

THE DISTRICT OF COLUMBIA HOUSING AUTHORITY

NOTICE OF FINAL RULEMAKING

ERRATA

The Board of Commissioners of the District of Columbia Housing Authority ('DCHA') published, in the D.C. Register at 51 DCR 9184, September 24, 2004, a Notice of Final Rulemaking adopting a new Section 6113, Tenant Admissions and Occupancy: Redevelopment and Special Needs Properties, of Chapter 61, Admission and Recertification, of Title 14 of the District of Columbia Municipal Regulations.

The substance of the rulemaking notice was adopted by the DCHA Board of Commissioners on September 15, 2004. However the rulemaking notice contained some language not in compliance with the D.C. Register and D.C. Municipal Regulations Rulemaking Handbook and Publications Style Manual. The corrected text is set forth below.

6113 TENANT ADMISSIONS AND OCCUPANCY: REDEVELOPED AND SPECIAL NEEDS PROPERTIES

- 6113.1 Definitions: Redeveloped Properties are mixed-finance, mixed-income communities owned by private entities which communities are created through HOPE VI or other public funding combined with extensive private funding and which have some or all their units assisted with public housing operating funds. Special Needs Properties are DCHA-owned or privately-owned units assisted with public housing operating funds and managed by service providers for residents with special needs for supportive services.
- 6113.2 Overview. Redeveloped Properties and Special Needs Properties because of the unique nature of their substantial private funding and private ownership and/or management have admissions and occupancy rules that are tailored to the particular property, type of occupancy and need to coordinate with other supportive services programs in many cases. This ~~Regulation~~ **regulation** sets forth the regulatory framework for the property-based rules and ongoing DCHA oversight or approvals governing occupancy and re-occupancy selection criteria, application processing, waiting lists, lease provisions, income determinations, and grievance procedures. DCHA pursuant to ~~that certain~~ **the** MTW Agreement entered into ~~by and~~ between the US Department of Housing and Urban Development dated July 25, 2003, provides that DCHA may, notwithstanding otherwise applicable federal statutes or regulations issued pursuant to the Housing Act of 1937, adopt local rules for the governance of its Low Rent (public housing) and Housing Choice Voucher Programs. Thus, notwithstanding any other local or federal rule that might otherwise be applicable, the provisions of ~~this~~ Section 6113 apply to Redeveloped Properties and Special Needs Properties ~~so~~ designated by the Board of Commissioners. All other provisions of local rules and applicable federal rules regarding occupancy and admissions to public housing shall apply.
- 6113.3 Selection Criteria. Occupancy and re-occupancy selection criteria, including priorities and preferences, for applicants at Redeveloped and Special Needs Properties are those prepared uniquely for that property as developed by representatives of DCHA, the community, the private developer, owner, or manager, and representatives of current residents, prospective residents or former residents ~~as the case may be~~.
- (a) While the occupancy and re-occupancy selection criteria vary by property, selection and screening criteria for all properties ~~will~~ **shall** include the mandatory federal standards with respect to certain types of criminal activity as specified in federal statutes.
- (b) The occupancy and re-occupancy selection criteria ~~are~~ **shall be** available at the management office serving the property, as well as from DCHA's

Client Placement Division.

6113.4 Application Process. Each property ~~will~~ **shall** develop its own process for taking applications, subject to review and approval by DCHA.

- (a) Application forms for returning residents and applicants are developed by the owner for the redeveloped property and are **shall be** subject to review and approval by DCHA.
- (b) Completed applications for returning residents, transferring residents or applicants ~~as the case may be are~~ **shall be** accepted at the property and ~~are~~ **shall be** reviewed and approved in accordance with the criteria approved in accordance with Subsection 6113.2.
- (c) The occupancy and re-occupancy application and selection process will **shall** be monitored by DCHA's Client Placement Division

6113.5 Waiting Lists.

- (a) Where the number of returning residents, transferring residents or new applicants exceeds the number of available units, applicants seeking to be housed at the property ~~will~~ **shall** be placed on a waiting list.
 - (i) Waiting lists ~~will~~ **shall** be maintained by the manager of the property based on the date and time of application and in accordance with the selection criteria developed for the property and approved by DCHA in accordance with Subsection 6113.2 hereof; or
 - (ii) At certain properties, a basic eligibility determination for public housing ~~will~~ **shall** be made by DCHA's Client Placement Division and eligible tenants ~~will~~ **shall** be referred to the property where the property's selection criteria ~~will~~ **shall** be applied.
- (b) A list of all properties, along with the status of each site based waiting list as either open or closed, ~~will~~ **shall** be available from the DCHA's Client Placement Division. When a property makes a determination to open its waiting list, notice ~~will~~ **shall** be provided to the DCHA resident advisory board and published in the District of Columbia Register.

6113.6 Lease Terms. Leases for redeveloped properties ~~are~~ **may be** developed by the owner in cooperation with DCHA and representatives of the former residents and ~~are~~ **shall be** subject to approval by DCHA for compliance with applicable DCHA and federal statutes. Provisions relating to rent, rent collection, security deposits and excess utility charges may vary from the DCHA standard lease.

6113.7 Income Determinations. Certification and recertification of income ~~will~~shall be performed by the manager of the property and monitored periodically by DCHA for compliance with applicable DCHA and federal regulations. At certain Special Needs Properties designated by DCHA, income for certification and recertification purposes ~~will~~may be disregarded for up to two years of occupancy.

THE DISTRICT OF COLUMBIA HOUSING AUTHORITY

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The Board of Commissioners of the District of Columbia Housing Authority ('DCHA') published, in the D.C. Register at 51 DCR 8104, August 20, 2004, a Notice of Final Rulemaking adopting a new Section 6114, Tenant Selection and Assignment: Elderly-Only Designations, of Chapter 61, Admission and Recertification, of Title 14 of the District of Columbia Municipal Regulations.

The substance of the notice was adopted by the DCHA Board of Commissioners on August 11, 2004. However, the rulemaking notice contained some language not in compliance with the D.C. Register and D.C. Municipal Regulations Rulemaking Handbook and Publications Style Manual. The corrected text is set forth below.

6114 **TENANT SELECTION AND ASSIGNMENT: ELDERLY-ONLY DESIGNATIONS**

6114.1 In accordance with the authority granted to the Authority under ~~that certain~~ the Moving to Work Agreement ~~by and~~ between HUD and DCHA, dated July 2003, as more specifically set forth beginning with the Creative Living Solution Plan for Fiscal Year 2004, the Authority ~~will~~ shall designate certain properties as elderly-only from time to time as follows:

- (a) The designation of properties as elderly-only ~~will~~ shall allow DCHA to provide additional opportunities for seniors to live with the neighborly support systems, reduction of potential intergenerational conflicts that often arise in mixed population properties, and the greater security that comes with a limited access building.
- (b) In order to more effectively meet the needs of elderly families, both disabled and non-disabled, DCHA ~~will~~ shall from time to time by resolution of the Board of Commissioners, designate as elderly-only, certain existing public housing properties or new construction or newly acquired properties that are owned or financially assisted by DCHA. Such designations ~~will~~ shall continue from year to year indefinitely from the date of designation and continuing beyond the term of the Moving to Work ~~demonstration as may be authorized by joint agreement of HUD and DCHA, or,~~ unless otherwise rescinded or modified by the Commission.
- (c) For Mixed Population properties being considered for designation as elderly only, notice of the proposed designation shall be published in the DCMR, a public hearing at each such property shall be held at least 30 days prior to action by the Board of Commissioners, and the Commissioners shall take ~~in to~~ into consideration comments from each ~~such~~ hearing as well as comments and testimony at the public meeting of the Commission.
- (d) No disabled residents of the properties designated as elderly-only ~~will~~ shall be required to move. Any units becoming vacant in the designated elderly-only properties ~~will~~ shall be leased to elderly families and the properties ~~will~~ shall gradually transition to elderly-only buildings.
- (e) DCHA may, when feasible in cooperation with the owner of a redeveloped property, provide for a site-based application preference

for existing elderly residents in Mixed Population properties requesting a transfer to a newly constructed or acquired elderly-only property.

- (f) Disabled residents continuing to reside in an elderly-only building after a designation converting such building from Mixed Population status, may, at any time, request, on a priority basis, a transfer to a vacant unit of an appropriate size at any other public housing property or for a housing choice voucher as may be available. Such residents who are mobility impaired ~~will~~ **shall** have a priority for existing units being converted to federal accessibility standards, as well as newly constructed or acquired public housing units that meet those standards. Fully accessible units ~~will~~ **shall** be available in many properties in all areas of the District.

THE DISTRICT OF COLUMBIA HOUSING AUTHORITY

NOTICE OF FINAL RULEMAKING

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The Board of Commissioners of the District of Columbia Housing Authority ('DCHA') published, in the D.C. Register at 51 DCR 2106, February 27, 2004, a Notice of Final Rulemaking adopting a new Section 6115, Adding Individuals to the Lease and Live-In Aides, of Chapter 61, Admission and Recertification, of Title 14 of the District of Columbia Municipal Regulations.

The substance of the rulemaking notice was adopted by the DCHA Board of Commissioners on February 11, 2004. However the rulemaking notice contained some language not in compliance with the D.C. Register and D.C. Municipal Regulations Rulemaking Handbook and Publications Style Manual. The corrected text is set forth below.

6115 ADDING INDIVIDUALS TO THE LEASE AND LIVE-IN AIDES

6115.1 A family ~~must~~ **shall** request approval from DCHA to add any person, including other family members, as an occupant on their lease.

6115.2 The following shall apply to residents seeking to alter the status of their households in the following manner:

- (a) Residents seeking to add persons to the lease by marriage, reconciliation, or other changes in family composition that would add an adult person to a DCHA family, including the addition of a verified live-in aide or a remaining member of a household who wants to become head of household, ~~will~~ **shall** be subject to the DCHA Applicant Family Selection Criteria outlined in ~~Section~~ **section** 6109 with respect to the new adult applicant.
- (b) Residents altering the status of their family by adding minor children other than by birth, such as by adoption or court-awarded custody of a child or adult, ~~must~~ **shall** notify DCHA at the time of the adoption or court-awarded custody and DCHA may require the family to transfer to an appropriately sized unit that will not result in overcrowding or occupancy in excess of the standards ~~identified~~ **specified** at ~~Section~~ **section** 6110 of this Title **title**.
- (c) Addition of minor children, other than (b) above, with a care giving relationship:
 - (1) DCHA may permit residents to add minor children, provided:
 - (i **A**) The additional occupants ~~will~~ **shall** not result in overcrowding or occupancy in excess of the standards ~~identified~~ **specified** in ~~Section~~ **section** 6110 of this Title **title**, and
 - (ii **B**) Appropriate documentation acceptable to DCHA of a care giving relationship is provided prior to the minor children moving into the unit.
 - (2) Documentation shall be sufficient to establish the care giving relationship and may include: notarized authorization from the child's legal guardian, school or medical records, public benefit records, and sworn statements from medical, legal, social service professionals, teachers or clergy.
 - (3) Notwithstanding the provisions of (c)(1)(i**A**) ~~hereinabove~~, if additional occupants would result in occupancy in excess of the standards ~~identified~~ **specified** in ~~Section~~ **section** 6110 of this Title **title**, DCHA may review a reasonable request to approve the

addition of minor children to the dwelling lease taking into account certain factors including but not limited to:

- (i A) the number of additional occupants;
- (ii B) the size of the unit;
- (iii C) the age of the household members;
- (iv D) the expected duration of the care giving relationship;
- (v E) the needs of the housing development; and
- (vi F) the capacity of DCHA.

THE DISTRICT OF COLUMBIA HOUSING AUTHORITY

NOTICE OF FINAL RULEMAKING

ERRATA

The Board of Commissioners of the District of Columbia Housing Authority (DCHA) published, in the D.C. Register at 51 DCR 7551, July 30, 2004, a Notice of Final Rulemaking adopting a new Section 6200, Rent Calculations, of Chapter 62, Low Rent Housing: Rent and Lease, of Title 14 of the District of Columbia Municipal Regulations.

The substance of the rulemaking notice was adopted by the DCHA Board of Commissioners on July 14, 2004. However the rulemaking notice contained some language not in compliance with the D.C. Register and D.C. Municipal Regulations Rulemaking Handbook and Publications Style Manual. The corrected text is set forth below.

6200 RENT CALCULATIONS

- 6200.1 Each tenant shall pay, as tenant rent, one of the following:
- (a) Income-based rent as the greater of one twelfth (1/12) of thirty percent (30%) of adjusted income or one twelfth (1/12) of ten percent (10%) of annual income;
 - (b) Market-based rent, if less than income-based rent, as determined by DCHA;
 - (c) If the family is determined by DCHA to have no adjusted income, the family will pay minimum rent as provided in § 6210; or
 - (d) If the family is receiving welfare assistance from a public agency and a portion of the assistance is specifically designated to meet the family's housing costs, then tenant rent is equal to the portion of the assistance which is so designated. However, the designated portion of the assistance must be adjusted in accordance with the family's actual housing costs and must be specifically designated for housing costs by the public agency.
- 6200.2 Any changes in tenant rent shall be stated in a special supplement to the lease, which shall, upon issuance, become a part of the dwelling lease. The family shall be provided a copy of the special supplement to the lease.
- 6200.3 The market-based rent is an estimate by DCHA of the market rent charged for comparable units in the private, unassisted market; ~~(a) DCHA and~~ shall be determine determined by the market-based rent by considering factors including, but not limited to:
- (a) the location, quality, size, unit type, and age of the unit, and
 - (b) any amenities, housing services, maintenance, and utilities provided by DCHA.
- ~~(b)~~ 6200.4 The market-based rent ~~will~~ shall be equal to the estimated rent for which DCHA could lease the unit after preparation for occupancy.

The market-based rent ~~is not~~ **shall not be** based on actual monthly costs to DCHA attributable to providing and operating the unit.

6200.4

6200.5

DCHA shall create a schedule of market-based rents for each property by bedroom type.

(a) 6200.6

The schedule of market-based rents for all properties will be reviewed and revised at least every three (3) years.

(b) 6200.7

DCHA may adjust the market-based rents for any particular property or unit if DCHA determines that the scheduled market-based rent is in excess of the amount necessary in order to lease a dwelling unit.

(e) 6200.8

A copy of the market-based rent schedule for a property ~~will~~ **shall** be available at each property management office or can be requested from the Client Placement Division, 1133 North Capitol Street, N.E. Suite 178, Washington, D.C. 20002-7599.

6200.5

6200.9

At initial lease-up and with each recertification or interim recertification, DCHA ~~will~~ **shall** calculate the family's income-based rent. If the market-based rent, as listed in the current market-based rent schedule for the property, is less than the family's income-based rent, the family ~~will~~ **shall** be changed to market-based rent.

6200.6

6200.10

If a tenant is paying a market-based rent, the tenant shall:

(a) submit an interim recertification in accordance with § 6117 for any change in family circumstances except increases in family income. Change in family circumstances may include, but shall not be limited to, loss or reduction in income, employment, or other assistance; or increase in expenses for medical costs, child care, transportation, or education.

(b) provide DCHA with a completed application for continued occupancy, in accordance with § 6116 once every three (3) years or upon request by DCHA.

6200.7

6200.11

All changes in tenant rent, both income-based and market-based and whether after an interim or regular recertification, shall be implemented in accordance with § 6116.10.

6200.8

6200.12

In properties where utilities and other essential services are supplied to the tenant by DCHA, tenant rent payable to DCHA under the dwelling lease shall be the same as total tenant payment.

6200.9

6200.13

In properties where tenants are responsible for paying for their own utility bills, the utility allowance shall be subtracted from the total tenant payment to determine that tenant rent payable to DCHA. If the tenant rent resulting from the subtraction of the utility allowance from the total payment is negative, DCHA shall send a monthly check in the amount of the difference to the tenant.

6200.10

6200.14

Tenant shall be given a thirty (30) day written notice of an increase in contract rent.

6200.11

6200.15

Tenant rent shall be computed after both annual income and adjusted income have been verified.

6200.12

6200.16

Any changes in tenant rent shall be stated in a special supplement to the lease, which shall upon issuance, become a part of the dwelling lease. The tenant shall be provided a copy of the special supplement.

6200.13

6200.17

The tenant shall receive retroactive credit to credit an administrative error.

6200.14

6200.18

Tenants occupying property for a portion of a month at the time of move-in shall be charged a pro-rata share of the full monthly rate determined by DCHA.

DISTRICT OF COLUMBIA
DEPARTMENT OF MOTOR VEHICLESNOTICE OF FINAL RULEMAKING

The Director of the Department of Motor Vehicles, pursuant to the authority set forth in Section 1825 of the Department of Motor Vehicles Establishment Act of 1998, effective March 26, 1999 (D.C. Law 12-175; D.C. Official Code § 50-904); Title VIII of the Motor Vehicle and Safe Driving Amendment Act of 2000, effective April 27, 2001 (D.C. Law 13-289; D.C. Official Code § 50-921); and Mayor's Order 03-58, effective April 21, 2003, hereby gives notice of the adoption of amendments to Chapters 4 and 5 of Title 18 of the District of Columbia Municipal Regulations (DCMR) (Vehicles and Traffic). The amendments provide for a continued prohibition on the issuance of special use identification tags ("temporary tags") by used car dealers, limit the persons eligible to receive temporary tags from the Director, limit the total number of dealer identification tags and dealer transport tags that may be issued to dealership owners and salespersons, clarify title transfer procedures, and place additional reporting requirements on the issuance of temporary tags.

Several comments, both oral and written, were received from used car dealers who generally objected the approach of the Department in restricting their issuance of special use identification tags. Also, two used car dealers testified at the Council hearing regarding these rules. As the Department had already met with such dealers on numerous occasions prior to the notice of proposed rulemaking and had addressed many of their concerns in the proposed rulemaking itself, and encountered overwhelming public support for the new rules, it did not adopt the suggestions of the used car dealers.

The Department also had last minute discussions with persons regarding a proposed repeal of section 427, which allows the Department, in its discretion, to issue dealer tags to motor vehicle manufacturers or their branch offices. That section did not include adequate criteria or guidelines for the issuance and use of these tags. The Department is working with these persons, who claim they are eligible for dealer tags under section 427, to arrive at a solution acceptable to all that will not in any way weaken the dealer tag eligibility and use restrictions in this rulemaking. Therefore, the Department is not now repealing section 427 with this notice of final rulemaking. If such a solution is arrived at, the Department intends to propose regulations implementing the existing provisions of section 427. If such a solution is not arrived at, however, the Department may later repeal section 427, and may do so without submitting a resolution to the Council because the repeal of that section has already been approved by the Council, as stated below.

In addition to eliminating the proposed appeal of section 427, one other change clarifying existing language in § 506.5, was made to the text of the proposed rules, as published with a Notice of Emergency and Proposed Rulemaking in the *D.C. Register* at 51 DCR 8827 on September 10, 2004.

Pursuant to section 801 of the Motor Vehicle and Safe Driving Amendment Act of 2000, effective April 27, 2001 (D.C. Law 13-289; D.C. Official Code § 50-921) these final rules were transmitted to the Council of the District of Columbia, for a forty-five (45) day period of Council review. On November 9, 2004, the Council, by passage of the Special Use Identification Tag Approval Resolution of 2004 (PR 15-1032), approved these final rules. These rules shall be effective upon publication in the *D.C. Register*.

After discussions with the Council, the Department has agreed to establish an expiration date for these rules, which was not in the version of the final rules before the Council, to give the Council and the Department the opportunity to revisit the rules in the near future. Therefore, these final rules will expire on January 1, 2007.

Title 18, DCMR, is amended as follows:

A. Chapter 4, MOTOR VEHICLE TITLE AND REGISTRATION, is amended as follows:

1) Section 402, TRANSFER OF CERTIFICATE OF TITLE, is amended as follows:

(a) Subsection 402.8 is amended by striking the phrase "Only new car dealers and used car dealers" and inserting the phrase "Only new car dealers, used car dealers, and their salespersons" in its place.

(b) By adding a new subsection 402.9 to read as follows:

402.9 Effective September 21, 2004, if all reassignment spaces on the back of a certificate of title are filled in, a dealer may apply to the Director for a Dealer's proof of ownership.

2) Section 426, SPECIAL USE IDENTIFICATION TAGS, is amended by adding new subsections 426.13 through 426.17 to read as follows:

426.13 Special use identification tags shall only be issued to persons submitting, in addition to any other items required by the Director, the following:

(a) Bill of sale for the vehicle, if purchased from a car dealer;

(b) Signed certificate of title, or fax as provided by § 426.14, or other proof of ownership satisfactory to the Director; and

(c) Proof of sufficient insurance coverage.

426.14 Any dealer or financing company may fax a copy of a vehicle's title or dealer's proof of ownership, front and back, to the Department to establish proof of ownership as required by § 426.13(b); except that the Department reserves the right to require the submission of the original documents.

- 426.15 The Director shall not issue special use identification tags to residents of Maryland or Virginia, except as provided in § 426.16.
- 426.16 Any dealer registered in the District of Columbia or their agent may obtain a special use identification tag by appearing at the Department on behalf of a customer from any jurisdiction; provided, that the customer authorizes the dealer to act as their agent by signing the form provided to the dealer by the Department.
- 426.17 If a vehicle displaying a valid special use identification tag fails motor vehicle safety or emissions inspection, the initial special use identification tag may be removed by the DMV inspection station staff and a replacement special use identification tag may be issued.

B. Chapter 5, MOTOR VEHICLE DEALERS, is amended as follows:

- 1) Section 500, GENERAL PROVISIONS, is amended by adding new subsections 500.5 through 500.7 to read as follows:
- 500.5 No dealer may accept an open assignment of a motor vehicle title or bill of sale that does not identify the dealer as the purchaser or assignee of the motor vehicle.
- 500.6 A dealer shall inform the Department of any change in business ownership or location within five (5) business days of any such change.
- 500.7 All dealers or their agents shall attend any mandatory training required by the Department after receiving notice of the training sent by regular mail to the address on the dealer's registration; except for good cause shown as determined by the Director.
- 2) Section 501, REGISTRATION OF DEALERS, subsection 501.3 is amended to read as follows:
- 501.3 A person may apply to the Director for registration as a car dealer provided, in addition to all other applicable requirements of this Title, that person:
- (a) Has a valid motor vehicle dealer's business license;
 - (b) Has a valid federal tax identification number;
 - (c) Has a valid certificate of occupancy in the dealer's name;
 - (d) Is actively engaged in buying, selling, and exchanging vehicles; and
 - (e) Has an established place of business that is located on a street or avenue.

3) Section 502, APPLICATION FOR DEALER REGISTRATION, is amended as follows:

(a) Subsection 502.2 is amended by adding new paragraphs (e) and (f) to read as follows:

(e) A copy of the dealer's business license; and

(f) A copy of the salesperson's license for each salesperson.

(b) Subsection 502.7 is amended to read as follows:

502.7 Dealer registrations shall expire on October 31 of each year.

4) Section 503 is amended to read as follows:

503 DEALER IDENTIFICATION TAGS

503.1 Dealer identification tags issued to a registered dealer shall be used solely for the purpose of operating vehicles owned by the dealer, if directly in furtherance of the business of the dealer, and only by the following persons:

(a) The dealer, provided they carry proof of dealer registration at the time of operation;

(b) The dealer's salesperson, provided they carry their salesperson's license at the time of operation; or

(c) The dealer's customer, provided:

(1) The customer is accompanied by the dealer or the dealer's salesperson and such person carries proof required by (a) or (b) at the time of operation; or

(2) The vehicle displays a temporary registration certificate issued to that customer, as provided in § 503.8.

503.2 Dealer transport tags may be issued to a registered dealer for use solely by a dealer's subcontractor, or the subcontractor's employee(s), provided:

(a) The tags are used in connection with the repair or improvement of the vehicle;

(b) The vehicle is being operated between the dealership and the repair location; and

- (c) The operator carries either proof of a contractual relationship regarding such a repair, or an affidavit, signed by the dealer, that states the repair location and that the condition in (a) is satisfied.
- 503.3 A dealer identification tag or dealer transport tag shall be displayed on the rear of a motor vehicle when in use.
- 503.4 Dealer tags shall be issued as follows:
- (a) Two (2) dealer tags per dealer, with a maximum of four (4) tags per business;
 - (b) One (1) dealer tag per salesperson (other than owner); and
 - (c) Two (2) dealer transport tags per business.
- 503.5 A dealer may replace no more than one (1) lost or stolen dealer identification tag or dealer transport tag every six (6) months, upon proof of the filing of a police report or other proof satisfactory to the Director. The Director may waive the time limitation of this subsection for good cause shown.
- 503.6 A dealer shall have motor vehicle insurance that covers the number of vehicles that can be operated using all the dealer tags and dealer transport tags issued to that dealer.
- 503.7 Dealer tags and dealer transport tags shall expire on October 31 of each year.
- 503.8 Whenever a vehicle is furnished by a dealer to a person for the purpose of demonstration or testing and the vehicle is not occupied by an employee of the dealer, a Temporary Registration Certificate, issued to that person by the dealer, shall be affixed to the windshield of the vehicle as provided in § 505.
- 5) Section 505, TEMPORARY REGISTRATION FORMS, is amended as follows:
- (a) Subsection 505.5 is repealed.
 - (b) By adding a new subsection 505.14 to read as follows:

505.14 A dealer shall make a copy of the driver's license of any customer issued a Temporary Registration Certificate pursuant to § 505.6. The copy shall be submitted together with the Notice of Issuance as provided in § 505.10.

6) Section 506, SPECIAL USE IDENTIFICATION TAGS, is amended as follows:

- (a) Subsection 506.1 is amended by inserting the phrase "new car" before the word "dealer".
- (b) Subsection 506.2 is amended by striking the word "sets".
- (c) Subsections 506.3 and 506.4 are repealed.
- (d) Subsection 506.5 is amended as follows:
 - (A) Paragraph (a) is amended by inserting the phrase "District of Columbia" before the word "registration".
 - (B) Paragraph (b) is amended by striking the figure "one (1)" and inserting the figure "five (5)" in its place.
 - (C) Paragraph (c) is repealed.
- (e) Subsection 506.10 is amended to read as follows:

506.10 The duplicate copy of the special use certificate, the information received by the new car dealer in accordance with § 506.6, together with an itemized bill of sale that includes the amount of all applicable taxes and fees required for the vehicle's registration, shall be retained at the dealer's registered location for at least two (2) years.
- (f) Subsection 506.11 is repealed.
- (g) By adding new subsections 506.12 through 506.17 to read as follows:

506.12 Any dealer issuing a special use identification tag to a customer must electronically submit the vehicle identification number, make, model and year of vehicle, special identification tag number, insurance information, the customer's name and address, and the driver's license number of the person operating the vehicle from the dealer's location, to the Department within one (1) business day of the sale.

506.13 All special use identification tags in the possession of the dealer shall be kept in a secure location at the dealer's registered place of business and presented to the Department upon request.

- 506.14 A dealer is entitled to replace any lost or stolen special use identification tag no more than once every six (6) months; except for good cause as determined by the Director.
- 506.15 No dealer shall issue a special identification tag for a vehicle not sold by that dealer.
- 506.16 No dealer shall issue a second or subsequent special use identification tag to the same customer for the same vehicle without written approval from the Director.
- 506.17 A dealer may issue special use identification tags for used cars only if the dealer's sale of used cars is incidental to the sale of new cars and the used cars are displayed on the same lot as new cars.