

Councilmember Mary M. Cheh A BILL IN THE COUNCIL OF THE DISTRICT OF COLUMBIA To amend the District of Columbia Municipal Regulations to prohibit the sale and use of gasoline-powered leaf blowers in the District of Columbia by January 1, 2022. BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Leaf Blower Regulation Amendment Act of 2016". Sec. 2. Section 5(d)(6) of the District of Columbia Noise Control Act of 1977, effective March 16, 1978 (D.C. Law 2-53; 20 DCMR § 2808), is amended as follows: (a) Subparagraph (A) (20 DCMR § 2808.1) is amended as follows: (1) Strike the phrase "subparagraph (B)" and insert the phrase "subparagraphs (B) and (C)" in its place. (2) Strike the phrase "as measured in accordance with subparagraph (E) of this paragraph" and insert the phrase "as measured in accordance with subparagraph (E) of this paragraph or, effective January 1, 2022, a gasoline-powered leaf blower" in its place. (b) Subparagraph (B) (20 DCMR § 2808.2) is amended by as follows: (1) The existing text is redesignated as sub-subparagraph (i). (2) A new sub-subparagraph (ii) is added to read as follows:

31	"(ii) A person who sells, at retail, a gasoline-powered leaf blower
32	in the District of Columbia after January 1, 2022, must provide conspicuous notice to the
33	consumer that the leaf blower may not be used in the District of Columbia.".
34	(c) Subparagraph (D) (20 DCMR § 2808.4) is amended by striking the phrase "In
35	addition to any other enforcement measure authorized under this act, the Mayor" and inserting
36	the phrase "The Mayor" in its place.
37	(d) A new subparagraph (F) is added to read as follows:
38	"(F)(i) Section 13 shall not apply to this paragraph.
39	"(ii)Any person aggrieved by a violation of any provision of this
40	paragraph may complain to the Department of Consumer and Regulatory Affairs which shall
41	enforce the provisions of this paragraph.
42	"(iii) Any person who violates a provision of this paragraph shall
43	be subject to a fine not to exceed five hundred dollars (\$500).
44	"(iv) The Mayor may enforce the provisions of this paragraph by
45	issuing a notice of civil infraction pursuant to the Department of Consumer and Regulatory
46	Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42, D.C. Code §6-
47	2701 et seq.) ("Civil Infractions Act").
48	"(v) Civil fines, penalties, and fees may be imposed as alternative
49	sanctions for any infraction of this paragraph pursuant to titles I-III of the Civil Infractions Act.
50	Adjudication of any infraction of this paragraph shall be pursuant to titles I-III of the Civil
51	Infractions Act.".
52	Sec. 3. Fiscal impact statement.

53	The Council adopts the fiscal impact statement in the committee report as the fiscal
54	impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act,
55	approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).
56	Sec. 4. Effective date.
57	This act shall take effect following approval by the Mayor (or in the event of veto by the
58	Mayor, action by the Council to override the veto), a 30-day period of congressional review as
59	provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
60	24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
61	Columbia Register.