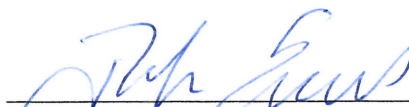




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2 Councilmember Jack Evans


Councilmember Mary M. Cheh

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7 Councilmember David Grosso


Councilmember Anita Bonds

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12 Councilmember Charles Allen

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15 A BILL

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20 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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25 To limit the application of the doctrine of contributory negligence in cases of collisions
26 between non-motorized users of public highways and motor vehicles.

27
28 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this
29 act may be cited as the “Motor Vehicle Collision Recovery Act of 2015”.

30 Sec. 2. Definitions.

31 For the purposes of this act, the term:

32 (1) “Motor vehicle” shall have the same meaning as provided in section 2(4) of the Motor
33 Vehicle Safety Responsibility Act of the District of Columbia, effective May 25, 1954 (68 Stat.
34 120; D.C. Official Code § 50-1301.02(4)).

35 (2) “Pedestrian” shall have the same meaning as provided in Chapter 9901 of Title 18 of
36 the District of Columbia Municipal Regulations (18 DCMR 9901.1).

1 (3) "Public highway" shall have the same meaning as provided in section 2(8) of the
2 Motor Vehicle Safety Responsibility Act of the District of Columbia, effective May 25, 1954 (68
3 Stat. 120; D.C. Official Code § 50-1301.02(8)).

4 Sec. 3. Contributory negligence limitation.

5 (a) Notwithstanding any other District law, the negligence of a pedestrian, bicyclist, or
6 other non-motorized user of a public highway involved in a collision with a motor vehicle shall
7 not bar or reduce the plaintiff's recovery in any civil action unless:

8 (1) the plaintiff's negligence is a proximate cause of the plaintiff's injury; and

9 (2) the plaintiff's negligence is greater than the aggregated total amount of
10 negligence of all of the defendants that proximately caused the plaintiff's injury.

11 (b) In no event shall this act change or affect the doctrine of joint and several liability.

12 (c) This act shall not reduce the legal protections provided to pedestrians and cyclists
13 under section 3 of An Act to Enable the Blind and Otherwise Physically Disabled to Participate
14 Fully in the Social and Economic Life of the District of Columbia, effective March 5, 1981 (86
15 Stat. 971; D.C. Official Code § 7-1004), or section 2(b) of the Child Helmet Safety Amendment
16 Act of 2000, effective May 23, 2000 (D.C. Official Code § 50-1606).

17 Sec. 4. Nonseverability.

18 If any provision of this act is held invalid, such invalidity shall invalidate this act in its
19 entirety, and the provisions of this act are declared to be nonseverable.

20 Sec. 5. Fiscal impact statement.

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

1 Sec. 6. Effective date.

2 This act shall take effect following approval by the Mayor (or in the event of veto by the
3 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
4 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
5 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
6 Columbia Register.