

ENROLLED ORIGINAL

AN ACT
D.C. ACT 16-234

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DECEMBER 22, 2005

To approve, on an emergency basis, the award of Contract No. DCLB-RFP-04-02 for the provision of advertising campaigns and promotional products and services for the D.C. Lottery and to authorize payment for the goods and services received under the contracts.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Contract No. DCLB-RFP-04-02 Approval and Payment Authorization Emergency Act of 2005".

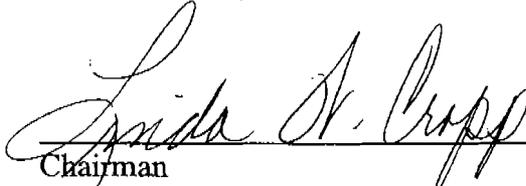
Sec. 2. Notwithstanding the requirements of section 105a of the District of Columbia Procurement Practices Act of 1985, effective March 8, 1991 (D.C. Law 8-257; D.C. Official Code § 2-301.05a), Contract No. DCLB-RFP-04-02 with MDB Communications, for advertising campaigns and promotional goods and services for the D.C. Lottery, are approved and payment is authorized for services received under the contracts.

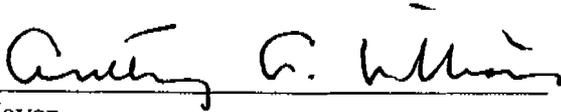
Sec. 3. The Council of the District of Columbia adopts the fiscal impact statement provided by the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24 1973 (87 Stat.813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. 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), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia

ENROLLED ORIGINAL

in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).


Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED
December 22, 2005

ENROLLED ORIGINAL

AN ACT
D.C. ACT 16-235

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
DECEMBER 22, 2005

To approve, on an emergency basis, the award of Contract No. DCLB-RFP-04-03 for the provision of advertising campaigns and promotional products and services for the DC Lottery and to authorize payment for the goods and services received under the contracts.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Contract No. DCLB-RFP-04-03 Approval and Payment Authorization Emergency Act of 2005".

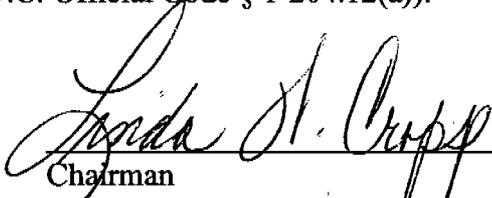
Sec. 2. Notwithstanding the requirements of section 105a of the District of Columbia Procurement Practices Act of 1985, effective March 8, 1991 (D.C. Law 8-257; D.C. Official Code § 2-301.05a), Contract No. DCLB-RFP-04-03 with TK World Group, Inc., d/b/a The Ad Store, for advertising campaigns and promotional goods and services for the D.C. Lottery, are approved and payment is authorized for services received under the contracts.

Sec. 3. The Council of the District of Columbia adopts the fiscal impact statement provided by the Chief Financial Officer 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)).

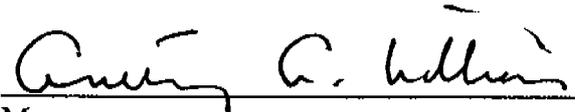
Sec. 4. This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia

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in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
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D.C. ACT 16-236

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DECEMBER 22, 2005

*Codification
District of
Columbia
Official Code*

2001 Edition

2006 Winter
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To prohibit, on an emergency basis, large shipments of certain extremely hazardous materials through or near the United States Capitol in order to reduce the risk of attacks by terrorists, to allow for the issuance of permits authorizing such shipment in special cases, and to require the Mayor to issue regulations to implement the provisions of this act.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Second Terrorism Prevention in Hazardous Materials Transportation Emergency Act of 2005".

Sec. 2. Findings.

The Council of the District of Columbia finds that:

Note,
§ 8-1401

(1) A terrorist attack on a large-quantity hazardous material shipment near the United States Capitol ("Capitol") would be expected to cause tens of thousands of deaths and a catastrophic economic impact of \$5 billion or more.

(2) The threat of terrorism facing District of Columbia residents and workers in the vicinity of the Capitol requires an urgent response that recognizes and addresses the unique status of this area in American politics and history, and the risk of terrorism that results from this status.

(3) While the federal government has occupied the field of en route security and routing in the aviation context, it has not addressed the subject of rail car routing for security purposes. Moreover, the federal government has not acted to address the terrorist threat resulting from the transportation of ultra-hazardous materials within 2 miles of the Capitol, the White House, and the United States Supreme Court, unique terrorist targets.

(4) Shippers of ultra-hazardous materials do not need to route large quantities of ultra-hazardous chemicals near the Capitol in order to ship these chemicals to their destinations, and alternative routes would substantially decrease the aggregate risk posed by terrorist attacks.

(5) Requiring permits for ultra-hazardous shipments from a Capitol Exclusion Zone that encompasses all points within 2.2 miles of the Capitol would impose no significant

burden on interstate commerce.

Sec. 3. Definitions.

For the purposes of this act, the term:

(1) "Capitol Exclusion Zone" means all points within 2.2 miles of the United States Capitol building; provided, that the Capitol Exclusion Zone shall not extend beyond the geographic boundaries of the District of Columbia.

(2) "Emergency" means an unanticipated, temporary situation that threatens the immediate safety of individuals or property, as determined by the District of Columbia Department of Transportation.

(3) "Person" means an individual or a commercial entity.

(4) "Practical alternative route" means a route:

(A) Which lies entirely outside the Capitol Exclusion Zone; and

(B) Whose use would not make shipment of the materials in question

cost-prohibitive.

Sec. 4. Prohibition on shipments of hazardous materials.

Except in cases of emergency, it shall be illegal in the Capitol Exclusion Zone, without a permit, to:

(1) Transport any of the following:

(A) Explosives of Class 1, Division 1.1, or Class 1, Division 1.2, as designated in 49 C.F.R. § 173.2, in a quantity greater than 500 kilograms;

(B) Flammable gasses of Class 2, Division 2.1, as designated in 49 C.F.R. § 173.2, in a quantity greater than 10,000 liters;

(C) Poisonous gasses of Class 2, Division 2.3, as designated in 49 C.F.R. § 173.2, in a quantity greater than 500 liters, and belonging to Hazard Zones A or B, as defined in 49 C.F.R. § 173.116; and

(D) Poisonous materials, other than gasses, of Class 6, Division 6.1, in a quantity greater than 1,000 kilograms, and belonging to Hazard Zones A or B, as defined in 49 C.F.R. § 173.133; or

(2) Operate a vehicle or move a rail car which:

(A) Is capable of containing explosives of Class 1, Division 1.1, or Class 1, Division 1.2, as designated in 49 C.F.R. § 173.2, in a quantity greater than 500 kilograms, and has exterior placarding or other markings indicating that it contains such materials;

(B) Is capable of containing flammable gasses of Class 2, Division 2.1, as designated in 49 C.F.R. § 173.2, in a quantity greater than 10,000 liters, and has exterior placarding or other markings indicating that it contains such materials;

(C) Is capable of containing poisonous gasses of Class 2, Division 2.3, as designated in 49 C.F.R. § 173.2, in a quantity greater than 500 liters, and belonging to Hazard Zones A or B, as defined in 49 C.F.R. § 173.116, and has exterior placarding or other markings

indicating that it contains such materials; or

(D) Is capable of containing poisonous materials, other than gasses, of Class 6, Division 6.1, in a quantity greater than 1,000 kilograms, and belonging to Hazard Zones A or B, as defined in 49 C.F.R. § 173.133, and has exterior placarding or other markings indicating that it contains such materials.

Sec. 5. Permits.

(a) The District of Columbia Department of Transportation may issue permits authorizing the transportation of materials listed in section 4 upon a demonstration that there is no practical alternative route. A permit may require adoption of safety measures, including time-of-day restrictions.

(b) The District of Columbia Department of Transportation may collect fees for the permits in accordance with the rules issued under section 7.

(c) Permit fees collected pursuant to this section shall not exceed the cost of implementing and enforcing this act.

Sec. 6. Penalties.

(a) Any person who violates section 4 or rules issued under section 7 shall be subject to a civil penalty not to exceed:

- (1) \$10,000 for a first offense; or
- (2) \$25,000 for any subsequent offense.

(b) The fines assessed and collected under subsection (a) of this section shall be deposited into the General Fund of the District of Columbia.

Sec. 7. Rules.

The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), and in consultation with the District of Columbia Department of Transportation, the Emergency Management Agency, the Fire and Emergency Medical Services Department, and the Metropolitan Police Department, shall issue rules to implement the provisions of this act, including a schedule of permit fees to support analysis, communications to shippers and carriers, and the enforcement program.

Sec. 8. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director to the Council of the District of Columbia 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)).

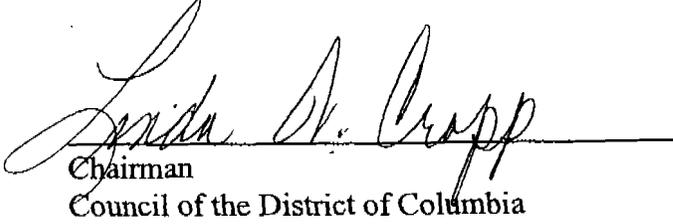
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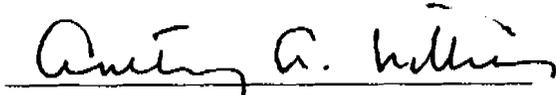
DISTRICT OF COLUMBIA REGISTER

ENROLLED ORIGINAL

Sec. 9. 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), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).


Chairman
Council of the District of Columbia


Mayor
District of Columbia
APPROVED
December 22, 2005

ENROLLED ORIGINAL

AN ACT
D.C. ACT 16-237

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DECEMBER 22, 2005

*Codification
District of
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Official Code*

2001 Edition

2006 Winter
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To amend, on an emergency basis, the Compulsory/No Fault Motor Vehicle Insurance Act of 1982, An Act To provide for the regulation of finance charges for the retail installment sales of motor vehicles in the District of Columbia and for other purposes, An Act To provide for the annual inspection of all motor vehicles in the District of Columbia, An Act To provide for the recording and releasing of liens by entries on certificates of title for motor vehicles and trailers and for other purposes, the Motor Vehicle Safety Responsibility Act of the District of Columbia, the District of Columbia Revenue Act of 1937, the Rental Vehicle Tax Reform Act of 1978, the District of Columbia Implied Consent Act, the District of Columbia Traffic Adjudication Act of 1925, the District of Columbia Traffic Adjudication Act of 1978, the District of Columbia Motor Vehicle Parking Facility Act of 1942, and Title 18 of the District of Columbia Municipal Regulations, to define "electric personal assistive mobility device," to exempt electric personal assistive mobility devices from the definitions of "motor vehicle," to authorize the Mayor to promulgate regulations to exempt electric personal assistive mobility devices from the requirements pertaining to motor vehicles.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Motor Vehicle Definition Electric Personal Assistive Mobility Device Exemption Emergency Amendment Act of 2005".

Sec. 2. Section 3(17) of the Compulsory/No Fault Motor Vehicle Insurance Act of 1982, effective September 18, 1982 (D.C. Law 4-155; D.C. Official Code § 31-2402(17)), is amended to read as follows:

"(17) The term "motor vehicle" means any device propelled by an internal-combustion engine, electricity, or steam, including any non-operational vehicle that is being restored or repaired. The term "motor vehicle" does not include traction engines used exclusively for drawing vehicles in fields, road rollers, vehicles propelled only upon rails and tracks, electric personal assistive mobility devices, as defined by section 2(1) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-

Note,
§ 31-2402

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2201.02(12)), and battery-operated wheelchairs when operated by a handicapped person at speeds not exceeding 10 miles per hour."

Sec. 3. Section 1(6) of An Act To provide for the regulation of finance charges for retail installment sales of motor vehicles in the District of Columbia, and for other purposes, approved April 22, 1960 (74 Stat. 69; D.C. Official Code § 50-601(6)), is amended to read as follows:

Note,
§ 50-601

"(6) "Motor vehicle" means any automobile, mobile home, motorcycle, truck, truck tractor, trailer, semi-trailer, or bus. The term "motor vehicle" shall not include any boat trailer, any vehicle propelled or drawn exclusively by muscular power, any vehicle designed to run only on rails or tracks, electric personal assistive mobility devices, as defined by section 2(1) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(12)), and battery-operated wheelchairs when operated by a handicapped person at speeds not exceeding 10 miles per hour."

Sec. 4. Section 8 of an Act to provide for the annual inspection of all motor vehicles in the District of Columbia, approved February 18, 1938 (52 Stat. 78; D.C. Official Code § 50-1108), is amended to read as follows:

Note,
§ 50-1108

"Sec. 8. As used in this act the term "motor vehicle" means all vehicles propelled by internal-combustion engines, electricity, or steam. The term 'motor vehicle' shall not include traction engines, road rollers, vehicles propelled only upon rails or tracks, electric personal assistive mobility devices, as defined by section 2(1) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(12)), and battery-operated wheelchairs when operated by a handicapped person at speeds not exceeding 10 miles per hour."

Sec. 5. Section 1 of An Act To provide for the recording and releasing of liens by entries on certificates of title for motor vehicles and trailers, and for other purposes, approved July 2, 1940 (54 Stat. 736; D.C. Official Code § 50-1201), is amended as follows:

Note,
§ 50-1201

(a) The undesignated subsections are designated as subsections (a) through (i).

(b) The newly designated subsection (i) is amended to read as follows:

"(i) "Motor vehicle" shall mean all vehicles propelled by internal-combustion engines, electricity, or steam. The term "motor vehicle" shall not include traction engines, road rollers, vehicles propelled only upon rails or tracks, electric personal assistive mobility devices, as defined by section 2(1) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(12)), and battery-operated wheelchairs when operated by a handicapped person at speeds not exceeding 10 miles per hour."

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Sec. 6. Section 2(4) of the Motor Vehicle Safety Responsibility Act of the District of Columbia, approved May 25, 1954 (68 Stat. 120; D.C. Official Code § 50-1301.02(4)), is amended to read as follows:

Note,
§ 50-1301.02

"(4) "Motor vehicle" means every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails. The term 'motor vehicle' shall not include electric personal assistive mobility devices, as defined by section 2(1) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201(1)), and battery-operated wheelchairs when operated by a handicapped person at speeds not exceeding 10 miles per hour."

Sec. 7. Section 1(a) of Title IV of the District of Columbia Revenue Act of 1937, approved August 17, 1937 (50 Stat. 679; D.C. Official Code § 50-1501.01(1)), is amended to read as follows:

Note,
§ 50-1501.01

"(a) The term "motor vehicle" means any vehicle propelled by internal-combustion engine, electricity, or steam, including any non-operational vehicle that is being restored or repaired. The term "motor vehicle" shall not include road rollers, farm tractors, vehicles propelled only upon stationary rails or tracks, electric personal assistive mobility devices, as defined by section 2(1) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(12)), and battery-operated wheelchairs when operated by a handicapped person at speeds not exceeding 10 miles per hour."

Sec. 8. Section 2(b) of the Rental Vehicle Tax Reform Act of 1978, effective March 6, 1979 (D.C. Law 2-157; D.C. Official Code § 50-1505.01(2)), is amended to read as follows:

Note,
§ 50-1505.01

"(b) The term "motor vehicle" means any device propelled by an internal-combustion engine, and designed to carry passengers. The term "motor vehicle" shall not include road rollers, farm tractors, trucks, motorcycles, motorized bicycles, vehicles with a seating capacity of ten or more persons, vehicles propelled only upon rails and tracks, electric personal assistive mobility devices, as defined by section 2(1) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(12)), and battery-operated wheelchairs when operated by a handicapped person at speeds not exceeding 10 miles per hour."

Sec. 9. Section 1(8) of the District of Columbia Implied Consent Act, approved October 21, 1972 (86 Stat. 1016; D.C. Official Code § 50-1901(8)), is amended to read as follows:

Note,
§ 50-1901

"(8) The term "motor vehicle" means all vehicles propelled by internal combustion engines, electricity, or steam. The term "motor vehicle" shall not include electric personal assistive mobility devices, as defined by section 2(1) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-

2201.02(12)), and battery-operated wheelchairs when operated by a handicapped person at speeds not exceeding 10 miles per hour."

Sec. 10. The District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.01 *passim*), is amended as follows:

Note,
§ 50-2201.02

(a) Section 2 (D.C. Official Code § 50-2201.02) is amended as follows:

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

"(a) The term "motor vehicle" means all vehicles propelled by internal-combustion engines, electricity, or steam. The term "motor vehicle" shall not include traction engines, road rollers, vehicles propelled only upon rails or tracks, electric personal assistive mobility devices, as defined by subsection (m) of this section, and battery-operated wheelchairs when operated by a handicapped person at speeds not exceeding 10 miles per hour."

(2) A new subsection (m) is added to read as follows:

"(m) The term "Electric Personal Assistive Mobility Device" or "EPAMD" means a device, designed to transport only one person, with an electric propulsion system that limits the maximum speed of the device to 10 miles per hour or less."

(b) A new section 6a is added to read as follows:

"Sec. 6a. Regulations for electric personal assistive mobility devices.

"(a) The Mayor shall promulgate regulations to exempt electric personal assistive mobility devices from the regulations governing motor vehicles.

"(b) Regulations promulgated pursuant to this section shall be submitted to the Council for a 45-day period of review, excluding Saturdays, Sundays, holidays, and days of Council recess. If the proposed rules are not approved within the 45-day period of review, the rules shall be deemed disapproved."

(c) A new section 9a is added to read as follows:

"Sec. 9a. Age requirement for operation of an electric personal assistive mobility device.

"No person under 16 years of age may operate an electric personal assistive mobility device in the District of Columbia."

(d) Section 7(f) (D.C. Official Code § 50-1401.01(f)) is amended to read as follows:

"(f) For purposes of this section and sections 8 and 13 the term "motor vehicle" means all vehicles propelled by internal-combustion engines, electricity, or steam. The term "motor vehicle" shall not include traction engines, road rollers, vehicles propelled only upon rails or tracks, electric personal assistive mobility devices, as defined by section 2(1), and battery-operated wheelchairs when operated by a handicapped person at speeds not exceeding 10 miles per hour."

Note,
§ 50-1401.01

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Sec. 11. Section 102(e-1) of the District of Columbia Traffic Adjudication Act of 1978, effective September 12, 1978 (D.C. Law 2-104; D.C. Official Code § 50-2301.02(5A)), is amended to read as follows:

Note,
§ 50-2301.02

"(e-1) The term "motor vehicle" means all vehicles propelled by an internal-combustion engine, electricity, or steam. The term "motor vehicle" shall not include traction engines, road rollers, vehicles propelled only upon stationary rails or tracks, electric personal assistive mobility devices, as defined by section 2(1) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(12)), and battery-operated wheelchairs when operated by a handicapped person at speeds not exceeding 10 miles per hour."

Sec. 12. Section 2 of the District of Columbia Motor Vehicle Parking Facility Act of 1942, approved February 16, 1942 (56 Stat. 91; D.C. Official Code § 50-2602), is amended to read as follows:

Note,
§ 50-2602

(a) The undesignated paragraphs are designated as paragraphs (1) through (5).

(b) The newly designated paragraph (5) is amended to read as follows:

"(5) The term "motor vehicle" means any device propelled by an internal-combustion engine, electricity, or steam. The term "motor vehicle" shall not include traction engines, road rollers, vehicles propelled only upon rails or tracks, electric personal assistive mobility devices, as defined by section 2(1) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(12)), and battery-operated wheelchairs when operated by a handicapped person at speeds not exceeding 10 miles per hour."

Sec. 13. Title 18 of the District of Columbia Municipal Regulations (Vehicles and Traffic) is amended as follows:

DCMR

(a) Chapter 12 is amended as follows:

(1) Subsection 1200.4 is amended to read as follows:

"1200.4 No operator's permit shall be required for the operation of a bicycle or an electric personal assistive mobility device."

(2) Subsection 1200.6 is amended to read as follows:

"1200.6 No points shall accrue toward the loss or suspension of a motor vehicle operator's permit by reason of a violation committed while operating a bicycle, sidewalk bicycle, or an electric personal assistive mobility device."

(3) Subsection 1200.8 is amended to read as follows:

"1200.8 No person, except for impoundment by the Mayor, shall tamper with any bicycle or electric personal assistive mobility device which has been locked, placed in a rack, or otherwise secured. Any person found tampering with any bicycle or electric personal assistive mobility device may be required to pay a fine of \$100."

(4) Subsections 1201.2, 1201.9, 1201.10, 1201.11, and 1201.12 are amended to read as follows:

"1201.2 A person shall operate a bicycle, sidewalk bicycle or electric personal assistive mobility device in a safe and non-hazardous manner so as not to endanger himself or herself or any other person."

"1201.9 There shall be no prohibition against any person riding a bicycle or electric personal assistive mobility device upon a sidewalk within the District, so long as the rider does not create a hazard; provided, that no person shall ride a bicycle or operate an electric personal assistance mobility device upon a sidewalk within the Central Business District except on those sidewalks expressly designated by Order of the Mayor, nor shall any person ride a bicycle upon a sidewalk in any area outside of the Central Business District if it is expressly prohibited by Order of the Mayor and appropriate signs to such effect are posted.

"1201.10 Any person riding a bicycle or electric personal assistive mobility device upon a sidewalk shall yield the right-of-way to pedestrians, and shall travel at a speed no greater than the posted speed limit of the adjacent roadway; provided, that such speed is safe for the conditions then existing on the sidewalk.

"1201.11 A person propelling a bicycle or operating an electric personal assistive mobility device upon and along a sidewalk or while crossing a roadway in a crosswalk shall have all the rights and duties applicable to a pedestrian under the same circumstances, except that the bicyclist or electric personal assistive mobility device operator must yield to pedestrians on the sidewalk or crosswalk.

"1201.12 The operator of a bicycle or electric personal assistive mobility device emerging from, or entering an alley, driveway, or building, shall upon approaching a sidewalk, or the sidewalk area extending across any alleyway, yield the right-of-way to all pedestrians approaching on said sidewalk, and upon entering the roadway shall yield the right-of-way to all vehicles approaching on said roadway, to the extent necessary to safely enter the flow of traffic."

(b) Subsection 2217.5 of Chapter 22 is amended to read as follows:

"2217.5 No vehicle except buses proceeding on a designated bus route, bicycles, electric personal assistive mobility devices, and authorized emergency vehicles shall travel on those streets or portions of streets designated as bus streets or bus lanes except as provided in §§ 2217.6, 2217.7, 4005 and 4006."

(c) Chapter 40 is amended as follows:

(1) Subsection 4005.1 is amended to read as follows:

"4005.1 The traffic lane closest to the right hand curb on the streets listed in this subsection shall be designated a Restricted Lane and reserved for the use of buses, carpools, taxicabs, bicycles, motorized bikes, motorcycles, electric personal assistive mobility devices, or other designated vehicles during the hours and on the days indicated."

(2) Subsection 4006.1 is amended to read as follow:

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"4006.1 No vehicles shall travel on bus streets except buses proceeding on designated bus routes, bicycles, electric personal assistive mobility devices, or authorized emergency vehicles, except as otherwise provided in this section."

(d) Chapter 99 is amended by adding the following new definition to section 9901:

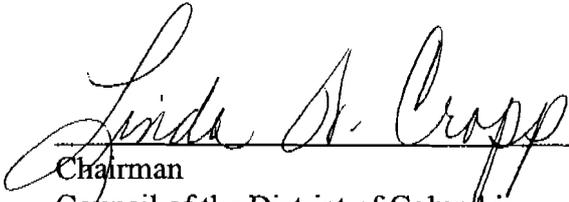
"Electric Personal Assistive Mobility Device" or "EPAMD" means a device, designed to transport only one person, with an electric propulsion system that limits the maximum speed of the device to 10 miles per hour or less."

Sec. 14. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director to the Council of the District of Columbia 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. 15. 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), and shall remain in effect no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).


Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
December 22, 2005

JAN 13 2006

DISTRICT OF COLUMBIA REGISTER

ENROLLED ORIGINAL

AN ACT

D.C. ACT 16-238

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DECEMBER 22, 2005

To approve, on an emergency basis, the award of a contract by the District of Columbia Sports and Entertainment Commission for post-event cleaning services for Robert F. Kennedy Memorial Stadium and to authorize payment for services under that contract.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Knight Facilities Management Contract Approval and Payment Authorization Emergency Act of 2005".

Sec. 2. Notwithstanding the requirements of section 105a of the District of Columbia Procurement Practices Act of 1985, effective March 8, 1991 (D.C. Law 8-257; D.C. Official Code § 2-301.05a), the contract with Knight Facilities Management for post-event cleaning services at Robert F. Kennedy Memorial Stadium is approved and payment in the amount of \$1.8 million is authorized for services received and to be received under that contract.

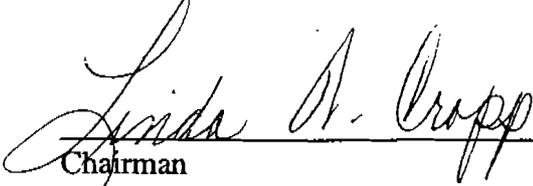
Sec. 3. Fiscal impact statement.

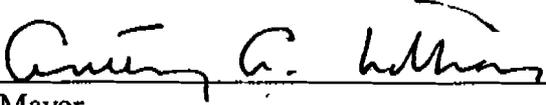
The Council adopts the attached fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. 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), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).


Chairman
Council of the District of Columbia


Mayor
District of Columbia
APPROVED
December 22, 2005

AN ACT

D.C. ACT 16-239

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DECEMBER 22, 2005

*Codification
District of
Columbia
Official Code*

2001 Edition

2006 Spring
Supp.

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Publisher

To amend, on an emergency basis, the District of Columbia Traffic Act, 1925 to accommodate a new federal tax exemption associated with the purchase of low-emissions motor vehicles.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this Act may be cited as the "Low-Emissions Motor Vehicle Tax Exemption Emergency Amendment Act of 2005".

Sec. 2. Section 6(j)(3)(J) of the District of Columbia Traffic Act, 1925, effective March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.03(j)(3)(J)), is amended to read as follows:

Note,
§ 50-2201.03

“(J) The following low-emissions motor vehicles:

“(i) A new clean fuel or electric vehicle titled in the District of Columbia before January 1, 2006, determined by the United States Internal Revenue Service to be eligible for a federal tax deduction or credit pursuant to 26 U.S.C. §§ 30 and 179A; and

(ii) A new fuel cell, lean burn technology, hybrid, or alternative fuel motor vehicle titled in the District of Columbia on or after January 1, 2006; provided, that the owner presents proof, to the satisfaction of the Mayor, that the purchase of the vehicle entitles that owner to a federal tax credit pursuant to the Energy Policy Act of 2005, approved August 8, 2005 (Pub. L. No. 109-58; 119 Stat. 594).”

Sec. 3. Section 3(b)(1) of the District of Columbia Revenue Act of 1937, approved August 17, 1937 (50 Stat. 680; D.C. Official Code § 50-1501.03(b)(1)), is amended by striking the phrase "Class IV (A clean fuel or electric vehicle determined by the United States Internal Revenue Service to be eligible for a federal tax deduction or credit pursuant to 26 U.S.C. §§ 30 and 179A for the tax year during which it is being registered)" and inserting the phrase "Class IV (A new clean fuel or electric vehicle titled before January 1, 2006, determined by the United States Internal Revenue Service to be eligible for a federal tax deduction or credit pursuant to 26 U.S.C. §§ 30 and 179A; and a new fuel cell, lean burn technology, hybrid, or alternative fuel motor vehicle titled on or after January 1, 2006; provided, that the owner presents proof, to the

Note,
§ 50-1501.03

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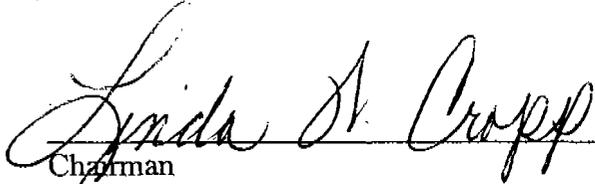
satisfaction of the Mayor, that the purchase of the vehicle entitles the owner to a federal tax credit pursuant to the Energy Policy Act of 2005. This provision shall only apply to the first 2 years of the vehicle's registration, after which the vehicle shall be treated as a Class I, Class II, or Class III, whichever is applicable.)" in its place.

Sec. 4. Fiscal impact statement.

The Council adopts the attached fiscal impact statement 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. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of a veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
December 22, 2005

AN ACT
D.C. ACT 16-240

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
DECEMBER 22, 2005

*Codification
 District of
 Columbia
 Official Code*

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 Supp.

West Group
 Publisher

To amend, on an emergency basis, Title 47 of the District of Columbia Official Code to decouple District of Columbia law from the depreciation and expense election provisions added to the Internal Revenue Code of 1986 by the Jobs and Growth Tax Relief Reconciliation Act of 2003.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Depreciation Allowance for Small Business De-Coupling from the Internal Revenue Code Emergency Act of 2005".

Sec. 2. Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-1803.03 is amended as follows:

(1) Subsection (a)(7) is amended as follows:

(A) Strike the phrase "September 11, 2004" and insert the phrase "January 1, 2006" in its place.

(B) Insert the following sentences at the end of the paragraph: "No deduction shall be allowed for the increased expensing for small businesses and subject to the special rules pursuant to section 179 of the Internal Revenue Code of 1986. No expensing of computer software shall be allowed. No increase shall be allowed in Qualifying Investment at which phaseout begins."

(2) Subsection (b)(6) is amended as follows:

(A) Strike the phrase "September 11, 2004" and insert the phrase "January 1, 2006" in its place.

(B) Insert the following sentences at the end of the paragraph: "No deduction shall be allowed for the increased expensing for small businesses and subject to the special rules pursuant to section 179 of the Internal Revenue Code of 1986. No expensing of computer software shall be allowed. No increase shall be allowed in Qualifying Investment at which phaseout begins."

(b) Section 47-1811.04 is amended to read as follows:

Note,
 § 47-1803.03

Note,
 § 47-1811.04

ENROLLED ORIGINAL

"The basis used in determining the amount allowable as a deduction from gross income under the provisions of § 47-1803.03(a)(7) shall be the same basis as that provided for determining the gain from the sale or other disposition of property for federal income tax purposes under the Internal Revenue Code of 1986; provided, that no adjustment shall be made for the amount of the special depreciation allowance for property acquired after September 10, 2001 and before January 1, 2006 and subject to special rules pursuant to section 168(k) of the Internal Revenue Code of 1986. No deduction shall be allowed for the increased expensing for small businesses and subject to the special rules pursuant to section 179 of the Internal Revenue Code of 1986. No expensing of computer software shall be allowed. No increase shall be allowed in Qualifying investments at which phaseout begins."

Sec. 3. Applicability.

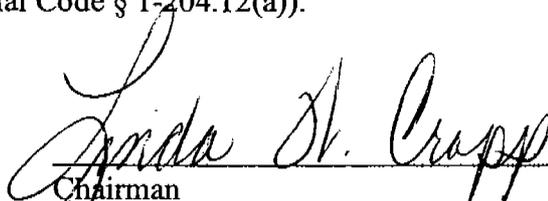
Section 2 shall apply as of November 19, 2005.

Sec. 4. Fiscal impact statement.

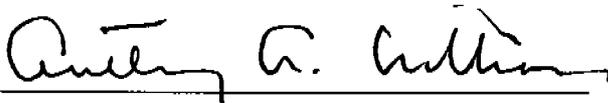
The Council adopts the fiscal impact statement of the Council Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved.

Sec. 5. 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), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor

District of Columbia
APPROVED

December 22, 2005
Codification District of Columbia Official Code, 2001 Edition

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AN ACT

D.C. ACT 16-241

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DECEMBER 22, 2005

*Codification
District of
Columbia
Official Code*

2001 Edition

2006 Spring
Supp.West Group
Publisher

To waive, on an emergency basis, unpaid estimated tax interest and penalties for payments due before January 1, 2006, and to refund any interest and penalties paid by taxpayers beginning January 1, 2005 and ending December 31, 2005.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Self-Assessing Taxpayer Fairness in Notice Emergency Act of 2005".

Sec. 2. Estimated tax penalty waiver and refund.

(a) All unpaid estimated tax interest and penalties, assessed under D.C. Official Code § 47-4214 and § 47-4215, for payment periods due before January 1, 2006 are hereby waived.

(b) All estimated tax interest and penalties, assessed under D.C. Official Code § 47-4214 and § 47-4215, that have been paid for payments due between January 1, 2005 and December 31, 2005 shall be refunded.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Council Budget Director 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. 4. Effective date.

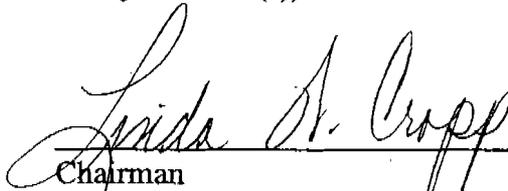
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

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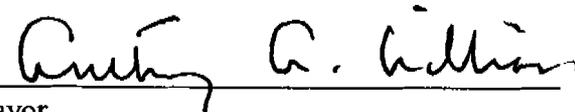
DISTRICT OF COLUMBIA REGISTER

ENROLLED ORIGINAL

412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
December 22, 2005

AN ACT

D.C. ACT 16-242

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DECEMBER 22, 2005

*Codification
District of
Columbia
Official Code*

2001 Edition

2006 Spring
Supp.West Group
Publisher

To amend, on a emergency basis, the Washington Convention Center Authority Act of 1994 to extend the terms of the appointees of the Washington Convention Center Authority Advisory Committee until December 31, 2006.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Washington Convention Center Authority Advisory Committee Continuity Second Emergency Amendment Act of 2005".

Sec. 2. Section 218(g) of the Washington Convention Center Authority Act of 1994, effective September 28, 1994 (D.C. Law 10-188; D.C. Official Code § 10-1202.18(g)), is amended to read as follows:

Note,
§ 10-1202.18

"(g) The Committee shall continue to advise the Authority until December 31, 2006, at which time it shall be dissolved."

Sec. 3. Fiscal impact statement.

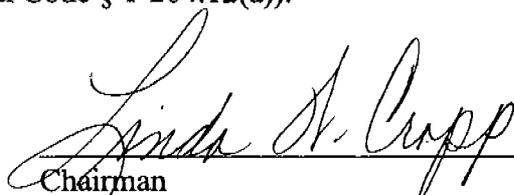
The Council adopts the fiscal impact statement of the Council Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

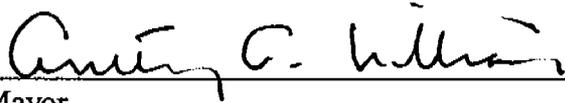
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

ENROLLED ORIGINAL

412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
December 22, 2005

AN ACT
D.C. ACT 16-243

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DECEMBER 22, 2005

*Codification
District of
Columbia
Official Code*

2001 Edition

2006 Spring
Supp.

West Group
Publisher

To amend Chapter 10 of Title 47 of the District of Columbia Official Code to exempt from taxation, on a emergency basis, real property owned by the New Columbia Community Land Trust, located at 22nd and Channing Streets, N.E. that is used as a public green space and to provide equitable real property tax relief.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "New Columbia Community Land Trust 22nd and Channing Streets, N.E. Tax Exemption Emergency Act of 2005".

Sec. 2. Chapter 10 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding the section designation "47-1072. New Columbia Community Land Trust; lots 803, 804, 805, 806, 807, 808 in Square 4110."

(b) A new section 47-1072 is added to read as follows:

"§ 47-1072. New Columbia Community Land Trust; lots 803, 804, 805, 806, 807, and 808 in square 4110.

"(a) The real property located at lots 803, 804, 805, 806, 807, and 808 in square 4110 shall be exempt from taxation so long as the property is owned by the New Columbia Community Land Trust and the property is used as a public green space.

"(b) The Council orders that all unpaid real property taxes, interest, penalties, fees, and other related charges assessed against real property located at lots 803, 804, 805, 806, 807, and 808 in square 4110, shall be forgiven; provided, that if the property is used or sold for any purpose other than the provision of affordable housing, the sum of all such unpaid real property tax and penalties and all real property taxes accruing thereafter, plus 5% interest, shall be paid to the District of Columbia out of the proceeds from the sale."

Note,
§ 47-1071

Sec. 3. The Office of the Chief Financial Officer shall include the fiscal effect of this act in its December 2005 revenue estimates, subject to the priorities in section 1042 of the Fiscal

Year 2006 Budget Support Act of 2005, effective October 20, 2005 (D.C. Law 16-33; 52 DCR 7503).

Sec. 4. Applicability.

This act shall take effect subject to:

(1) The inclusion of its fiscal effect in the December 2005 revenue estimates of the Office of the Chief Financial Officer; and

(2) The payment by the New Columbia Community Land Trust of all legal and administrative costs of the purchaser at tax sale of the property located at lots 803, 804, 805, 806, 807, and 808 in Square 4110 from the tax sale of the property.

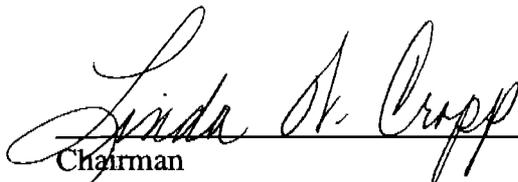
Note,
§ 47-1071

Sec. 5. Fiscal impact statement.

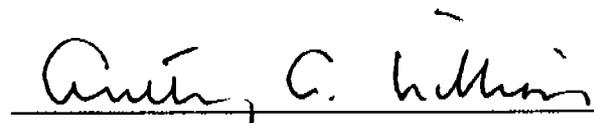
The Council adopts the fiscal impact statement of the Council Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 6. 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), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



 Chairman
 Council of the District of Columbia



 Mayor
 District of Columbia

APPROVED
 December 22, 2005

AN ACT
D.C. ACT 16-244

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
DECEMBER 22, 2005

Codification
 District of
 Columbia
 Official Code
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 Publisher

To amend, on an emergency basis, the Rental Housing Act of 1985 to ensure that no tenant is evicted under section 501(f) unless for the *bona fide* statutory purpose of making alterations or renovations to the rental unit which cannot safely be made while the rental unit is occupied, to ensure the "absolute right" of any tenant so evicted to rerent the rental unit, and, if the alterations or renovations are necessary to bring the rental unit into substantial compliance with the housing regulations, to ensure the right of any tenant so evicted to rerent the rental unit at the same rate.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may cited as the "Tenant Evictions Emergency Amendment Act of 2005".

Sec. 2. Section 501(f) of the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3505.01(f)), is amended as follows:

Note,
 § 42-3505.01

(a) Paragraph (1) is amended to read as follows:

"(1)(A) A housing provider may recover possession of a rental unit for the immediate purpose of making alterations or renovations to the rental unit which cannot safely or reasonably be accomplished while the rental unit is occupied, so long as:

"(i) The plans for the alterations or renovations have been previously filed with the Rent Administrator;

"(ii) The Rent Administrator has expressly determined that the proposed alterations and renovations cannot safely be made while the rental unit is occupied;

"(iii) The Rent Administrator has expressly determined whether the alterations and renovations are necessary to bring the rental unit into compliance with the housing code and that the tenant shall have the right to rerent the rental unit at the same rate; and

"(iv) The housing provider at the time the application is made to the Rent Administrator has given the tenant:

"(I) Notice of the application;

"(II) Notice of all tenant rights in the event that the application is approved, including a list of sources of technical assistance as published in the District of Columbia Register by the Mayor;

"(III) A summary of the plan for the alterations and renovations to be made; and

"(IV) Notice that the plan in its entirety is on file and available for review at the office of the Rent Administrator and at the rental office.

"(B) As part of the application under this subsection, the housing

provider shall submit to the Rent Administrator for review and approval, and to the Chief Tenant Advocate, the following plans and documents:

“(i) A copy of the notice that the housing provider has circulated informing the tenant of the application under this subsection;

“(ii) A draft of the notice to vacate to be issued to the tenant in the event that the application is approved by the Rent Administrator;

“(iii) A plan for the alterations and renovations, including:

“(I) A timetable for the relocation of the tenant from the rental unit, the completion of all necessary construction, and the relocation of the tenant back into the rental unit; and

“(II) The dates upon which the housing provider shall submit to the Rent Administrator periodic progress reports, which shall be due at least once every 60 days until the alterations and renovations are complete and each tenant is notified that he or she may move back into his or her rental unit.

“(iv) A relocation plan for each tenant that provides:

“(I) The amount of the relocation assistance payment for each unit;

“(II) The list of units within the housing provider's portfolio of rental accommodations made available to each dispossessed tenant;

“(III) A list of tenants with their relocation addresses and telephone numbers as available; and

“(IV) A plan to maintain such records as are necessary to track the location of any tenant displaced under this subsection and to keep the tenant apprised of the progress of the alterations and renovations.

“(C) The housing provider shall serve on the tenant a 120-day notice to vacate in advance of action to recover possession of the rental unit. The notice to vacate and all other notices and communications to the tenant from the housing provider and from the Rent Administrator shall be published in the languages described in section 4(a) of the Language Access Act of 2004, effective June 19, 2004 (D.C. Law 15-167; D.C. Official Code § 2-1933(a)). The notice to vacate shall:

“(i) Comply with and notify the tenant of each of the tenant's rights under this subsection, including the absolute right to rerent the rental unit, the right to rerent the rental unit at the same rate if the Rent Administrator has determined that the alterations or renovations are necessary to bring the rental unit into substantial compliance with the housing regulations, and the right to relocation assistance under the provisions of Title VII;

“(ii) Include a list of sources of technical assistance as published in the District of Columbia Register by the Mayor;

“(iii) Request that the tenant apprise the housing provider, the Rent Administrator, and the Chief Tenant Advocate of any change in address and telephone number until the tenant is notified that he or she may move back into his or her rental unit.”

(b) A new paragraph (5) is added to read as follows:

“(5) The Rent Administrator shall rescind the approval of any application under this subsection upon determining that the housing provider has not made good faith efforts to comply with this subsection. The Rent Administrator shall rescind the approval of any application under this subsection upon the housing provider's failure to obtain necessary building permits or failure to begin construction within 120 days after the rental unit or housing accommodation has been vacated, or within such lesser period of time the Rent Administrator

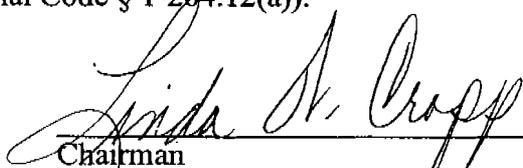
determines is reasonable.”.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director 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. 4. 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), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
December 22, 2005

AN ACT

D.C. ACT 16-245

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
DECEMBER 22, 2005

*Codification
District of
Columbia
Official Code*

2001 Edition

2006 Spring
Supp.

West Group
Publisher

To establish, on an emergency basis, the Contracting and Procurement Reform Task Force to improve the District's contracting and procurement laws and regulations, review the District's procurement and ethics provisions, review best practices nationally, and make findings and recommendations to the Mayor and Council.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Contracting and Procurement Reform Task Force Establishment Emergency Act of 2005".

Sec. 2. Establishment of the Contracting and Procurement Reform Task Force; duties.

(a) There is established the Contracting and Procurement Reform Task Force ("Task Force").

(b) The Task Force shall perform the following duties:

(1) Review the recommendations of all audit reports regarding contracting and procurement issued by the District of Columbia Office of the Inspector General ("OIG") and the District of Columbia Auditor within the past 5 years;

(2) Review and analyze the District's contracting and procurement laws and regulations;

(3) Review and analyze all reports required by law of the District of Columbia Office Contracting and Procurement ("OCP");

(4) Review recommendations of the Center for Innovation and Reform to improve contracting and procurement procedures in the District;

(5) Make a determination as to whether OCP and District agencies have followed the recommendations of the OIG, the Auditor, and the Committee on Government Operations to improve the contracting and procurement process in the District;

(6) Review the District's ethics and disciplinary provisions concerning contracting and procurement;

(7) Review the District's contracting and procurement laws relating to sole source awards, no-bid contracts, task orders, oral contract agreements, direct voucher authorizations and payments, and emergency awards; and

(8) Review contracting and procurement laws and regulations nationally and recommend improvements to the District's contracting and procurement procedures.

Sec. 3. Goals.

(a) The Task Force shall consider the following goals and policy objectives:

- (1) Assess and improve the District's contracting and procurement process;
- (2) Establish appropriate laws to decrease the over-utilization of sole-source contract awards;
- (3) Enhance the District's ethics and disciplinary provisions regarding contracting and procurement;
- (4) Make recommendations concerning the training or required re-training of current District contracting and procurement officials;
- (5) Assess the District's use of emergency contract awards;
- (6) Make recommendations to ensure that contracting and procurement processes result in timely competition;
- (7) Review and make recommendations regarding the District's use of task orders and its impact on fair and open competition;
- (8) Make recommendations concerning the District's contract ratification procedures and use of oral contracts; and
- (9) Reforming the District's contracting and procurement process pursuant to best practices nationally.

Sec. 4. Membership.

(a) The Task Force shall consist of 7 voting members and 2 nonvoting members.

(1) The voting members shall include 7 contract or procurement law experts. Each voting members shall have a minimum of 7 years of experience as a lawyer specializing in contract or procurement law.

(2) The nonvoting members shall include the Chief Procurement Officer of the District of Columbia ("CPO") and a designee of the CPO.

(b) Members shall serve without compensation. The members shall elect a Chairperson from among the voting members.

Sec. 5. Appointment.

(a) The Council shall appoint 5 voting members of the Task Force. The Committee on Government Operations shall submit the names of 5 nominees to the Council for approval by resolution. The Mayor shall appoint 2 voting members. Task Force members shall be appointed by February 1, 2006.

Sec. 6. Meetings.

The Task Force shall meet as necessary to conduct its official business. A majority of the voting members shall constitute a quorum. The Task Force may act by an affirmative vote of at least 5 of its voting members.

Sec. 7. Powers.

All offices, agencies and instrumentalities of the District government shall fully cooperate with the Task Force and provide requested information and documents.

Sec. 8. Report.

(a) No later than August 1, 2006, the Task Force shall issue a report to the Council and the Mayor to improve the contracting and procurement process in the District.

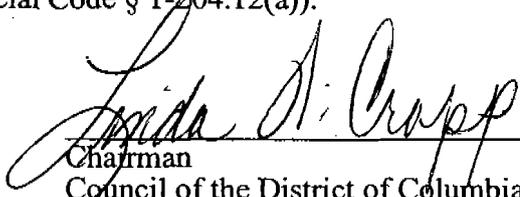
ENROLLED ORIGINAL

Sec. 10. Fiscal impact statement.

The Council adopts the attached fiscal impact statement 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. 11. 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), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
December 22, 2005

AN ACT

D.C. ACT 16-246

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DECEMBER 22, 2005

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To amend, on an emergency basis, the Office of Administrative Hearings Establishment Act of 2001 to delay the transfer to the Office of Administrative Hearings of the adjudicatory functions for all cases under the jurisdiction of the Rent Administrator in the Department of Consumer and Regulatory Affairs until October 1, 2006, and to change the term of reappointment of Administrative Law Judges hired after December 6, 2005.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Second Office of Administrative Hearings Rental Housing Emergency Amendment Act of 2005".

Sec. 2. The Office of Administrative Hearings Establishment Act of 2001, effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code § 2-1831.01 *et seq.*), is amended as follows:

(a) Section 6(b-1)(1) (D.C. Official Code § 2-1831.03(b-1)(1)) is amended to read as follows:

Note,
§ 2-1831.03

"(1) In addition to those agencies listed in subsections (a) and (b) of this section, as of October 1, 2006, this act shall apply to adjudicated cases under the jurisdiction of the Rent Administrator in the Department of Consumer and Regulatory Affairs."

(b) Section 7 (D.C. Official Code § 2-1831.04) is amended as follows:

Note,
§ 2-1831.04

(1) Subsection (d) is amended by striking the phrase "10-year term" and inserting the phrase "6-year term" in its place.

(2) Subsection (e) is amended by striking the phrase "10-year term" and inserting the phrase "6-year term" in its place.

(c) Section 11(c) (D.C. Official Code § 2-1831.08(c)) is amended as follows:

Note,
§ 2-1831.08

(1) Designated the existing text as paragraph (1).

(2) The newly designated paragraph (1) is amended to read as follows:

"(1) The initial term of office of an Administrative Law Judge appointed prior to December 6, 2005 shall be 2 years, at the end of which the Administrative Law Judge shall be eligible for reappointment by the Commission to a term of 10 years. After serving an initial

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reappointment term of 10 years, the Administrative Law Judge shall be eligible for reappointment by the Commission to a new term of 6 years.”.

(3) New paragraphs (2) and (3) are added to read as follows:

“(2) The initial term of office of an Administrative Law Judge hired after December 6, 2005, shall be 2 years, at the end of which the Administrative Law Judge shall be eligible for reappointment by the Commission to a term of 6 years.

“(3) At the expiration of any 6-year term of office, an Administrative Law Judge shall be eligible for reappointment by the Commission to a new term of 6 years.

“(4) Non-reappointment of an Administrative Law Judge shall not be deemed to be discipline or removal of the Administrative Law Judge.”.

(d) Section 13(a) (D.C. Official Code § 2-1831.10(a)) is amended by striking the phrase “any 2-year or 10-year term” and inserting the phrase “any 2-year, 6-year, or 10-year term” in its place.

Note,
§ 2-1831.10

(e) Section 19(b) (D.C. Official Code § 2-1831.16(b)) is amended by striking the second sentence and inserting the following in its place: “The Rental Housing Commission shall have jurisdiction to review orders of the Office in all adjudicated cases brought pursuant to the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3501.01 *et seq.*)”.

Note,
§ 2-1831.16

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director 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. 4. Effective date.

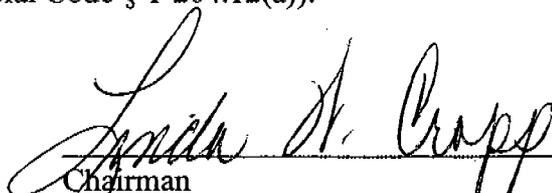
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

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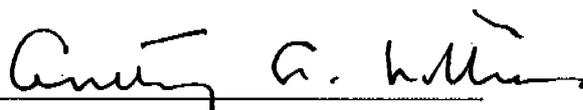
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412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
December 22, 2005

ENROLLED ORIGINAL

AN ACT
D.C. ACT 16-247

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
DECEMBER 22, 2005

*Codification
District of
Columbia
Official Code*

2001 Edition

2006 Spring
Supp.

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Publisher

To amend, on an emergency basis, Chapter 46 of Title 47 of the District of Columbia Official Code to provide for tax exemptions for the DC-USA development project.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "DC-USA Economic Development Emergency Act of 2005".

Sec. 2. Chapter 46 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding the section designation "47-4606. DC-USA development project-tax exemptions." at the end.

(b) A new section 47-4606 is added to read as follows:

"47-4606. DC-USA development project-tax exemptions.

"(a) For the purposes of this section, the term:

"(1) "DC-USA Project" means the acquisition, development, construction, installation, and equipping of the multi-use retail and parking garage project to be located in square 2674, lots 719, 720, 812, 832, 863, 866, 869, 870, 871, and 872 and the portions of the public alley system in square 2674 that reverted to lots 719, 720, 863, 870, and 872 pursuant to the Closing of Public Alleys on Square 2674, S.O. 01-2426, Act of 2004, effective March 17, 2005 (D.C. Law 15-254; 51 DCR 11429), and the Plat of Alley Closing filed with the Surveyor of the District in Book 199, Page 88, including the successor record or assessment and taxation lots to be developed by Developer, consisting of:

"(A) Approximately 487,000 square feet of retail space, including approximately 180,000 square feet of retail space to be owned and operated as a department store by Target Corporation;

"(B) An underground parking garage for approximately 1,000 automobiles; and

"(C) Other ancillary improvements.

"(2) "Developer" means DC USA Operating Co. LLC.

"(3) "Development Sponsor" means the National Capital Revitalization

Note,
§ 47-4606

ENROLLED ORIGINAL

Corporation, any subsidiary thereof, or assignee thereof.

“(4) “Parking Garage Unit” means the underground parking garage for approximately 1,000 automobiles which will be one of 3 commercial condominium units comprising the DC-USA Project.

“(b) The DC-USA Project shall be exempt from the tax imposed by §§ 42-1103 and 47-903.

“(c)(1) The sales and rental of tangible personal property to be incorporated in or consumed in the course of the development, construction, equipping, and furnishing of the DC-USA Project, whether or not the sale, material, rental, or nature of the property is incorporated as a permanent part of the DC-USA Project, shall be exempt from the tax imposed by § 47-2002.

“(2) The sales tax exemption granted by paragraph (1) of this subsection shall apply upon the conveyance of the real property to the Developer by the Development Sponsor.

“(3) The sales tax exemption granted by paragraph (1) of this subsection shall terminate upon the issuance of a Certificate of Occupancy for the DC-USA Project.

“(d)(1) The DC-USA Project shall be exempt from the tax imposed by Chapter 8.

“(2) The real property tax exemption granted by paragraph (1) of this subsection shall apply upon the conveyance of the real property to the Developer by the Development Sponsor.

“(3) The real property exemption granted by paragraph (1) of this subsection shall terminate upon the conveyance of the Parking Garage Unit from the Developer to the Development Sponsor.

“(e) The amount of taxes exempt pursuant to subsections (c) and (d) of this section shall not exceed, in the aggregate, \$1,029,000.

“(f) The amount of all taxes exempt pursuant to this section shall be in addition to any other tax relief or assistance from any other source applicable to the DC-USA Project, including exemptions and incentives provided in § 47-3802 .”.

Sec. 3. Fiscal impact statement.

The Council adopts the attached fiscal impact statement 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. 4. Effective date.

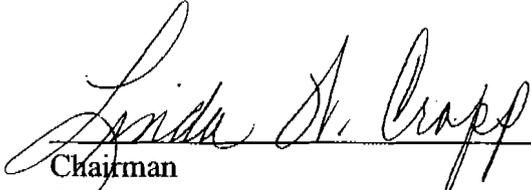
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

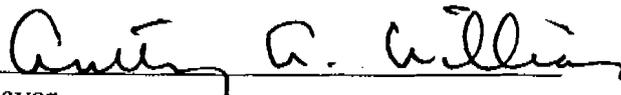
JAN 13 2006

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412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
D.C. Official Code § 1-204.12(a)).


Chairman
Council of the District of Columbia


Mayor
District of Columbia
APPROVED
December 22, 2005