

AN ACT  
D.C. ACT 19-436

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
JULY 31, 2012

*Codification  
District of  
Columbia  
Official Code*

2001 Edition

2012 Fall  
Supp.

West Group  
Publisher

To amend the District of Columbia Revenue Act of 1937 to create an exception for imposing a criminal penalty upon motorists operating vehicles with lapsed registrations and to institute a graduated schedule of civil penalties for motorists operating unregistered vehicles absent fraudulent or false pretenses; and to amend section 16-803 of the District of Columbia Official Code to allow persons to seal public records related to offenses that were decriminalized after their conviction.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Criminal Penalty for Unregistered Motorist Repeal Amendment Act of 2012”.

Sec. 2. Section 4 of Title IV of the District of Columbia Revenue Act of 1937, approved August 17, 1937 (50 Stat. 682; D.C. Official Code § 50-1501.04), is amended as follows: Amend § 50-1501.04

(a) Subsection (a)(1) is amended as follows:

(1) Subparagraph (B) is amended by adding the word “or” at the end.

(2) Subparagraph (C) is amended by striking the phrase “; or” and inserting a period in its place.

(3) Subparagraph (D) is repealed.

(b) Subsection (b)(1) is amended as follows:

(1) Strike the phrase “Any person violating” and insert the phrase “Except as provided in subsection (c) of this section, any person violating” in its place.

(2) Strike the phrase “Corporation Counsel of the District of Columbia” and insert the phrase “Attorney General for the District of Columbia” in its place.

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

“(c)(1) A person violating subsection (a)(1) or (2) of this section shall be assessed the following civil penalties for a failure to maintain a valid and current registration:

“(A) A fine of \$200 for a lapse in registration between one and 30 days; and

“(B) A fine of \$200 for each additional unregistered month or portion thereof, up to a maximum of \$2,400.

“(2) Violations under this subsection shall be adjudicated pursuant to the

ENROLLED ORIGINAL

District of Columbia Traffic Adjudication Act of 1978, effective September 12, 1978 (D.C. Law 2-104; D.C. Official Code § 50-2301.01 *et seq.*).

“(d) Nothing in this section shall be interpreted as impeding the ability of a public safety officer to impound a vehicle that poses a threat to public health or safety.”.

Sec. 3. Section 16-803 of the District of Columbia Official Code is amended by adding a new subsection (c-1) to read as follows:

Amend § 16-803

“(c-1) A person convicted of an offense that was decriminalized after the date of the conviction may file a motion to seal the publicly available records of the arrest, related court proceedings, and conviction.”.

Sec. 4. Fiscal impact statement.

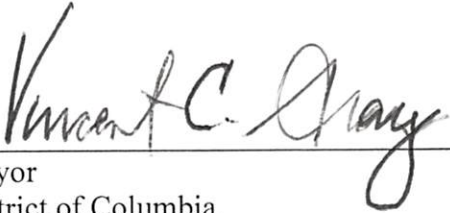
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code §1-206.02(c)(3)).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code §1-206.02(c)(1)), and publication in the District of Columbia Register.



Chairman  
Council of the District of Columbia



Mayor  
District of Columbia  
APPROVED  
July 31, 2012



**COUNCIL OF THE DISTRICT OF COLUMBIA**  
**WASHINGTON, D.C. 20004**

Docket No. **B19-552**

- ITEM ON CONSENT CALENDAR  
 ACTION & DATE  
 VOICE VOTE  
 RECORDED VOTE ON REQUEST

**ADOPTED FIRST READING, 06-05-12**

ABSENT \_\_\_\_\_

**APPROVED**  
**ALL PRESENT**

ROLL CALL VOTE – Result \_\_\_\_\_ (.....)

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Brown	X				Catania	X				Mendelson	X			
Alexander	X				Cheh	X				Orange	X			
Barry	X				Evans	X				Wells	X			
Bowser	X				Graham	X								
Brown, M	X				McDuffie	X								
X – Indicate Vote					AB – Absent					NV – Present, Not Voting				

CERTIFICATION RECORD

Secretary to the Council

7.25.12  
 Date

- ITEM ON CONSENT CALENDAR  
 ACTION & DATE  
 VOICE VOTE  
 RECORDED VOTE ON REQUEST

**ADOPTED FINAL READING, 07-10-12**

ABSENT \_\_\_\_\_

**APPROVED**  
**ALL PRESENT**

ROLL CALL VOTE – Result \_\_\_\_\_ (.....)

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Mendelson	X				Catania	X				Orange	X			
Alexander	X				Cheh	X				Wells	X			
Barry	X				Evans	X								
Bowser	X				Graham	X								
Brown	X				McDuffie	X								
X – Indicate Vote					AB – Absent					NV – Present, Not Voting				

CERTIFICATION RECORD

Secretary to the Council

7.25.12  
 Date

- ITEM ON CONSENT CALENDAR  
 ACTION & DATE  
 VOICE VOTE  
 RECORDED VOTE ON REQUEST

ABSENT \_\_\_\_\_

ROLL CALL VOTE – Result \_\_\_\_\_ (.....)

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Mendelson					Catania					Orange				
Alexander					Cheh					Wells				
Barry					Evans									
Bowser					Graham									
Brown					McDuffie									
X – Indicate Vote					AB – Absent					NV – Present, Not Voting				

CERTIFICATION RECORD

Secretary to the Council

Date