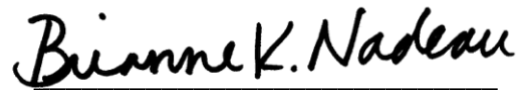




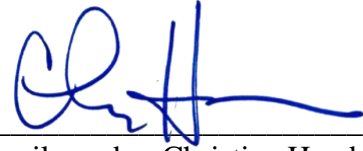
Councilmember Charles Allen



Councilmember Brianne K. Nadeau



Councilmember Matthew Frumin



Councilmember Christina Henderson



Councilmember Janeese Lewis George



Councilmember Brooke Pinto

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

1 To amend to amend the District of Columbia Revenue Act of 1937 to clarify standards for clear  
2 display of a vehicle identification tag; to amend the District of Columbia Traffic Act of  
3 1925 to allow for the immediate immobilization and impoundment of vehicles with  
4 temporary tags expired over 60 days as indicated by the posted expiry date on the tag,  
5 and vehicles with missing, clearly fraudulent or unidentifiable tags, and to require the  
6 Mayor to establish and maintain a directory of all permanent and temporary tags issued  
7 by U.S. states and territories, including procedures for identifying tags as legitimate, and  
8 to direct the Mayor to coordinate investigations and enforcement measures against any  
9 person knowingly selling counterfeit, stolen, or otherwise fraudulent temporary tags to  
10 District residents; to amend the District of Columbia Theft and White Collar Crimes Act  
11 of 1982 to specify that the production and distribution of counterfeit or fraudulent  
12 temporary vehicle identification tags constitutes an offense of forgery; to amend the  
13 District of Columbia Traffic Adjudication Act of 1978 to direct the Department of Public  
14 Works to prioritize enforcement of violations of this Act for immobilization, towing, and  
15 impoundment; to amend the Removal and Disposition of Abandoned and Other  
16 Unlawfully Parked Vehicles Reform Act of 2003 to specify that a vehicle impounded  
17 pursuant to this Act shall not be reclaimed until evidence of legitimate vehicle  
18 registration is provided to the Director of the Department of Public Works.

19  
20 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this  
21 act may be cited as the “Fraudulent Vehicle Tag Enforcement Amendment Act of 2023”.

22 Sec. 2. The District of Columbia Revenue Act of 1937, approved August 17, 1937 (50  
23 Stat. 680; D.C. Official Code §50-1501.01 *et seq*) is amended as follows:

24 (a) Section 1 (D.C. Official Code §50-1501.01) is amended by adding a new paragraph  
25 (13) to read as follows:

26 “(13) The term “temporary tag” means a temporary vehicle registration, dealer's  
27 tag, or manufacturer's tag issued by any U.S. state or territory for a vehicle awaiting issuance of  
28 permanent license plates.”.

29 (b) Section 2 (D.C. Official Code § 50-1501.02) is amended by adding a new subsection  
30 (f-2) to read as follows:

31 “(f-2) (1) Owner's identification tags, including temporary tags, shall at all times be  
32 securely fastened in a horizontal position to the vehicle for which they are issued to prevent the  
33 tags from swinging and at a height of not less than twelve inches from the ground, measuring  
34 from the bottom of the tags, in a place and position to be clearly visible.

35 “(2) No person shall operate a motor vehicle where the identification tag's  
36 identifying numbers or letters are covered with glass, plastic, or any other type of material or  
37 substance.”.

38 (b) Section 4(a)(4) (D.C. Official Code § 50-1501.04(a)(4)) is amended to read as  
39 follows:

40 “(4) (A) For any person to knowingly affix to or display on a motor vehicle a  
41 counterfeit, stolen, fraudulent, or otherwise fake temporary or permanent tag; or

42                   “(B) For any person to affix to or operate a vehicle where the  
43 identification tag's identifying numbers or letters are covered or otherwise obscured with any  
44 material or substance, including plastic covers.

45                   “(C) For any person to knowingly operate a motor vehicle to or on which a  
46 counterfeit, stolen, or fraudulent, or otherwise fake temporary or permanent tag is affixed or  
47 displayed.”.

48           Sec. 3. The District of Columbia Traffic Act of 1925, approved March 3, 1925 (43 Stat.  
49 1119; D.C. Official Code § 50-2201.01, *et seq.*) is amended as follows:

50           (a) Section 6(k)(1) (D.C. Official Code §50-2201.03(k)(1)) is amended to read as  
51 follows:

52           “(k)(1) Any motor vehicle found parked at any time upon any public highway of the  
53 District of Columbia may, by or under the direction of a law enforcement officer or parking  
54 enforcement officer as identified in sections 3002 and 3003 of Title 18 of the District of  
55 Columbia Municipal Regulations, either by towing or otherwise, be removed or conveyed to and  
56 impounded in any place designated by the Mayor or immobilized in such manner as to prevent  
57 its operation; except, that no such vehicle shall be immobilized by any means other than by the  
58 use of a device or other mechanism which will cause no damage to such vehicle unless it is  
59 moved while such device or mechanism is in place. This subsection shall apply to any vehicle:

60           “(A) Against which there are 2 or more unpaid notices of infraction or vehicle  
61 conveyance fees that the owner was deemed to have admitted or that were sustained after a  
62 hearing, pursuant to §50-2303.05, §50-2303.06, or §50-2209.02, or against which there have  
63 been issued 2 or more warrants;

64                   “(B) Displaying temporary tags expired for more than 60 days, as indicated by the  
65 posted expiry date on the tag;

66                   “(C) Displaying a vehicle identification tag not identifiable in the directory  
67 required by Section 6d of this Act, or with a tag that can be clearly identified as counterfeit,  
68 altered, or otherwise fraudulent by visual inspection alone;

69                   “(D) Does not have any vehicle identification tags displayed or affixed to the  
70 vehicle.”.

71           (b) A new Section 6d is added to read as follows:

72           “Sec. 6d. Directory of vehicle identification.

73           “(a) Within 90 days of the effective date of this act, the Mayor shall establish, and  
74 thereafter maintain, a directory of all permanent and temporary tags issued by U.S. states and  
75 territories, including procedures for identifying tags as legitimate.

76           “(b) The Mayor shall ensure that all District employees tasked with enforcement of  
77 parking and moving violations are adequately trained in the proper verification of vehicle  
78 identification tags.

79           “(c) The Mayor shall coordinate investigations and enforcement measures against any  
80 person knowingly selling counterfeit, stolen, or otherwise fraudulent temporary tags to District  
81 residents, pursuant to Section 142(a)(3) of the District of Columbia Theft and White Collar  
82 Crimes Act of 1982, approved December 1, 1982 (D.C. Law 4-164, D.C. Official Code §22-  
83 3241.

84           “(d) For the purposes of this Section, “temporary tag” has the same meaning as in Section  
85 1 of the District of Columbia Revenue Act of 1937, approved August 17, 1937 (50 Stat. 680;  
86 D.C. Official Code §50-1501.01.”.

87           Sec. 4. (a) Section 142(a)(3) of the District of Columbia Theft and White Collar Crimes  
88 Act of 1982, approved December 1, 1982 (D.C. Law 4-164, D.C. Official Code §22-3241) is  
89 amended by adding a new subparagraph (D-1) to read as follows:

90                           “(D-1) Motor vehicle identification tags;”.

91           Sec. 5. Section 505 of the District of Columbia Traffic Adjudication Act of 1978,  
92 effective September 12, 1978 (D.C. Law 2-104; D.C. Official Code § 50-2201.21) is amended to  
93 read as follows:

94           “(a) The Mayor, pursuant to subchapter I of Chapter 5 of Title 2, may issue rules  
95 regarding immobilization, towing, and impoundment of vehicles, and may establish the amount  
96 of, and implement a system for collecting, vehicle immobilization and conveyance fees in  
97 connection with enforcement of the District’s parking regulations, moving infractions, motor  
98 vehicle identification and registration requirements, and motor vehicle safety standards.

99           “(b) The Department of Public Works shall prioritize for towing and impoundment, as  
100 opposed to immobilization, any motor vehicles in violation of rules governing vehicle  
101 identification and counterfeit or obscured tags, pursuant to Section 6(k)(1), subparagraphs (B),  
102 (C), (D), and (E) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat.  
103 1119; D.C. Official Code § 50-2201.03(k)(1)).”.

104           Sec. 6. Section 8 of the Removal and Disposition of Abandoned and Other Unlawfully  
105 Parked Vehicles Reform Act of 2003 (D.C. Law 15-35, D.C. Official Code §50-2421.06 is  
106 amended by adding a new subsection (d) to read as follows:

107           “(d) An impounded vehicle removed from public or private property pursuant to Section  
108 6(k)(1), subparagraphs (B), (C), and (D) of the District of Columbia Traffic Act, 1925, approved

109 March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.03(k)(1)) shall not be reclaimed  
110 until evidence of legitimate vehicle registration is provided to the Director”.

111           Sec. 7. Fiscal impact statement.

112           The Council adopts the fiscal impact statement in the committee report as the fiscal  
113 impact statement required by section 4a of the General Legislative Procedures Act of 1975,  
114 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

115           Sec. 8. Effective date.

116           This act shall take effect after approval by the Mayor (or in the event of veto by the  
117 Mayor, action by the Council to override the veto), a 30-day period of congressional review as  
118 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December  
119 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of  
120 Columbia Register.