

## THE DISTRICT OF COLUMBIA HOUSING AUTHORITY

NOTICE OF FINAL RULEMAKING

The Board of Commissioners of the District of Columbia Housing Authority hereby gives notice of the adoption of an amendment to Chapter 61 to Title 14, which contain the rules governing designations of Elderly-Only public housing properties. Final action to adopt these rules was taken at the Board of Commissioners regular meeting on August 11, 2004. Notice of Proposed Rulemaking was published on July 16, 2004 (51 DCR 7120-7121). No changes were made to the text of the proposed rules as published under the notice of proposed rulemaking. These final rules will be effective upon publication of this notice in the D.C. Register.

Chapter 61, Admission and Recertification, is amended by adding the following text as the new Section 6114 and renumbering the remaining sections 6114 through 6120 as section 6115 through 6121.

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

6114.1       In accordance with the authority granted to the Authority under that certain 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 designate certain properties as elderly-only from time to time as follows:

- (a)       The designation of properties as elderly-only will 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 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 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term of the Moving to Work demonstration as may be authorized by joint agreement of HUD and DCHA, or, unless otherwise rescinded or modified by the Commission.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 DC Register, 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 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 be required to move. Any units becoming vacant in the designated elderly-only properties will be leased to elderly families and the properties will 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 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 be available in many properties in all areas of the District.

## THE DISTRICT OF COLUMBIA HOUSING AUTHORITY

NOTICE OF FINAL RULEMAKING

The Board of Commissioners of the District of Columbia Housing Authority hereby gives notice of the adoption of an amendment to Chapter 62 to Title 14, which contain the rules for the newly created Neighbor to Neighbor Initiative. Final action to adopt these rules was taken at the Board of Commissioners regular meeting on August 11, 2004. Notice of Proposed Rulemaking was published on July 16, 2004 (51 DCR 7128-7130). No changes were made to the text of the proposed rules as published under the notice of proposed rulemaking. These final rules will be effective upon publication of this notice in the D.C. Register.

**6214 NEIGHBOR TO NEIGHBOR INITIATIVE**

- 6214.1 The Neighbor to Neighbor Initiative is intended to assist public housing residents in improving their economic and social well-being and to give residents a greater stake in their communities. The Neighbor to Neighbor Initiative allows residents the opportunity to give back to their communities and facilitates upward mobility. Through the performance of voluntary work or duties that provide a community benefit to their neighbors, residents are able, on an individual basis, to improve the quality of their lives, enhance their level of self-sufficiency, and increase self-responsibility in their communities.
- 6214.2 DCHA as part of a demonstration program called Moving to Work (MTW) is permitted under the terms of that certain MTW Agreement by and between DCHA and the US Department of Housing and Urban Development, dated July 25, 2003, is permitted to adopt local program rules and policies suited to the needs of DCHA's residents and their communities. The DCHA has designed the Neighbor to Neighbor Initiative as a voluntary community service initiative in lieu of the community service requirements mandated by the Quality Housing and Work Responsibility Act of 1998.
- 6214.3 DCHA encourages its public housing residents to engage in active service to their neighbors and public housing communities through:
- (a) Active participation in their Resident Council;
  - (b) Active participation in Resident Council activities, including outreach programs and events which provide services to residents;

- (c) Attending training developed and offered by DCHA in support of the Neighbor to Neighbor Initiative, such as a Model Resident Council, peer training classes, or best practices instruction;
- (d) Running for leadership positions in the Resident Councils, District of Columbia City-Wide Advisory Board and the Board of Commissioners; and
- (e) Participating in DCHA-sponsored programs, such as Orange Hat Patrols, building playgrounds and landscaping events.

6214.4 DCHA will support residents seeking to provide service to their neighbors in the greater community through community service opportunities such as, but not limited to:

- (a) Active volunteering at schools;
- (b) Outreach programs based at community churches; and
- (c) Civic and public interest organizations, such as the Boys and Girls Clubs of Greater Washington, AmeriCorps, and Vista.

6214.5 DCHA will publicize notice of community service opportunities in the following manner:

- (a) Periodic publication in the DCHA resident newsletter;
- (b) Providing information to each Resident Council and the District of Columbia City-Wide Advisory Board; and
- (c) Letters from the Executive Director to residents.

6214.6 The variety of actions undertaken to support resident voluntary participation as part of the Neighbor to Neighbor Initiative will be documented in DCHA's Annual Report to the DCHA Board of Commissioners.

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), Sections 2 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 §§ 50-1102 & 50-1107); Section 2(g) of Title IV of the District of Columbia Revenue Act of 1937, approved August 17, 1937 (50 Stat. 679; D.C. Official Code § 50-1501.02(g)); and Mayor's Order 03-58, effective April 21, 2003, took action to adopt the following amendments to Chapters 4, 5, 6, and 30, of Title 18 of the District of Columbia Municipal Regulations (DCMR) (Vehicles and Traffic). These amendments require the surrender of a registration card and tag if it was issued in error, add procedures for the suspension and revocation of motor vehicle dealer registrations, establish guidelines for the disapproval of personalized identification tag applications, cap the late inspection penalty at \$480, require yearly commercial motor vehicle inspections, and remove the provision stating that the Department will supply parking tickets to all issuing agencies. No comments were received. A Notice of Proposed Rulemaking was published in the *D.C. Register* at 51 DCR 6646 on July 2, 2004. Two changes were made to the text of the proposed rules: buses owned by the Washington Metropolitan Area Transit Authority will continue to be inspected yearly and not twice a year as proposed, and the proposal to charge \$500 for off-site inspections was dropped. These final rules will be effective upon 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 415, SURRENDER OF OWNER'S IDENTIFICATION TAGS AND REGISTRATION CARD, subsection 415.5, is amended by adding a new paragraph (d) to read as follows:
  - (d) The identification tags, registration certificate, or reciprocity sticker was issued in error, following written notice by the Department.
- 2) Section 422, DISPLAY OF IDENTIFICATION TAGS, subsection 422.1 is amended by inserting at the end of the sentence the phrase “; except that motor vehicles need only display a special use identification tag on the rear of the vehicle only”.
- 3) Section 423, PERSONALIZED IDENTIFICATION TAGS, is amended by adding a new subsection, 423.13, to read as follows:

- 423.13 The Director shall reject any proposed tag content that conveys a message, or displays an image, that is confusing or offensive to the general public.
- 423.14 For the purposes of § 423.13, the Director shall reject any combination of letters or numbers that:
- (a) Is vulgar, derogatory, profane, scatological or obscene, with any connotation, in any language;
  - (b) Connote, in any language, breast, genitalia, pubic area, or buttocks or relate to sexual or eliminatory functions;
  - (c) Connote, in any language (i) any illicit drug, narcotic, intoxicant, or related paraphernalia; (ii) the sale, user, or purveyor of such a substance; or (iii) the physiological state produced by such a substance;
  - (d) Refer, in any language, to a race, religion, color, deity, ethnic heritage, gender, sexual orientation, disability status, or political affiliation;
  - (e) Suggest, in any language, a government or governmental agency;
  - (f) Suggest, in any language, a privilege not given by law in this state; or
  - (g) Form, in any language, a slang term, abbreviation, phonetic spelling or mirror image of a word described in this subsection.

B. Chapter 5, MOTOR VEHICLE DEALERS, Section 507, REFUSAL TO REGISTER: SUSPENSION AND REVOCATION OF REGISTRATION, is amended as follows:

- 1) Subsection 507.2 is amended by adding, after the last sentence, the phrase “, or any violation of Chapters 4 or 5 of this Title”.
- 2) New subsections 507.6 through 507.8 shall be added to read as follows:
  - 507.6 Any order of suspension or revocation under § 507.2 shall notify the person that the order will take effect within ten (10) days unless the person files an objection together with a request for a hearing.
  - 507.7 The filing of a request for a hearing under § 507.6 shall operate as a stay of the order until the Director or hearing examiner renders a written decision on the objection.
  - 507.8 If a person to whom a notice of infraction has been issued fails to appear at a hearing for which he or she received notice, the hearing examiner may enter a default judgment sustaining the charges and order the suspension or revocation proposed.

- C. Chapter 6, INSPECTION OF MOTOR VEHICLES, Section 601, INSPECTION REQUIREMENTS, is amended to read as follows:

Section 601 INSPECTION REQUIREMENTS

- 601.1 Inspections shall be made and stickers obtained with respect to the items of equipment designated by the Director.
- 601.2 Inspections shall be conducted in accordance with the standards contained in the Motor Vehicle Inspection Manual of the District of Columbia (also referred to as the "District Inspection Manual" or "Manual"), and in the event existing standards do not apply to a particular piece of equipment, a standard specified by the Director.
- 601.3 The 1982 and 1999 issues of the Motor Vehicle Inspection Manual of the District of Columbia are incorporated in this chapter by reference. In the event of any inconsistency between a Motor Vehicle Inspection Manual of the District of Columbia and this Title, the provisions of this Title shall govern.
- 601.4 Except as provided in § 601.5, vehicles registered in the District of Columbia shall be inspected periodically for safe operating condition, exhaust emissions, and compliance with this Title as follows:
- (a) Passenger vehicle: every two (2) years;
  - (b) Motorcycle: every two (2) years;
  - (c) Bus: semiannually; except as provided in (d);
  - (d) Bus owned or leased by the Washington Metropolitan Area Transit Authority: annually;
  - (e) Taxicab and other public vehicles for hire: semiannually;
  - (f) Motorized bicycle, except those rented to or offered to be rented to the public: every two (2) years;
  - (g) Motorized bicycle rented to or offered to be rented to the public: annually;
  - (h) Commercial vehicle: annually;
  - (i) Tow truck: annually;
  - (j) Vehicle registered as an historic motor vehicle: one (1) time, at time of

registration; and

(k) All other motor vehicles: every two (2) years.

601.5 Notwithstanding § 601.4, all previously-owned vehicles must be re-inspected for safety and emissions in order to be eligible for registration.

601.6 All taxicabs shall also be inspected semiannually for compliance with respect to identification color, trade signs, insignia, rate signs, zone maps, cruising lights, upholstery, and sanitation, and for compliance with inspection requirements established by the District of Columbia Taxicab Commission through rulemaking as of September 1, 2002.

601.7 At the discretion of the Director, imported vehicles may be exempt from certain inspection requirements, such as emissions, safety glass and headlights.

601.8 The fees for inspections shall be as follows:

a) Passenger vehicle, including historic motor vehicle: \$ 25;

b) Motorized bicycle: \$ 25;

c) Motorcycle: \$ 25;

d) Commercial vehicles and vehicles for hire, including all buses: \$ 25;

e) Trailers, based upon the manufacturer's shipping weight: \$ 25

f) Tow truck: \$ 25;

g) Salvage vehicle: \$ 25;

h) New vehicles for which an inspection is not required but for which a sticker is required: \$ 10; and

i) All other motor vehicles: \$ 25.

601.9 The inspection fees included above shall include two re-inspections performed within twenty (20) days of the initial inspection. The fee for all other re-inspections shall be in accordance with the above inspection fee schedule.

601.10 Any re-inspection fees due shall be paid at the time of re-inspection.

601.11 Inspection fees may be collected at the time of registration.

601.12 The total cumulative amount of any late inspection penalty assessed pursuant to § 6 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 § 50-1106), shall not exceed four hundred and eighty dollars (\$480), all or part of which may be waived by the Director upon submission of proof that the owner was unable to have the vehicle inspected due to one or more of the following:

- (a) Military duty;
- (b) Incarceration;
- (c) Medical emergency;
- (d) The vehicle was involved in an accident (police report required); or
- (e) Exceptional circumstances, as determined by the Director.

D. Chapter 30, ADJUDICATION AND ENFORCEMENT, Section 3001, TICKET SUPPLIES, DISTRIBUTION, AND SECURITY, is repealed.