

DISTRICT OF COLUMBIA
DEPARTMENT OF MOTOR VEHICLESNOTICE OF PROPOSED 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), sections 5 and 7 of An Act To provide for annual inspection of all motor vehicles in the District of Columbia, approved February 18, 1938 (52 Stat. 78; D.C. Official Code §§ 50-1105 & 50-1107); and Mayor's Order 03-58, effective April 21, 2003, hereby gives notice of the intent to adopt the following rulemaking that will amend Chapters 4, 6, 7 and Section 9901 of Title 18 of the District of Columbia Municipal Regulations (DCMR) (Vehicles and Traffic). The rulemaking will clarify allowable content on an organization tag, establish an inspection requirement that vehicles comply with federal safety standards for on-road use, eliminate an inconsistent insurance exemption for motorized bicycles, and establish a new definition for moped to clarify the application of existing law. Final rulemaking action shall not be taken in less than thirty (30) days from the date of publication of this notice in the *D.C. Register*.

Title 18, DCMR, is amended as follows:

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

- 1) Section 432, EXCEPTIONS TO INSURANCE REQUIREMENTS, is repealed.
- 2) Section 433, ORGANIZATION TAGS, subsection 433.4 is amended to read as follows:

433.4 The organization tag shall only display either the name or the adopted insignia of the organization, or both.

B. Chapter 6, INSPECTION OF MOTOR VEHICLES, section 603, subsection 603.1 is amended by adding after the word "Manual" the phrase ", and Chapter 7 of this Title,".

C. Chapter 7, GENERAL PROVISIONS, section 700, MOTOR VEHICLE EQUIPMENT, is amended by adding a new subsection 700.9 to read as follows:

700.9 All motor vehicles must display a manufacturer's certification of compliance, attesting that the vehicle complies with federal safety standards for use on public roads, streets, and highways, as required by the National Traffic and Motor safety Act of 1966 (49 USC 30115); except that mopeds need not display such a certification of compliance.

D. Section 9901, DEFINITIONS, is amended as follows:

- (a) The definition "motor scooter" is repealed.

(b) A new definition for "moped" is added to read as follows:

"moped – a motorcycle or motorized bicycle equipped with functional pedals."

All persons desiring to comment on the subject matter of this proposed rulemaking should file comments, in writing, to Corey Buffo, General Counsel, D.C. Department of Motor Vehicles, 65 K Street, N.E., Room 210, Washington, D.C. 20002. Comments must be received not later than thirty (30) days after the publication of this notice in the *D.C. Register*. Copies of this proposal may be obtained, at cost, by writing to the above address.

DISTRICT OF COLUMBIA HOUSING AUTHORITY

NOTICE OF EMERGENCY AND PROPOSED RULEMAKING

The Board of Commissioners of District of Columbia Housing Authority ("DCHA") hereby gives notice of the adoption on an emergency basis of amendments to Chapter 62 of Title 14 DCMR, "Low Rent Housing: Rent and Lease," and Chapter 74 of Title 14, "Reasonable Accommodation Policies and Procedures," by adding Section 6211 and by inserting a new Section 7409. These sections govern the ownership of pets and service animals in public housing.

This emergency action is based on the DCHA's Creative Living Solution Plan for Fiscal Year 2004 which requires the adoption of a pet policy during fiscal year 2004.

The Board of Commissioners of the DCHA also gives notice of intent to take final rulemaking action to adopt these amendments in not less than thirty (30) days from the date of publication of this notice in the D.C. Register.

The proposed rule will expire on January 13, 2005, or upon publication of a Notice of Final Rulemaking in the Register, whichever occurs first.

Amendment: Chapter 62, Low Rent Housing: Rent and Lease, is amended by adding a new section, Section 6211, to read as follows:

6211 PET OWNERSHIP IN PUBLIC HOUSING

- 6211.1 Service Animals. Residents of any DCHA-owned property who are disabled may own service animals as a Reasonable Accommodation provided that an application for a Reasonable Accommodation has been submitted and approved in accordance with Section 7403 of this Subtitle.
- 6211.2 Pets. Residents of DCHA owned properties may not keep pets in their unit as of January 1, 2005.
- 6211.3 Special Designations. In order to provide housing for residents who may be allergic or that are fearful of living in close proximity to animals, specific floors of buildings and specific sections of buildings may be designated as no-animal areas by the Deputy Executive Director for Operations.

Amendment: Chapter 74, Reasonable Accommodation Policies and Procedures, is amended by revising Section 7409 to read as follows:

7409 SERVICE ANIMALS

- 7409.1 Residents of DCHA with disabilities are permitted to have service animals, if such animals are necessary as a reasonable accommodation for their disabilities. DCHA residents or potential residents who need a service animal as a reasonable

accommodation must request the accommodation in accordance with the reasonable accommodation policy.

- 7409.2 DCHA requires that a resident or prospective resident with a service animal provide written certification from a third party, such as a health care provider, that:
- (a) the resident or a member of his or her family is a person with a disability; and
 - (b) the animal has been individually trained, by the person with a disability or others, to work for the benefit of the person with a disability.
- 7409.3 Residents and prospective residents are also required to provide a certificate signed by a licensed veterinarian or a local authority empowered to inoculate animals (or designated agent of such an authority) stating that the service animal has received all inoculations required by applicable local law.

All persons desiring to comment on the subject matter of this rulemaking should file comments in writing not later than thirty (30) days after the date of publication of this notice in the D.C. Register. Comments should be filed with the Office of the General Counsel, DCHA, 1133 North Capitol Street, NE, Suite 210, Washington, DC 20002-7599. Copies of these rules may be obtained from DCHA at that same address.