangerous dog has been sold or given away the owner shall also provide the Mayor with the name, address, and telephone number of the new owner of the dangerous dog;
- "(4) Fail to maintain the liability insurance coverage required under § 8-1904;
- "(5) Fail to surrender a dangerous dog to the Mayor for safe confinement pending a disposition of the case when there is a reason to believe that the dangerous dog is a significant threat to the public health and safety; or
- "(6) Fail to comply with any special security or care requirements established by the Mayor pursuant to § 8-

1903."

Legislative History of Laws

For legislative history of D.C. Law 7-176, see Historical and Statutory Notes following § 8-1901.

For Law 17-281, see notes following § 8-1801.

§ 8-1906. PENALTIES.

(a) An owner of a dangerous or potentially dangerous dog who violates the provisions of § 8-1904 or § 8-1905 shall, upon conviction, be guilty of a misdemeanor and be subject to a fine not to exceed \$500, imprisonment not to exceed 90 days, or both for a first offense, and a fine not to exceed \$1,000, imprisonment not to exceed 90 days, or both for a second or subsequent offense. Prosecutions for violations of § 8-1904 or § 8-1905 pursuant to this subsection shall be brought in the name of the District of Columbia in the Superior Court of the District of Columbia by the Office of the Attorney General for the District of Columbia.

(b) An owner of a potentially dangerous or dangerous dog that causes serious injury to or kills a human being or a domestic animal without provocation shall be fined up to \$10,000.

(c) A violation of this chapter shall be a civil infraction for purposes of Chapter 18 of title 2. Civil fines, penalties, and fees may be imposed as sanctions for any infraction of the provisions of this chapter, or the rules issued under authority of this chapter, pursuant to Chapter 18 of Title 2 Adjudication of any infractions shall be pursuant to Chapter 18 of Title 2.

(Oct. 18, 1988, D.C. Law 7-176, § 7 (a)-(c), 35 DCR 4787; Dec. 5, 2008, D.C. Law 17-281, § 105(f), 55 DCR 9186.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 6-1021.6.

Effect of Amendments

D.C. Law 17-281 rewrote subsec. (a); and, in subsec. (b), substituted "potentially dangerous or dangerous dog" for "dangerous dog". Prior to amendment, subsec. (a) read as follows:

"(a) An owner of a dangerous dog who violates the provisions of §§ 8-1904 and 8-1905 shall be fined up to \$300 for the first offense and up to \$500 for each subsequent offense."

Emergency Act Amendments

For temporary amendment of section, see § 2(f) of the Pit Bull and Rottweiler Dangerous Dog Designation Emergency Amendment Act of 1996 (D.C. Act 11-257, April 16, 1996, 43 DCR 2156).

For temporary amendment of section, see § 3(g) of the Dangerous Dog Designation Emergency Amendment Act of 1996 (D.C. Act 11-351, August 12, 1996, 43 DCR 4553).

Legislative History of Laws

For legislative history of D.C. Law 7-176, see Historical and Statutory Notes following § 8-1901.

For Law 17-281, see notes following § 8-1801.

§ 8-1907. ANNUAL DANGEROUS DOG LICENSING DRIVE; EDUCATIONAL PROGRAM.

(a) The Mayor shall conduct an annual dangerous dog licensing drive in order to ensure compliance with the provisions of this chapter.

(b) Within 180 days of October 18, 1988, the Mayor shall implement an educational campaign for the public on provisions of this chapter and existing laws concerning animal control.

(Oct. 18, 1988, D.C. Law 7-176, § 8, 35 DCR 4787.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 6-1021.7.

Legislative History of Laws

For legislative history of D.C. Law 7-176, see Historical and Statutory Notes following § 8-1901.

§ 8-1908. RULES.

The Mayor shall, pursuant to subchapter I of Chapter 5 of Title 2, issue rules to implement the provisions of this chapter.

(Oct. 18, 1988, D.C. Law 7-176, § 10, 35 DCR 4787.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 6-1021.8.

Legislative History of Laws

For legislative history of D.C. Law 7-176, see Historical and Statutory Notes following § 8-1901.