

AN ACT

---

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

---

*Codification  
District of  
Columbia  
Official Code*

**2001 Edition**

**2006 Fall  
Supp.**

**West Group  
Publisher**

To amend the Litter Control Administration Act of 1985 to provide that sections 2407.12 and 2407.13 of the District of Columbia Municipal Regulations shall be subject to civil enforcement; Title 47 of the District of Columbia Official Code to repeal a sightseeing bus license tax; the District of Columbia Motor Vehicle Parking Facility Act of 1942 to eliminate the Motor Vehicle Parking Agency and its authority over municipal off-street parking facilities; and Title 18 of the District of Columbia Municipal Regulations to restore reciprocal parking privileges to persons with disability parking tags or placards issued by other jurisdictions, to authorize the establishment of payment and time limitations at such reserved spaces, to provide that such time restrictions be twice the time established for the nearest non-reserved parking space, to provide for a study concerning the number, placement, and accessibility of such spaces and meters, to require that persons with disability parking tags or placards comply with the payment and time at all parking spaces once the reserved spaces are established in accordance with the study, to authorize the Director of the District Department of Transportation to grant applications to prohibit or reserve parking, to establish fees for such prohibitions or reservations, to establish violations for prohibited acts associated therewith, and to grant the Director the exclusive authority to design signs controlling temporary reserved and emergency parking on public space.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Parking Amendment Act of 2006”.

Sec. 2. Section 3 (a)(1) of the Litter Control Administration Act of 1985, effective March 25, 1986 (D.C. Law 6-100; D.C. Official Code § 8-802(a)(1)), is amended by adding the phrase “§§ 2407.12 and 2407.13 of 18 DCMR” after the phrase “and a number of rules recorded in”.

**Amend  
§ 8-802**

Sec. 3. Section 47-2892(c) of the District of Columbia Official Code is repealed.

**Amend  
§ 47-2892**

**ENROLLED ORIGINAL**

Sec. 4. The District of Columbia Motor Vehicle Parking Facility Act of 1942, approved February 16, 1942 (56 Stat. 90; D.C. Official Code § 50-2601 *et seq.*), is amended as follows:

(a) Section 2(3) D.C. Official Code § 50-2602(3) is repealed.

Amend  
§ 50-2602  
Amend  
§ 50-2603

(b) Section 3 (D.C. Official Code § 50-2603) is amended as follows:

(1) In the introductory language, strike the phrase “as to which the agency shall have made a determination that public parking facilities are necessary or expedient”.

(2) Subsection (b) is amended by striking the phrase “acquired; provided, that in each case the agency shall have made a determination that parking facilities thereon are necessary or expedient.” and inserting the phrase “acquired.” in its place.

(3) Subsection (c) is amended by striking the phrase “Columbia; provided further, that the agency shall have first determined such property to be no longer necessary for the purposes of this Act;” and inserting the phrase “Columbia;” in its place.

(c) Section 4 (D.C. Official Code § 50-2604) is repealed.

Repeal  
§ 50-2604  
Amend  
§ 50-2606

(d) Section 6 (D.C. Official Code § 50-2606) is amended by striking the phrase “or the Agency”.

(e) Section 7 (D.C. Official Code § 50-2607) is amended to read as follows:

Amend  
§ 50-2607

“All moneys derived from the sale or assignment of any property, real or personal, shall be deposited in the Local Roads Construction and Maintenance Fund as established by the Highway Trust Fund Amendment Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 9-111.01a).”

(f) Section 8 (D.C. Official Code § 50-2608) is amended to read as follows:

Amend  
§ 50-2608

“The Mayor shall include in his annual budget such amounts as may be required from the highway fund established in D.C. Official Code § 47-2301 for the purpose of carrying out the provisions of this act.”

(g) Section 10 (D.C. Official Code § 50-2609) is repealed.

Repeal  
§ 50-2609

(h) A new section 12 is added to read as follows:

“Sec. 12. Rulemaking; Council review for 18 DCMR § 2407.

“(a) The Mayor is authorized to make fee increases and to promulgate rules necessary to implement section 2407 of Title 18 of the District of Columbia Municipal Regulations (18 DCMR § 2407), entitled Temporary and Emergency Parking Restrictions.

“(b) Any proposed fee increases, rules, or regulations shall be submitted by the Mayor to the Council in a proposed resolution for a 45-day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve or disapprove the proposed resolution within this 45-day period, the proposed resolution shall be deemed approved.”

Sec. 5. Title 18 of the District of Columbia Regulations is amended as follows:

DCMR

(a) Chapter 24 is amended as follows:

(1) Subsection 2406.9 is amended by adding new paragraphs (e) and (f) to read

as follows:

“(e) The Director may establish reasonable payment and time limitations for parking in the spaces established pursuant to this subsection; provided, that any time restrictions established allow twice the period of parking time permitted at the nearest non-reserved, time-limited parking space.

“(f) No later than 10 days after the effective date of the Parking Amendment Act of 2006, passed on 2<sup>nd</sup> reading on July 11, 2006 (Enrolled version of Bill 16-536), the Director of the District Department of Transportation shall commence a study to determine the appropriate locations of the reserved parking spaces authorized by this subsection. The study shall also address the accessibility of parking meters for persons with disabilities and identify any alternative means by which meter payment requirements can be met.”

(2) Subsections 2407.9, 2407.10, 2407.10, and 2407.11 are repealed.

(3) Add new subsections 2407.13 through 2407.27 to read as follows:

"2407.13. Notwithstanding § 2407.1, the Director is authorized to grant applications to reserve no more than four (4) parking spaces for no more than sixteen (16) hours at or near the entrance of a building where a wedding or funeral is being held. For purposes of this section, a parking space is twenty-two (22) feet long.

"2407.14. Notwithstanding § 2407.2, the Director is authorized to grant applications to prohibit parking at or near construction sites and other places necessary to protect the health or safety of the public.

"2407.15. If the Director grants an application pursuant to § 2407.4, 2407.5, 2407.13 or 2407.14, the applicant may be issued the applicable parking prohibition or reservation signs upon payment of the fee established in §2407.20. If the application is accepted and the fee paid, the Director shall issue a permit indicating the number of signs allowed and the time by which the signs must be removed. However, nothing in this section grants authority for permit holders to park in areas with posted parking restrictions that prohibit parking or to park in areas from 12 midnight to 5 a.m. The Director may, in his discretion, waive the restrictions associated with prohibited or reserved parking signs in this section.

"2407.16. Any permit holder who fails to remove a sign after the expiration time stated on the permit shall be subject to a civil fine for each additional day the sign is not removed equal to \$25 per day, per sign, plus the Department's costs of removing the unlawful sign.

"2407.17. No person, other than a permit holder or the representative of a permit holder or contractor of an authorized agency of the District of Columbia may install or remove a sign on public space that prohibits or reserves parking. Any person violating this subsection shall be subject to a civil fine of \$100 per day for each day that an unauthorized sign remains installed or removed during its authorized posting period plus the Department's costs of removing the unlawful sign or reissuing an authorized sign.

"2407.18. No person may vandalize or deface a sign in public space that prohibits or reserves parking. Any person violating this subsection shall be subject to a civil fine of \$100 for the 1<sup>st</sup> violation, \$200 for the 2<sup>nd</sup> violation, and \$400 for the 3<sup>rd</sup> and subsequent violations.

“2407.19. The Department may remove any sign installed or remaining on public space in violation of §§ 2407.16 and 2407.17, which violation shall be enforced and adjudicated pursuant to the Litter Control Administration Act of 1985, effective March 25, 1986 (D.C. Law 6-100; D.C. Official Code § 8-801 *et seq.*)

“2407.20. The fee to reserve parking pursuant to § 2407.13 or to prohibit parking pursuant to § 2407.14 shall be equal to the number of hours in which parking is to be reserved or prohibited multiplied by the number of spaces reserved and further multiplied by the hourly metered rate set forth in § 2404 applicable to the spaces. If signs are to be displayed on a non-metered street, the rate for the signs shall be the same as that of the lowest meter rate assessed in the District as set forth in § 2404.

“2407.21. The fee to be paid pursuant to § 2407.20 shall be increased as follows:

“(a) The fee to reserve parking spaces pursuant to § 2407.13 shall be increased by fifteen percent (15%) if the applicant requests to reserve parking for more than eight (8) and less than sixteen (16) hours; and

“(b) The fee to prohibit parking pursuant to § 2407.14 shall be increased if the applicant requests to prohibit parking for more than eight (8) months as follows:

Additional months	Increase
9 to 14	25%
15 to 20	50%
Each additional 6 months	an additional 25%

“2407.22. The Director may, by rulemaking, increase the fees to cover the costs of producing and issuing the signs and of enforcing the provisions of this section in accordance with section 6 of the Parking Amendment Act of 2006, passed on 2<sup>nd</sup> reading on July 11, 2006 (Enrolled version of Bill 16-536).

“2407.23. Whenever a sign is erected indicating that parking is prohibited or reserved under this section, it shall be unlawful to park any unauthorized vehicle in violation of the parking restrictions stated on the sign.

“2407.24. A Sign prohibiting or reserving parking shall be erected at least 24 hours in advance in a non-residentially zoned area. If a sign is erected in a residentially zoned area, the sign prohibiting or reserving parking shall be erected at least 72 hours in advance. The Director for extraordinary circumstances shown may waive this required advance notice for good cause.

“2407.25. Signs prohibiting or reserving parking shall be consistent with the design approved by the Director and shall display the following:

- “(a) Sign number;
- “(b) Name of the issuing agency;
- “(c) Contact name and telephone number;
- “(d) Duration of the parking reservation or prohibition;
- “(e) Hours of the parking reservation or prohibition;
- “(f) Specific person or entity permitted to park in the location, if applicable; and
- “(g) Such other information as is required by the Director.

"2407.26 Whenever a special events parking permit sticker has been issued to allow parking in a specified restricted area or on a specified restricted street or portion of that street, to be valid the permit shall be affixed by its own adhesive to the lower left (driver's) side of the windshield so that it is clearly visible through the windshield of the vehicle. Expired permits shall not be left visible on a vehicle.

"2407.27 Whenever a special events parking permit placard has been issued to allow parking in a specified restricted area or on a specified restricted street or portion thereof, the placard must be displayed on the left side of the dashboard of the vehicle so that it is clearly visible from the outside of the vehicle."

(4) Section 2408 is amended as follows:

(A) Subsection 2408.1 is amended to read as follows:

"2408.1 Whenever any District Agency authorized to prohibit or reserve parking on a temporary or emergency basis does so, a record shall be made by entering the information required in § 2407.21 into a record-keeping system that shall be created and maintained by the Department."

(B) Subsection 2408.2 is repealed.

(b) Chapter 27 is amended as follows:

(1) Sections 2704.3 and 2704.4 are amended to read as follows:

"2704.3 Except as provided in §2704.4, a vehicle displaying a special license tag or special parking permit for the physically disabled, whether issued by the District or any other jurisdiction, shall be subject to any time limitation or meter payment requirement established for any space in which the vehicle is parked, as indicated on the sign or meter denoting the space.

"2704.4 Until such time as the study described in §2406.9(f) is completed and the Director of the District Department of Transportation has established reserved parking spaces in accordance with the conclusions reached by the Director in the study, individuals issued special license tags for persons with a physical disability, regardless of which state, territory, or possession of the United States issued the license tags and individuals issued special parking permits persons with a physical disability by the District may park a motor vehicle without cost for double the posted time period in parking zones that are restricted as to the length of time parking is permitted, provided that:

"(a) The vehicle may not park in those zones or during times in which the stopping, parking, or standing of all vehicles is prohibited or which are reserved for special types of vehicles; and

"(b) The person with the disability is present in the motor vehicle displaying special license tags, either when that motor vehicle is driven into or when it is driven out of the parking space."

(2) Subsection 2704.5 is repealed.

(3) Subsection 2717.1 is amended to read as follows:

“2717.1 Any driver holding a valid special parking permit for a person with a physical disability or any driver issued a special license tag for a person with a physical disability, issued by any state, territory, or possession of the United States shall be granted the special parking privilege established by sections §2406.9 or 2704.4; provided, that the respective jurisdiction extends special parking privileges to residents of the District of Columbia who have been issued special parking permits or special licenses tags under this chapter.”.

**Sec. 6. 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. 7. 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