

**D.C. OFFICE OF PERSONNEL****NOTICE OF FINAL RULEMAKING**

The Director, D.C. Office of Personnel, with the concurrence of the City Administrator, pursuant to Mayor's Order 2000-83, dated May 30, 2000, and in accordance with Title XVIII of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-618.01 *et seq.*) (2001), hereby gives notice that final rulemaking action was taken to adopt the rules. The rules amend section 1803 of Chapter 18, Employee Conduct, of Title 6 of the District of Columbia Municipal Regulations, by adding a new section 1803.14 to the chapter to establish standards governing the circumstances under which District government personnel may be engaged as part of their official duties in matters involving former employers or may be required to refrain from such contact on grounds of real or potential conflicts of interest. No comments were received and no changes were made to the notice of proposed rulemaking published at 52 DCR 9172 (October 14, 2005). Final rulemaking action was taken on November 15, 2005.

**CHAPTER 18****EMPLOYEE CONDUCT**

*Section 1803 of these regulations is amended to add a new section 1803.14, to read as follows:*

- 1803.14 (a) It is the policy of the District government to avoid conflicts of interest concerning the award, implementation, monitoring, and performance of contracts for services. As a means of assisting District government agencies to evaluate real or potential conflicts of interest in this area, a new hire will be required to disclose to the personnel authority upon initial appointment such previous employment relationships (whether in the private or public sectors) as the personnel authority may direct, including full disclosure of any ongoing economic benefits to the employee from previous employment relationships.
- (b) The new hire will make such disclosure to the personnel authority as part of the new hire processing conducted by the personnel authority, and to the employee's supervisor upon arrival at the employing agency.
- (c) The personnel authority will communicate the information required to be disclosed under this section to the head of the employing agency, and will advise the employee in writing of the restrictions imposed by sections 1803.14 (d) and (e) of this section.
- (d) For one (1) year after the date of initial employment with the District government, an employee required to make a disclosure under this section

will be screened from, and shall not participate in any manner, in the District government's decision to enter into, extend, modify, or renew a contract or consultancy engagement with the employee's former employer (hereafter, "procurement action").

- (e) The one-year (1-year) restriction from participation in any procurement action prescribed in section 1803.14 (d) of this section will be extended for as long as the employee receives an ongoing economic benefit from a former employer. It will be the employee's responsibility to advise his or her immediate supervisor of the continued receipt of the ongoing economic benefit from a former employer.
- (f) Notwithstanding the prohibitions set forth in sections 1803.14 (d) and (e) of this section, the head of the employing agency may authorize an employee required to make a disclosure under this section, as part of the employee's official duties, to do any of the following: (1) participate in the oversight or review of the work-product or performance of a former employer that is currently a contractor or consultant with the District government; (2) serve as the District government's liaison with the former employer; or (3) otherwise communicate with the former employer on matters pending before the employee's employing agency.
- (g) The determination to require that the employee perform any of the duties listed in section 1803.14 (f) of this section will be based upon the written determination of the agency head, made in light of all relevant circumstances, that the interest of the District government in the employee's participation outweighs the concern that a reasonable person might question the integrity of the District government's programs or operations. Applying this standard, the agency head may determine that the employee's participation reasonably may be permitted in certain activities involving the employee's former employer, but not in others. In all instances under this section in which the employee is prohibited from participation, the employee will be screened from the receipt of any information regarding the former employer's matter that is pending before the District government.
- (h) An agency head may delegate the responsibility for making any of the determinations prescribed in this section to other personnel in the agency. The person in the agency making any such determinations may consult with the D.C. Ethics Counselor or with the agency's ethics counselor.
- (i) For the purposes of this section, an "ongoing economic benefit from a former employer" will include any pension, annuity, stock option, bonus, cash or in-kind distribution in satisfaction of equitable interest, payment of all or a portion of the premiums on a life or health insurance policy, or any other comparable benefit; and a "former employer" is any person or

organization: (1) for which the employee has, within the one (1) year preceding his or her employment by the District government, served as officer, director, trustee, general partner, agent, attorney, consultant, contractor, or employee, or (2) from which the employee receives an ongoing economic benefit.

## DISTRICT DEPARTMENT OF TRANSPORTATION

## NOTICE OF FINAL RULEMAKING

The Director of the District Department of Transportation, pursuant to the authority of sections 3(b) and 5(3)(D)(iii) of the Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code §§ 50-921.02(b) and 50-921.04(3)(D)(iii)), and Mayor's Order 2003-11 (January 16, 2003), hereby gives notice of the adoption of the following amendments to chapters 24, 26, and 99 of the Vehicle and Traffic Regulations (18 DCMR). The rules amend the provisions of § 2404 to authorize the use of parking meters that serve more than one parking space. Some of these meters do not keep track of or display the time remaining for the parking privileges purchased, but instead issue receipts that indicate that information. Therefore, the amendments provide that a vehicle will be considered illegally parked if the expiration time shown on a parking meter receipt has lapsed or if a vehicle does not display such a receipt when required to do so. In addition, provisions referencing the depositing of coins are amended to reflect the additional payment methods accepted by the new meters. The rules also amend the descriptions of four existing civil infractions in § 2601.1, and modify and add definitions in § 9901.1 to conform to these changes. Finally, the definition of "Parking Meter" is revised to eliminate the requirement that all parking meters measure the time remaining for lawful parking.

Notice of Proposed Rulemaking was published in the *D.C. Register* on October 28, 2005, at 52 DCR 9716 (October Rulemaking). The October Rulemaking superseded a previous notice of proposed rulemaking published on July 8, 2005, at 52 DCR 6445. No comments were received with regard to the October Rulemaking and no changes have been made since publication of the October Rulemaking. These final rules will be effective upon publication of this notice in the *D.C. Register*.

The following sections in 18 DCMR are amended as follows:

Section 2404, **PARKING METERS AND PARKING METER ZONES**, is amended as follows:

2404.1           A parking meter zone is designated as the space parallel to the curb extending from the center of the parking meter standard at the head of the space to the center of the parking meter standard or other marking at the rear of the space; except that if a parking meter zone is served by a multi-space parking meter, the parking meter zone may be designated by signs or pavement markings.

- 2404.5 No person shall stop, stand, or park in a parking meter zone any vehicle which exceeds the designated length of the parking meter zone.
- 2404.6 Immediately after parking a motor vehicle, the operator shall pay for the amount of parking time desired and, if a receipt is issued, place the receipt on the passenger side of the dashboard of the vehicle so that it is clearly visible through the windshield of the vehicle. The space may then be used by the vehicle during the parking limit indicated on the single-space or multi-space parking meter for that space or on the receipt issued, as is applicable.
- 2404.7 No person shall purchase more time than allowed for the parking meter zone.
- 2404.8 Except as provided in § 2404.9, a vehicle shall be considered illegally parked if:
- (a) A single-space or multi-space parking meter indicates overtime parking with respect to the parking meter zone in which the vehicle is parked;
  - (b) The expiration time indicated on the parking meter receipt displayed on the vehicle has lapsed; or
  - (c) The vehicle does not display a receipt in the manner required by § 2404.6.
- 2404.9 Parking meter zones may be used without charge at times when the time for parking in the parking meter zone is unrestricted.
- 2404.10 Except for parking meter zones served by parking meters that issue receipts, the unexpired time in a parking meter zone, which is unoccupied, may be used by another vehicle without depositing payment. A car displaying a receipt issued by a parking meter may park in any unoccupied parking meter zone that is served by a parking meter that issues receipts until the expiration time shown on the parking meter receipt has lapsed.
- 2404.11 Whenever a vehicle identified by license plates as being owned, rented, or leased by the federal or District government is being used on official business and is parked in a parking meter zone, the operator of the vehicle is not required to deposit payment to park in the parking meter zone.

Section 2601, **PARKING AND OTHER NON-MOVING INFRACTIONS**, is revised by amending the first four provisions under the section entitled "Meter" in § 2601.1 to read as follows:

Depositing additional payment to extend time beyond applicable limit [§ 2404.7]	\$15.00
Illegally parked at [§ 2404.8]	\$25.00
Failure to deposit payment [§ 2404.6]	\$15.00
Not parked in parking meter space [§ 2404.4]	\$15.00

Section 9901, **DEFINITIONS**, § 9901.1, is amended as follows:

1. By amending the definitions of "Parking Meter" and "Parking Meter Zone" to read as follows:

**Parking Meter** – a mechanical or electronic device located upon a sidewalk or public parking adjacent to one or more places regularly designated as a parking meter zone, which measures and displays the amount of time remaining for lawful parking or which issues a receipt indicating the time at which lawful parking will expire.

**Parking Meter Zone** – a certain designated and marked-off section of a public roadway within the marked boundaries of which a vehicle may be temporarily parked and allowed to remain for such period of time as indicated on a parking meter or on a receipt issued by a parking meter serving that zone.

2. By inserting the following new definitions in alphabetical order:

**Multi-Space Parking Meter** – a parking meter that serves more than one parking meter zone.

**Single-Space Parking Meter** – a parking meter that serves no more than one parking meter zone.