

AN ACT

D.C. ACT 22-449

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

SEPTEMBER 6, 2018

To amend the District of Columbia Traffic Adjudication Act of 1978 to clarify what information must be contained in a notice of infraction for a moving infraction, to provide that, for notices of infraction that were detected by an automated traffic enforcement system, if a person fails to answer a notice of infraction within 60 calendar days of the date the notice was issued, or within a greater period of time as prescribed by the Director by regulation, a penalty equal to the amount of the fine shall be added, to provide that, for notices of infraction that were detected by an automated traffic enforcement system, if a person fails to answer the notice within 120 calendar days of the date the notice was issued, or within a greater period of time as prescribed by the Director by regulation, the commission of the infraction shall be deemed admitted and all points, penalties, and fines shall be assessed, to require, for a notice of infraction that was detected by an automated traffic enforcement system, an additional notice to be mailed to a person, if the notice of infraction remains unanswered, to repeal provisions that allow for the suspension of a person's operator's permit, or the person's privilege to drive within the District in the case of a person holding an out-of-state permit, for certain violations relating to moving infractions, to require the Department of Motor Vehicles to reinstate, within 30 calendar days after the effective date of this act, a person's license, or privilege to drive within the District in the case of a person holding an out-of-state permit, if the person's license, or privilege to drive in the District, was suspended due to failure to pay any civil fines or penalties assessed pursuant to Title II of the District of Columbia Traffic Adjudication Act of 1978 or failure to appear at a hearing, to provide that, if a civil fine or penalty resulting from a notice of infraction issued pursuant to Title II or III of the District of Columbia Traffic Adjudication Act of 1978 remains unpaid 10 years after the notice is issued, the infraction shall be dismissed and any assessed civil fine or penalty shall be vacated and shall not be collected, to lengthen the periods of time before which a person would be penalized for failing to answer a notice of infraction issued pursuant to Title III of the District of Columbia Traffic Adjudication Act of 1978, and to require the Mayor to establish a Community Service Debt Repayment Program to allow residents to perform community service in order to repay debts related to certain unpaid notices of infraction.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Traffic and Parking Ticket Penalty Amendment Act of 2018".

ENROLLED ORIGINAL

Sec. 2. The 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.*), is amended as follows:

(a) Section 105(a)(2)(A) (D.C. Official Code § 50-2301.05(a)(2)(A)) is amended by striking the phrase “sections 205(d)(1) and 305(d)(1)” and inserting the phrase “section 205(d) or section 305(d)(1)” in its place.

(b) Section 204 (D.C. Official Code § 50-2302.04) is amended as follows:

(1) Subsection (c) is repealed.

(2) A new subsection (c-1) is added to read as follows:

“(c-1)(1) Except for notices of infraction that were detected by an automated traffic enforcement system pursuant to section 901 of the Fiscal Year 1997 Budget Support Act of 1996, effective April 9, 1997 (D.C. Law 11-198; D.C. Official Code § 50-2209.01), a notice of infraction shall advise the person to whom it is issued that his failure to answer the notice of infraction within:

“(A) 30 calendar days after the date the notice was issued, or within a greater period of time as prescribed by the Director by regulation, shall by operation of law result in the imposition of a penalty equal to the amount of the civil fine; and

“(B) 60 calendar days after the date the notice was issued, or within a greater period of time as prescribed by the Director by regulation, the commission of the infraction shall be deemed admitted.

“(2) For notices of infraction that were detected by an automated traffic enforcement system pursuant to section 901 of the Fiscal Year 1997 Budget Support Act of 1996, effective April 9, 1997 (D.C. Law 11-198; D.C. Official Code § 50-2209.01), the notice of infraction shall advise the person to whom it is issued that his failure to answer the notice of infraction within:

“(A) 60 calendar days after the date the notice was issued, or within a greater period of time as prescribed by the Director by regulation, shall by operation of law result in the imposition of a penalty equal to the amount of the civil fine; and

“(B) 120 calendar days after the date the notice was issued, or within a greater period of time as prescribed by the Director by regulation, the commission of the infraction shall be deemed admitted.”.

(c) Section 205 (D.C. Official Code § 50-2302.05) is amended as follows:

(1) Subsection (d) is amended to read as follows:

“(d)(1) Except for notices of infraction that were detected by an automated traffic enforcement system pursuant to section 901 of the Fiscal Year 1997 Budget Support Act of 1996, effective April 9, 1997 (D.C. Law 11-198; D.C. Official Code § 50-2209.01), if a person fails to answer a notice of infraction within 30 calendar days after the date the notice was issued, or within a greater period of time as prescribed by the Director by regulation, a penalty equal to the amount of the fine shall be added pursuant to section 105(a).

“(2) For notices of infraction that were detected by an automated traffic enforcement system pursuant to section 901 of the Fiscal Year 1997 Budget Support Act of 1996, effective April 9, 1997 (D.C. Law 11-198; D.C. Official Code § 50-2209.01), if a person