

APPOINTED COUNCIL DISTRICT OF COLUMBIA 1967-1974

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APPOINTED COUNCIL DISTRICT OF COLUMBIA 1967-1974

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Regulation No. 70-1



January 14, 1970
Enactment Date

Regulation

of the
District of Columbia

TITLE REGULATION TO PROHIBIT THE EMPLOYMENT OF PROFESSIONAL STRIKEBREAKERS
IN THE DISTRICT OF COLUMBIA

Mr. Philip J. Daugherty Presents the following regulation:

WHEREAS, the District of Columbia Council finds that use of professional strikebreakers may induce violence in labor disputes; and

WHEREAS, the District of Columbia Council finds that the employment, referral, or offering of the services of professional strikebreakers is contrary to the public interest; and

WHEREAS, the Regulation to Prohibit Professional Strikebreakers is adopted pursuant to the authority vested in the City Council [Reorganization Plan No. 3 of 1967, Section 402(4)] contained in the D. C. Code (1967 ed.) Sec. 1-226 for the protection of lives, limbs, health, comfort and quiet of persons and property in the District.

NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council that:

Section 1. No person, partnership, agency, firm or corporation, or officer, employee or agent thereof, shall recruit, procure, supply or refer for employment by any other person, partnership, firm, or corporation currently involved in a labor dispute, any person who customarily and repeatedly offers himself for employment in place of any employees involved in such a dispute.

Section 2. No person, partnership, firm or corporation involved in a labor dispute shall, directly or indirectly: (1) Employ in the place of an employee involved in such dispute, any person who customarily and repeatedly offers himself for employment in the place of employees involved in a labor dispute, or (2) Contract or arrange

RECORD OF COUNCIL VOTE

COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
HAHN	X					DAUGHERTY	X					SHACKLETON					X
TUCKER				X		HAYWOOD	X					Robinson	X				
ANDERSON				X		MOORE	X					YELDELL	X				

X—Indicates Vote A. B.—Absent N. V. Not Voting R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on November 18, 1969

Adopted on second and final reading January 6, 1970

Presented to the Mayor-Commissioner January 6, 1970

Stephen C. Swain
Secretary of the City Council

Approved Walter Washington
Mayor-Commissioner

Jan. 14, 1970
Date

Enacted W/O signature of the Mayor according to ten day limitation rule:

Date

Disapproved and returned to the City Council _____
Mayor-Commissioner

Date

Readopted _____
Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.

Stephen C. Swain
Secretary of the City Council

with any other person, partnership, agency, firm or corporation to recruit, procure, supply, or refer any person for employment who customarily and repeatedly offer himself for employment in place of any employees involved in such labor dispute.

Section 3. No person who customarily and repeatedly offers himself for employment in place of any employees involved in a labor dispute shall take or offer to take the place in employment of any employees involved in a labor dispute.

Section 4. Any person, partnership, agency, firm or corporation, or any officer, employee or agent thereof, who or which shall violate any provision of this regulation shall be subject to punishment by a fine of not more than three hundred dollars, or by imprisonment for a period not exceeding ten days or by both such fine and imprisonment.

Section 5. As used in this regulation, the phrase, "person who customarily and repeatedly offers himself for employment in place of any employees involved in a labor dispute" shall mean any person who has been employed anywhere two or more times within the last five years preceeding application of this regulation, in the same craft or industry in place of employees involved in labor disputes with their employers.

Section 6. As used in this regulation, the term "labor dispute" includes any controversy concerning terms, tenure or conditions of employment or concerning the association or representation of persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of employment, regardless of whether the disputants stand in the relation of employer and employee.

Section 7. This regulation shall take effect immediately upon enactment.

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Regulation No. 70-2



Enactment Date FEBRUARY 11, 1970

Regulation

of the
District of Columbia

TITLE Motorcycle Safety (Helmets and Goggles)

---Mr. Philip I. Daugherty--- Presents the following regulation:

1 WHEREAS, Highway Safety Program Standard 4.4.3 on motorcycles issued
2 June 27, 1967 by the National Highway Safety Bureau of the Department of Transportation
3 requires each regulating jurisdiction to have in effect regulations requiring each motorcycle
4 rider to wear an approved safety helmet and to have eye protection, and
5

6 WHEREAS, the safety, and well being of the motoring public is the responsibility
7 of the District of Columbia Government for this jurisdiction, and
8

9 WHEREAS, the District of Columbia City Council under Paragraph 295 of Section
10 402 of Reorganization Plan No. 3 of 1967 was transferred the function of making rules and
11 regulations under D. C. Code Section 40-603(a)
12

13 NOW, THEREFORE, BE IT ENACTED by the District of Columbia City Council that:
14

15 Section 1. Part 1, Section 110, of the Traffic and Motor Vehicle Regulations
16 of the District of Columbia is hereby amended by striking that section in its entirety and
17 substituting in lieu thereof the following:
18

19 "(a) A person operating a motorcycle shall ride only upon the permanent
20 and regular seat attached thereto, and such operator shall not carry any other person nor
21 shall any other person ride on a motorcycle unless such motorcycle is designed to carry
22 more than one person, in which event a passenger may ride upon the permanent and regular
23 seat if designed for two persons, or upon another seat firmly attached to the motorcycle in
24 a position to the rear or side of the motorcycle and provided with foot rests and hand grips
or in a side car attached to the motorcycle.

RECORD OF COUNCIL VOTE																	
COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
HAHN	X					DAUGHERTY	X					SHACKLETON		X			
TUCKER		X				HAYWOOD				X		ROBINSON	X				
ANDERSON		X				MOORE				X		YELDELL	X				

X—Indicates Vote A. B.—Absent N. V. Not Voting R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on JANUARY 20, 1970

Adopted on second and final reading FEBRUARY 3, 1970

Presented to the Mayor-Commissioner February 3, 1970
Date

Approved Pheter Washington Mayor-Commissioner
Date

Enacted W/O signature of the Mayor according to ten day limitation rule: _____
Date

Disapproved and returned to the City Council _____
Mayor-Commissioner Date

Readopted _____
Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.
Stephen C. Swain Secretary of the City Council

2..of.2..

1 " (b) No person shall operate or ride upon a motorcycle unless he wears
2 a protective helmet in the manner for which such helmet was designed and of a type approved
3 by the Director.
4

5 " (c) No person shall operate a motorcycle unless he wears goggles or a
6 face shield of a type approved by the Director. Provided: That this section shall not apply
7 to an operator of a motorcycle equipped with a wind screen or shield of a type approved by
8 the Director nor shall it apply to an operator of a motorcycle who wears spectacles with
9 safety glass lenses during such operation.
10

11 " (d) No person shall sell, offer for sale or distribute any protective helmet,
12 goggles, face shields, wind screens or shields for use by the operators or passengers of
13 motorcycles, unless they are a type and specification approved by the Director and which
14 appear on a list that he shall maintain.
15

16 " (e) The provisions of Part V, Point System Regulations for the District of
17 Columbia, shall not be applicable to violations of this section."
18

19 Section 2. The Director shall adopt standards for devices for use under the
20 requirements of Section 1(b) and (c) of this regulation. Provided: That the Director shall
21 not adopt any standard which is less stringent than those of the United States of America
22 Standards Institute. In adopting standards the Director shall take into account the cost and
23 availability of devices required in Section 1(b) and (c), and additionally for Section 1(b) he
24 shall take into account the effect on hearing and peripheral vision of various helmet designs.
25

26 Section 3. Within 60 days after this regulation is enacted the Director shall
27 submit to the District of Columbia City Council a report setting forth (1) the proposed list
28 of standards for the devices required in Section 1 (b) and (c) of this regulation, and (2) a
29 timetable for the implementation of the proposed standards.
30

31 Section 4.
32

33 (a) The regulations governing any particular device in Sections 1(b), (c),
34 or (d) of this regulation shall take effect upon the Director's adoption of standards for that
35 particular device.
36

37 (b) Except as provided in Section 4(a) of this regulation, this regulation
38 shall take effect immediately upon enactment.
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Mayor Walter E. Washington

Corporation Counsel
Special Assignments
Division

FEB 9 1970

Charles T. Duncan /s/
Corporation Counsel, D. C.

Regulation No. 70-2

Referred to this office for review was the above-referenced regulation, passed by the District of Columbia Council on February 3, 1970, and submitted to you for approval and signing.

The regulation establishes requirements relating to wearing of helmets and goggles while operating and riding upon motorcycles in the District, and other safety aspects of motorcycle operation. It authorizes the Director of the Department of Motor Vehicles to establish standards relating to such safety equipment. In addition, the regulation requires the Director to submit to the Council a report within 60 days following enactment setting forth the standards and a timetable for the implementation of the standards.

There is no legal objection to approving the above-referenced regulation.

Regulation No. 70-3



Enactment Date February 11, 1970

Regulation of the District of Columbia

TITLE Exemption of earnings of public assistance recipients employed as 1970 census takers.

Sterling Tucker Presents the following regulation:

1 WHEREAS, it is the intent of the City Council to encourage the employment of
2 public assistance recipients, and

3
4 WHEREAS, the Secretary of Health, Education and Welfare has notified all state
5 welfare departments that any public assistance recipients who are hired as 1970 census
6 takers should have earnings from such employment exempted for public assistance pur-
7 poses since such earnings are non-recurring and inconsequential,

8
9 NOW, THEREFORE, BE IT ENACTED by the District of Columbia City Council that:

10
11 Section 1. Earnings derived by public assistance recipients in relation to employ-
12 ment as 1970 census takers shall be exempt as income for public assistance purposes.

13
14 Section 2. This regulation shall become effective upon enactment.
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RECORD OF COUNCIL VOTE																	
COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
HAHN	X					DAUGHERTY	X					SHACKLETON	X				
TUCKER	X					HAYWOOD				X		Robinson	X				
ANDERSON	X					MOORE				X		YELDELL	X				

X—Indicates Vote A. B.—Absent N. V. Not Voting R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on December 16, 1969

Adopted on second and final reading February 3, 1970

Presented to the Mayor-Commissioner February 3, 1970 Date Stephen C. Swain Secretary of the City Council

Approved [Signature] Mayor-Commissioner Date Feb. 11, 1970

Enacted W/O signature of the Mayor according to ten day limitation rule: _____ Date

Disapproved and returned to the City Council _____ Mayor-Commissioner _____ Date

Readopted _____ Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.
Stephen C. Swain Secretary of the City Council

Mayor Walter E. Washington

Corporation Counsel
Special Assignments
Division

Charles T. Duncan */s/HWS*
Corporation Counsel, D. C.

FEB 9 1970

Regulation No. 70-3

Referred to this office for review was the above-referenced regulation, passed by the District of Columbia Council on February 3, 1970, and submitted to you for approval and signing.

The regulation provides that earnings derived by public assistance recipients in relation to employment as 1970 census takers shall be exempt as income for public assistance purposes. The regulation is in keeping with policy guidelines established by the Department of Health, Education and Welfare.

There is no legal objection to approving the above-referenced regulation.

Regulation No. 70-4



February 27, 1970
Enactment Date

Regulation

of the

District of Columbia

TITLE AMENDMENT TO THE COMMUNICABLE DISEASE REGULATIONS RELATING TO MANAGEMENT OF RINGWORM OF THE SCALP

MRS. SHACKLETON Presents the following regulation:

1 WHEREAS, private physicians and clinics have developed facilities for
2 complete testing and diagnosing ringworm of the scalp.

3
4 WHEREAS, the present requirement that all such suspected cases of
5 ringworms of the scalp be diagnosed in the ringworm clinic of the Department of
6 Public Health has become a distinct inconvenience to the public and to the
7 Department of Public Health,

8
9 Now therefore be it enacted by the District of Columbia City Council,
10 that:

11
12 Section 1. The first sentence of Sec. 8-5:107 (c) the Health
13 Regulations of the District of Columbia is hereby amended to read as follows:
14 (c) Ringworm of scalp Whenever a school child has, or is suspected of having,
15 ringworm of the scalp, the child shall be excluded from school and shall not
16 return to school until a certificate has been obtained at the Ringworm Clinic of
17 the Department, from any other clinic under the direction of a licensed physician
18 or from a licensed physician. The certificate shall indicate that the diagnosis
19 has been made on the basis of an examination under the Wood's Lamp, by a
20 culture, or by some other method approved by the Director of Public Health. A
21 certificate may be issued during treatment according to the terms of the certificate
22 and may be withdrawn immediately when evidence exists of a noncompliance with
23 such terms. Any school child, who is a contact in the household of a school
24 child having or suspected of having ringworm of the scalp, shall be examined and,

RECORD OF COUNCIL VOTE																	
COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
HAHN	X					DAUGHERTY	X					SHACKLETON	X				
TUCKER	X					HAYWOOD	X					Robinson	X				
ANDERSON	X					MOORE	X					YELDELL	X				

X—Indicates Vote A. B.—Absent N. V. Not Voting R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on February 3, 1970

Adopted on second and final reading February 17, 1970

Presented to the Mayor-Commissioner February 18, 1970 Date Stephen C. Swain Secretary of the City Council

Approved Walter Washington Mayor-Commissioner Feb. 27, 1970 Date

Enacted W/O signature of the Mayor according to ten day limitation rule: _____ Date

Disapproved and returned to the City Council _____ Mayor-Commissioner _____ Date

Readopted _____ Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.
Stephen C. Swain Secretary of the City Council

of

if necessary, be placed under treatment by the private physician, a hospital clinic, or the Department.

Section 2. This Regulation shall take effect immediately upon enactment.

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Walter E. Washington
Mayor

Corporation Counsel
Special Assignments
Division

Charles T. Duncan */s/ HBP*
Corporation Counsel, D. C.

FEB 26 1970

Regulation No. 70-4

Referred to this office for review was the above-referenced regulation passed by the District of Columbia Council on February 17, 1970 and submitted to you for your approval and signing.

The regulation amends the Health Regulations of the District of Columbia so as to permit private physicians and clinics to make diagnoses and certifications with respect to suspected cases of ringworm of the scalp. The regulation was initiated by the Department of Public Health.

There is no legal objection to approving the above-referenced regulation.

Regulation No. 70-5



February 27, 1970
Enactment Date

Regulation

of the
District of Columbia

TITLE AMENDMENT TO ABC REGULATIONS TO ELIMINATE AN UNNECESSARY BOOKKEEPING REQUIREMENT

Councilman Philip J. Daugherty Presents the following regulation:

1 NOW THEREFORE BE IT ENACTED, by the District of Columbia Council,
2 that:

3
4 Section 1. The first sentence of subsection (c) of Section 2-111
5 of the Alcoholic Beverage Control Regulations of the District of Columbia is
6 hereby amended to read as follows:
7

8 "(c) Each holder of a retailer's license shall keep and
9 maintain upon the licensed premises records, which shall
10 include invoices and delivery slips, which shall adequately
11 and fully reflect all purchases and deliveries to it of
12 alcoholic beverages, except beer."
13

14 Section 2. This regulation shall become effective five days
15 after adoption and publication as required by law.
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RECORD OF COUNCIL VOTE

COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
HAHN	X					DAUGHERTY	X					SHACKLETON	X				
TUCKER	X					HAYWOOD	X					Robinson	X				
ANDERSON	X					MOORE	X					YELDELL	X				

X—Indicates Vote A. B.—Absent N. V. Not Voting R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on February 3, 1970

Adopted on second and final reading February 17, 1970

Presented to the Mayor-Commissioner February 18, 1970 Stephen C. Swain
Date Secretary of the City Council

Approved Maeter Washington Feb. 27, 1970
Mayor-Commissioner Date

Enacted W/O signature of the Mayor according to ten day limitation rule: _____
Date

Disapproved and returned to the City Council _____
Mayor-Commissioner Date

Readopted _____
Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.
Stephen C. Swain
Secretary of the City Council

Walter E. Washington
Mayor

Corporation Counsel
Special Assignments
Division

Charles T. Duncan *15/ HRS*
Corporation Counsel, D.C.

FEB 26 1970

Regulation No. 70-5

Referred to this office for review was the above-referenced regulation passed by the District of Columbia Council on February 17, 1970 and submitted to you for your approval and signing.

The regulation amends the Alcoholic Beverage Control regulations by permitting licensed retailers more flexibility in keeping records reflecting purchases and deliveries of alcoholic beverages.

There is no legal objection to approving the above-referenced regulation.

Regulation No. 70-6



February 27, 1970
Enactment Date

Regulation of the District of Columbia

TITLE REPEAL OF BOTTLE LABELING BY LIQUOR DEALERS

Councilman Philip J. Daugherty Presents the following regulation:

1 NOW, THEREFORE BE IT ENACTED, by the District of Columbia Council,
2 that:

3
4 Section 1. Section 2-124(B) of the Alcoholic Beverage Control
5 Regulations of the District of Columbia is hereby repealed.

6
7 Section 2. This regulation shall become effective five days
8 after adoption and publication as required by law.
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RECORD OF COUNCIL VOTE																	
COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
HAHN	X					DAUGHERTY	X					SHACKLETON	X				
TUCKER	X					HAYWOOD	X					ROBINSON	X				
ANDERSON	X					MOORE	X					YELDELL	X				

X—Indicates Vote A. B.—Absent N. V. Not Voting R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on February 3, 1970

Adopted on second and final reading February 17, 1970

Presented to the Mayor-Commissioner February 18, 1970 Stephen C. Swain
Date Secretary of the City Council

Approved Walter Washington Feb. 27, 1970
Mayor-Commissioner Date

Enacted W/O signature of the Mayor according to ten day limitation rule: _____
Date

Disapproved and returned to the City Council _____
Mayor-Commissioner Date

Readopted _____
Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.

Stephen C. Swain
Secretary of the City Council

Columbia City Council

400 North E Street, N.W. Room 301 638-2223 or Government Center 1 3106

Mr. E. Washington
Mayor

Corporation Counsel
Special Assignments
Division

Mrs. Polly Shackleton, Chairman, Health & Welfare Committee

Charles T. Duncan *18/TBF*
Corporation Counsel, D. C.

FEB 26 1970

Subject

Proposed Amendment of Housing Regulations Relative to Lead Paint
on Exposed Interior Surfaces of Dwellings.
Regulation No. 70-6

Several editorial changes have been made in the text of the amendments referred to this office for review. The above-referenced regulation passed by the District of Columbia Council on February 17, 1970 and submitted to you for your approval and signing.

The changes that have been made within the text are as follows:

(1) The regulation amends the Alcoholic Beverage Control regulations by repealing Section 2-124(B) which required the placing of the licensee's ABC license number on each bottle of alcoholic beverage excepting beer.

(2) There is no legal objection to approving the above-referenced regulation. After the word "agent" in the second line, the wording "is authorized to" has been changed to "shall".

Mr. Chairman and Members of the Council, I recommend that you approve these amendments to the Housing Regulations before us tonight.

4-B

City of Columbia City Council

Hall, 14th and E Streets, N.W.

Room 507

638-2223 or Government Code 137-3806

To Members of the City Council

From Mrs. Polly Shackleton, Chairman, Health & Welfare Committee

Date March 17, 1970

Subject Proposed Amendment of Housing Regulations Relative to Lead Paint on Exposed Interior surfaces of dwellings.

Several editorial changes have been made in the text of the amendments to the Housing Regulations on lead paint which were approved by the Council on first reading, March 3, 1970.

The changes that have been made within the text are as follows:

(1) Section 2605.2 - After the phrase "reasonable grounds", the phrase "taking into account the age and location of the building", has been added. This phrase is intended to further delineate the grounds upon which a health hazard might be assumed to exist in a given structure.

(2) Section 2605.3 - After the word "agent" in the second line, the wording "is authorized to" has been changed to "shall".

Mr. Chairman and Members of the Council, I recommend that you approve these amendments to the Housing Regulations before us tonight.

4-B

randum ○ Government of the District of Columbia

TO: Stephen C. Swaim

Department,
Agency, Office: Budget & Executive
Management

FROM: James L. Devall *Jim*

Date: March 17, 1970

SUBJECT: Proposed Lead Paint Regulations

We have been advised that your two changes in the lead
paint regulations are legally unobjectionable.



THE DISTRICT OF COLUMBIA

WASHINGTON, D.C. 20004

GRAHAM W. WATT
Deputy Mayor-Commissioner

FEB 26 1970

MEMORANDUM TO: Mr. Gilbert Hahn, Chairman
District of Columbia Council

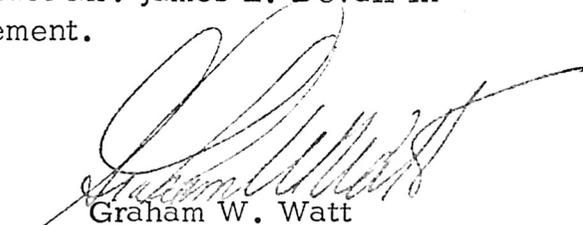
SUBJECT: Proposed Amendments to D.C. Housing and D.C. Health
Regulations Relative to Plumbism and Environmental
Exposures to Lead

Attached herewith for the Council's consideration are two related regulations. One amends the D.C. Housing Regulations and one amends the D.C. Health Regulations. Together they represent an effort to combat the incidence of lead poisoning of children in the District of Columbia.

The Office of Corporation Counsel has reviewed these regulations and finds them to be legally sufficient.

There has been considerable interest exhibited both in the press and in other sources regarding the need for an on-going program in this area. The D.C. Public Health Association has indicated its interest in the problem and the need for early action.

If the Council wishes any further information or assistance in regard to these regulations, please contact Mr. James L. Devall in the Office of Budget and Executive Management.



Graham W. Watt
Deputy-Mayor Commissioner

Analysis of Proposed Amendments to Housing and Health
Regulations Relating to Plumbism and Environmental
Exposures to Lead

The subject regulations have been drafted by the Department of Public Health and the Department of Economic Development jointly. The regulations are a meaningful step in a program to treat and prevent plumbism in the District of Columbia.

During the past year, there have been 33 diagnosed cases of plumbism (lead poisoning) treated within the District. It is our judgment that this represents only a fraction of the total number of cases of lead poisoning and we would conservatively estimate that some 500 cases of lead poisoning occur annually in children residing within the District. The disease occurs primarily in children afflicted with pica who are exposed to lead bearing paints within their residential environments. The existing Housing and Health Regulations do not provide the necessary authority for action to correct this serious health hazard.

The proposed regulations will provide a firm legal basis to achieve the following two objectives:

- (1) To prohibit the application of lead paint to any toy, article of furniture, or exposed interior surface of any dwelling.
- (2) The removal of lead from the residential environment, particularly in those structures where children are known to be suffering from lead poisoning or from pica with the attendant hazard of ingestion of toxic amounts of lead.

Currently, the Department of Public Health and the Department of Economic Development are trying to combat plumbism through a voluntary program. Some difficulties have resulted due to the lack of legal authority which will be resolved with the promulgation of the attached regulations. As you know, the problem is an especially serious one since the ingestion can result in severe mental retardation or death. It is conservatively estimated that the cost to the community

...e of an individual who has suffered severe mental
...dation as the result of lead poisoning may
...roximate \$250,000 over his lifetime. Our screening
...rogram will provide more definitive data on the extent
...of the problem in the District.

Walter E. Washington
Mayor

Corporation Counsel
Special Assignments
Division

Charles T. Duncan */s/ABP*
Corporation Counsel, D.C.

MAR 27 1970

Regulation No. 70-8

Referred to this office for review was the above-referenced regulation passed by the District of Columbia Council on March 17, 1970 and submitted to you for approval and signing.

The regulation amends the Housing Regulations by requiring removal of materials containing lead or its compounds in such amounts as to constitute a hazard of lead poisoning. The regulation was initiated by the Department of Economic Development.

There is no legal objection to approving the above-referenced regulation.

Regulation No. 70-8



April 1, 1970
Enactment Date

Regulation

of the
District of Columbia

TITLE PROPOSED AMENDMENT OF THE HOUSING REGULATIONS RELATIVE TO LEAD PAINT ON EXPOSED INTERIOR SURFACES OF DWELLINGS

Mrs. Polly Shackleton Presents the following regulation:

BE IT ENACTED by the District of Columbia Council that:

Section 1. Insert the following new definition in Section 1102, immediately following the definition of "Hotel":

"Interior surface' means any exposed surface in the interior of any residential building, including, but not limited to, any portion of a window, window frame, door, door frame, wall, ceiling, stair, rail, spindle, balustrade, or other guard or appurtenance."

Section 2.

(a) Insert the designation "2605.1" immediately before the existing language of Section 2605 of the Housing Regulations.

(b) Add the following new subsections to such Section 2605 of the Housing Regulations:

"2605.2 Whenever any duly designated agent of the District of Columbia (1) upon inspection finds the presence of flaking, peeling, chipped or loose paint, plaster or structural materials on any interior surface of any residential building, or (2) has other reasonable grounds, taking into account the age and location of the building, to believe that a hazard exists to the health of one or more of the inhabitants of said building because of the presence of lead or its compounds in the paint, plaster, or structural materials of any interior surface, said agent is authorized to secure specimens of paint, plaster or structural materials, and to analyze or cause an analysis to be made of said specimens

RECORD OF COUNCIL VOTE

COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
HAHN	X					DAUGHERTY				X		SHACKLETON	X				
TUCKER	X					HAYWOOD				X		ROBINSON	X				
ANDERSON	X					MOORE	X					YELDELL	X				

X—Indicates Vote A. B.—Absent N. V. Not Voting R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on March 3, 1970

Adopted on second and final reading March 17, 1970

Presented to the Mayor-Commissioner March 18, 1970 Date Stephen C. Swain Secretary of the City Council

Approved Thaxter Washington Mayor-Commissioner March 27, 1970 Date

Enacted W/O signature of the Mayor according to ten day limitation rule: _____ Date

Disapproved and returned to the City Council _____ Mayor-Commissioner _____ Date

Readopted _____ Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.

Stephen C. Swain Secretary of the City Council

1 to determine the quantity of lead or its compounds contained in the material.
 2 If said analysis reveals the presence of lead or its compounds in a quantity
 3 in excess of one per cent by weight or in a quantity otherwise sufficient to
 4 constitute a hazard to the health of any inhabitant of said building, the Director
 5 of the Department of Economic Development or his agent shall notify the inhabitants
 6 that lead in a quantity sufficient to constitute a hazard was found and that a lead
 7 poisoning hazard exists because of the existence of such lead. "

8
 9 "2605.3 The Director of the Department of Economic Development or his
 10 agent shall order the owner of a building in which lead in a quantity sufficient
 11 to constitute a hazard was found either (1) cease occupying or permitting the
 12 occupancy of any or all habitations in a building in which lead in a quantity
 13 sufficient to constitute a hazard was found on interior surfaces; or (2) (a) remove
 14 all materials containing lead or its compounds from such interior surfaces to
 15 their base surface, under such safety conditions as are approved by the Director
 16 of the Department of Economic Development, and (b) then either cover such interior
 17 surfaces with a paint not to contain lead or its compounds in a quantity exceeding
 18 one per cent of the total weight of the material, or leave such interior surfaces
 19 in their natural state provided that the flame spread rating of the natural state is
 20 at least equal to that required by the D. C. Building Code, 1961 edition; or (3)
 21 cover such interior surfaces with a durable material approved by the Director of
 22 the Department of Economic Development; or (4) eliminate the lead poisoning
 23 hazard by such other methods as are approved by the Director of the Department
 24 of Economic Development. Any owner who is served with an order pursuant to
 25 this section shall comply with such an order within ten (10) days of its service
 26 upon him. "

27
 28 Section 3. This Regulation shall become effective immediately upon
 29 enactment.
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Regulation No. 70-9



March 26, 1970
Enactment Date

Regulation

of the

District of Columbia

TITLE Regulation to authorize the Department of Public Welfare to issue public assistance checks in the exact amount in dollars and cents.

Mrs. Polly Shackleton Presents the following regulation:

1 WHEREAS, the Department of Public Welfare, by authority of Commissioners'
2 Order No. 58-1080, has rounded public assistance payments to the nearest dollar
3 amount; and
4

5 WHEREAS, the computation of the amount of each public assistance payment,
6 which has been done manual, will be done by computer and better controls can be
7 maintained if checks are written in the exact amount in dollars and cents; and
8

9 WHEREAS, pursuant to paragraphs 83 and 84 of Section 402 of Reorganization
10 Plan No. 3 of 1967, the District of Columbia Council is authorized to establish
11 rules and regulations to carry out the provisions of the District of Columbia Public
12 Assistance Act of 1962, and to approve regulations under which shall be determined
13 the amount of public assistance which any person shall receive.
14

15 NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council that:

16 Section 1. The Director, Department of Public Welfare, in authorizing assistance
17 to public assistance recipients, shall issue the checks in the exact amount in dollars
18 and cents to which each individual or family is entitled.
19

20 Section 2. Commissioners' Order No. 58-1080, dated July 8, 1958, is hereby
21 rescinded.
22

23 Section 3. This regulation shall be made retroactive to January 1, 1970 upon
24 enactment.

RECORD OF COUNCIL VOTE

COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
HAHN	X					DAUGHERTY				X		SHACKLETON	X				
TUCKER	X					HAYWOOD				X		ROBINSON	X				
ANDERSON	X					MOORE	X					YELDELL	X				

X—Indicates Vote A. B.—Absent N. V. Not Voting R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on March 3, 1970

Adopted on second and final reading March 17, 1970

Presented to the Mayor-Commissioner March 18, 1970

Approved *Phaeton Washington* March 26, 1970
Mayor-Commissioner Date

Stephen C. Swain
Secretary of the City Council

Enacted W/O signature of the Mayor according to ten day limitation rule: _____
Date

Disapproved and returned to the City Council _____
Mayor-Commissioner Date

Readopted _____
Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.

Stephen C. Swain
Secretary of the City Council

Regulation No. 70-10



March 26, 1970
Enactment Date

Regulation

of the

District of Columbia

TITLE Regulation to amend Article XII, Part B, Section 7 of the rules and regulations of the Fire Department of the District of Columbia governing prerequisite length of service for entrance to the qualifying examination and consideration for promotion.

Councilman Henry S. Robinson Presents the following regulation:

1 WHEREAS, pursuant to paragraph 107 of section 402 of Reorganization Plan No. 3
2 of 1967, the District of Columbia Council is authorized to make, alter, or amend
3 rules and regulations relating to officers and members of the Fire Department, and
4 to change the rules and regulations of the Fire Department promulgated before June
5 20, 1906, under D. C. Code, Section 4-402.
6

7 NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council that:
8

9 Section 1. Article XII, Part B, Section 7 of the rules and regulations of the Fire
10 Department of the District of Columbia is amended as follows:
11

12 A. Subsection (b) of such section 7 is amended to read as follows:
13

14 "(b) Sergeants applying for promotion to the competitive grade of
15 Lieutenant shall have served as a competitive Sergeant in
16 the Fire Department of the District of Columbia at least one
17 year immediately preceding the qualifying date of the examination
18 and shall be serving in the grade of competitive Sergeant on
19 the date of the examination."
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RECORD OF COUNCIL VOTE

COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
HAHN	X					DAUGHERTY				X		SHACKLETON	X				
TUCKER	X					HAYWOOD				X		ROBINSON	X				
ANDERSON	X					MOORE	X					YELDELL	X				

X—Indicates Vote A. B.—Absent N. V. Not Voting R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on March 3, 1970

Adopted on second and final reading March 17, 1970

Presented to the Mayor-Commissioner March 18, 1970 Date Stephen C. Swain
Secretary of the City Council

Approved Charles E. Washington Mayor-Commissioner March 26, 1970 Date

Enacted W/O signature of the Mayor according to ten day limitation rule: _____ Date

Disapproved and returned to the City Council _____ Date
Mayor-Commissioner

Readopted _____ Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.
Stephen C. Swain
Secretary of the City Council

1 B. Subsection (c) of such section 7 is amended to read as follows:

2
3 "(c) (1) With respect only to the examination held in June, 1968,
4 Lieutenants applying for promotion to the competitive grade
5 of Captain shall have served as a competitive Lieutenant
6 in the Fire Department of the District of Columbia at least
7 one year immediately preceding the qualifying date of the
8 examination and shall be serving in the grade of competitive
9 Lieutenant on the date of the examination. "

10
11 "(c) (2) With respect to the examination to be held in June, 1970,
12 and continuing thereafter, Lieutenants applying for promotion
13 to the competitive grade of Captain shall have served as a competitive
14 Lieutenant in the Fire Department of the District of Columbia
15 at least two consecutive years immediately preceding the qualifying
16 date of the examination and shall be serving in the grade of
17 competitive Lieutenant on the date of the examination. "

18
19 C. Such section 7 is amended by adding at the end of subsection (c)
20 the following new subsections:

21
22 (1) "(d) All members of the Fire Department who had achieved the rank of
23 Sergeant on or before June 15, 1966, and who passed the qualifying
24 written examination for promotion to the rank of Lieutenant in
25 June, 1968, shall be promoted to the rank of Lieutenant immediately,
26 with an effective date of rank for longevity purposes the date
27 they would have been promoted under the provisions of Fire
28 Department Rules and Regulations as promulgated, in Commissioners'
29 Order Number 65-1958 dated November 5, 1965.

30
31 (2) "(e) Notwithstanding the provisions of subsection (c) of this section,
32 all members of the Fire Department of the District of Columbia
33 who had achieved the rank of Sergeant on or before June 15, 1966,
34 and who passed the qualifying written examination for promotion
35 to the rank of Lieutenant in June, 1968, and members of the Fire
36 Department who have been promoted to the rank of Lieutenant
37 prior to September 1, 1968, shall be eligible to take the examination
38 for the rank of Captain in June, 1970. "

39
40 (3) "(f) If in the event a member of the Fire Department of the District of
41 Columbia shall have been promoted to the rank of Lieutenant prior
42 to the enactment of this regulation, his personnel records shall
43 reflect a promotion date for longevity purposes the date he would
44 have been promoted under the provisions of Fire Department
45 Rules and Regulations as promulgated in Commissioners' Order
46 Number 65-1958, dated November 5, 1965.

47
48 (4) "(g) For the purpose of this regulation the term 'longevity' shall mean
49 the time a member shall have served in his respective rank or
50 grade when time in grade is the factor considered for the purpose
51 of breaking ties in qualifications for promotion to the next grade
52 or change in assignment. "

53
54 Section 2. Nothing in this regulationshall be construed as authorizing any
55 retroactive compensation or salary.

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Section 3. The amendments made by Sections 1 (a) and Section 1 (b), paragraph (c) (1) of this regulation shall be effective retroactively to March 13, 1968. All other sections shall become effective, the effective date of this regulation.

Section 4. This regulation shall be effective upon enactment.

Regulation No. 70-11



March 26, 1970
Enactment Date

Regulation

of the
District of Columbia

TITLE Amendments to regulations pertaining to District of Columbia income and franchise taxes; sales and use taxes; and to District of Columbia alcoholic beverage control taxes.

Mr. Gilbert Hahn, Jr. Presents the following regulation:

WHEREAS, on October 31, 1969 there was enacted "The District of Columbia Revenue Act of 1969"; and

WHEREAS, said Revenue Act amended the District of Columbia Income and Franchise Tax Act of 1947, the District of Columbia Sales and Use Tax Acts, and the District of Columbia Alcoholic Control Act; and

WHEREAS, as a consequence of said Revenue Act of 1969 changes are required in existing regulations heretofore adopted pursuant to said taxing acts

NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council that:

Section 1. THE REGULATIONS PERTAINING TO DISTRICT OF COLUMBIA INCOME AND FRANCHISE TAXES promulgated under authority of the District of Columbia Income and Franchise Tax Act of 1947 are amended as follows:

(a) Section 8.1-(h) is amended by striking "5%" immediately following the word "Tax" and inserting "6%", and by striking "\$2,550" and inserting in lieu thereof "\$3,060."

RECORD OF COUNCIL VOTE

COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
HAHN	X					DAUGHERTY				X		SHACKLETON	X				
TUCKER	X					HAYWOOD				X		ROBINSON	X				
ANDERSON	X					MOORE	X					YELDELL	X				

X—Indicates Vote A. B.—Absent N. V. Not Voting R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on March 3, 1970

Adopted on second and final reading March 17, 1970

Presented to the Mayor-Commissioner March 18, 1970 Date Stephen C. Swain Secretary of the City Council

Approved Charles E. Washington Mayor-Commissioner March 26, 1970 Date

Enacted W/O signature of the Mayor according to ten day limitation rule: _____ Date

Disapproved and returned to the City Council _____ Mayor-Commissioner _____ Date

Readopted _____ Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.
Stephen C. Swain Secretary of the City Council

(b) Section 8.3 is repealed.

(c) Section 10.2-(c) D.1 is amended by striking the words "gains and profits from the sale of property other than capital assets" and inserting in lieu thereof the words "gains and profits from the sale of property including capital assets."

(d) Section 10.2(c) D.(3)(a) is amended by striking the words "other than capital assets" and inserting in lieu thereof the words "including capital assets."

(e) Section 10.2(c) D.(3)(b) is amended by striking the words "other than capital assets" and inserting in lieu thereof the words "including capital assets."

(f) Section 10.2(c) D.(3)(c) is amended by striking the words "other than capital assets" and inserting in lieu thereof the words "including capital assets."

(g) Section 12.7(a)(6) is amended by striking the words "Payment of Estimated Tax" and inserting in lieu thereof the words "Payment of Estimated Individual Income Tax."

(h) Section 12.8(i)(2) is amended by striking the words "Form and Contents of Declaration of Estimated Tax" and inserting in lieu thereof the words "Form and Contents of Declaration of Estimated Individual Income Tax."

(i) Section 12.8(i)(4) is amended by striking the words "Time for Filing Declaration of Estimated Income Tax" and inserting in lieu thereof the words "Time for Filing Declaration of Estimated Individual Income Tax."

(j) Section 12.8(i)(6) is amended by striking the words "Return as a Declaration of Estimated Tax" and inserting in lieu thereof the words "Return as a Declaration of Estimated Individual Income Tax."

(k) Section 12.8(i)(7) is amended by striking the words "Extension of Time for Filing Declaration" and inserting in lieu thereof the words "Time for Filing Declaration of Estimated Individual Income Tax."

(l) Section 14.1(a) is repealed.

(m) Section 14.1(b) is renumbered as Section 14.1(a).

(n) Section 14.1(c) is renumbered as Section 14.1(b).

(o) Section 14.5 is repealed.

Section 2. THE REGULATIONS PERTAINING TO DISTRICT OF COLUMBIA SALES AND USE TAXES promulgated under authority of the District of Columbia Sales Tax Act and the District of Columbia Use Tax Act, are amended as follows:

(a) Section 202(a) is amended by striking the third paragraph thereof.

(b) Section 202(b) is amended by adding at the end thereof the following new paragraph:

3 of 7

1 "The gross receipts exempted under this subsection
2 do not include the gross receipts from services taxable
3 under Section 114(a) of the Act, regardless of whether
4 tangible personal property is involved in rendering the
5 service."

6
7 (c) Section 202(c)(3) is amended by striking the period at
8 the end of the first sentence, and inserting in lieu thereof a
9 comma, and by adding after the comma the following proviso:

10
11 "and provided further, that such property is not
12 applied or installed as a repair or replacement part
13 of other tangible personal property."

14 (d) Section 401(n) is amended to read as follows:

15
16 "(n) Sales of 'medicines, pharmaceuticals, and
17 drugs' if made on prescription of duly licensed
18 physicians, surgeons, or other general or special
19 practitioners of the healing art.

20
21 For the purpose of this subsection, the words 'medicines,
22 pharmaceuticals, and drugs', shall be deemed to mean any
23 of the same recognized in the Official United States
24 Pharmacopoeia, Official Homeopathic-Pharmacopoeia of
25 the United States or the Official National Formulary, or
26 any supplement to any of them; any substance or mixture
27 of substances containing at least one of such recognized
28 medicines, pharmaceuticals and drugs intended for use
29 in the cure, mitigation or prevention of disease in man
30 or animals which is so prepared as to be adaptable
31 for such use internally, or by physically applying the
32 same to the man or animal externally in order to penetrate
33 the skin. It shall not apply to any unmedicated substance
34 even though the same is to be applied internally or
35 externally."

36
37 (e) Section 403 is amended by striking therefrom the phrase:

38
39 "or where the sales price is under 28 cents on a sale
40 of food for human consumption off the premises where such
41 food is sold."

42
43 (f) Sections 502(a), 502(b) and 502(c) are repealed.

44
45 (g) Immediately following Section 604, add a new Section 605
46 reading as follows:

47
48 "Section 605. Overcharges of Sales Tax - If a
49 vendor collects reimbursement for the tax from the
50 purchaser in excess of the amounts prescribed in
51 Section 602 of these regulations, or if he collects
52 reimbursement for the tax on any exempt or non-taxable
53 sale or charge, he shall make a refund or credit to
54 the purchaser for the amount of such overcharge. To
55 the extent that each such overcharge has not been
56 refunded or credited to the purchaser it shall be paid
57 to the District in the same manner and at the same
58 time as the tax required to be paid as provided in Section
59 901 of these regulations."

60 (h) Section 801 is amended to read as follows:

4 of 7

1 "Section 801. Periodic Returns - Returns are
2 required to be filed with the Finance Officer on
3 or before the 20th day of the month following the
4 reporting period -

5
6 (a) By every vendor who has made any sale at
7 retail, taxable under the Sales and Use Tax Acts,
8 during such preceding reporting period;

9
10 (b) By every retailer (vendor) not engaging in
11 business in the District who is expressly authorized
12 by the D.C. Treasurer to pay the tax and collect
13 reimbursement therefor and who has made any sales at
14 retail, taxable under the Use Tax Act, during the
15 preceding reporting period;

16
17 (c) By every purchaser who purchased tangible
18 personal property for use, storage or consumption
19 in the District during the preceding reporting period
20 or, who purchased services, and who has not paid the
21 tax to vendors or authorized retailers;

22
23 (d) By every purchaser where tangible personal
24 property has been purchased for resale but is subsequently
25 used or consumed by the purchaser thereof."

26 (i) Section 802 is amended to read as follows:

27
28 "Section 802. Annual Returns - Every vendor who
29 has filed all required periodic sales tax returns
30 shall be deemed to have complied with the requirements
31 imposed on vendors for filing annual returns: Provided,
32 That the total amount of his taxable gross receipts
33 for his tax year is not in excess of the total of the
34 amounts reported on his returns for such tax year.

35
36 Where the taxable gross receipts of any vendor
37 for his tax year are in excess of the total of the
38 amounts reported on the taxpayer's periodic returns,
39 he shall notify the Finance Officer, in writing,
40 within 30 days after the end of his tax year. The
41 notice shall show the amount of excess taxable receipts
42 over the amounts already reported and he shall pay the
43 tax on such excess."

44
45 (j) Section 803 is amended to read as follows:

46
47 "Section 803. Form of Return - The form of
48 returns shall be as prescribed by the Finance
49 Officer. Return forms will be on tabulating cards
50 which will be ordinarily mailed to each registered
51 vendor or retailer during the first week of the
52 month following the period for which the return is
53 to be filed. Failure of vendors or retailers to
54 receive a return form does not relieve them from
55 filing returns, nor shall such fact be grounds for
56 extending the time for filing any return or for
57 remission of penalties and interest. If return forms
58 are not received by vendors or retailers it is their
59 responsibility to obtain the same from the Finance
60 Officer."

-5 of -7

1 (k) Section 1102(d) is amended by striking therefrom the
2 last sentence thereof.

3
4 (1) Section 1105 is amended to read as follows:

5 "Section 1105. Repairs and Alterations to Tangible
6 Personal Property.

7
8 (a) All charges for labor and/or materials to repair,
9 alter, mend or fit tangible personal property, or to apply
10 or install tangible personal property as a repair or
11 replacement part of other tangible personal property are
12 subject to the sales tax, regardless of whether the charge
13 for labor is billed separately from the charge for materials.
14

15 This section applies to all charges for work and
16 materials to restore or preserve the condition of
17 tangible personal property, to adjust or correct defects
18 therein, or to alter the size, shape, content, appearance
19 or utilitarian effect of such property.
20

21 This section also applies to charges for maintenance,
22 preventive maintenance, warranty contracts, and service
23 calls, whether or not on a service call repairs are
24 actually made.
25

26 (b) This section does not apply to repairs to real
27 property, or any appurtenances thereto classified as real
28 property."
29

30 (m) Section 1201(a)(2) is amended to read as follows:

31 "(2) The charges for furnishing government postage
32 as a part of the printing item, if charged as a separate
33 item, shall not be included in taxable gross receipts,
34 but if not charged as a separate item no allowance shall
35 be made on account thereof."
36

37
38 (n) Section 1204 is amended to read as follows:

39 "Section 1204. Laundries, Dry Cleaners and Linen
40 Suppliers. Receipts from the services of laundering, dry
41 cleaning, or pressing of any kind of tangible personal
42 property are taxable. If a recurring service of laundering
43 or cleaning is the essential part of the rental of textiles,
44 the rental receipts are not subject to tax.
45

46 If the receipts from the rental of textiles are
47 not subject to the tax, the textiles which are rented,
48 and all other materials used or consumed in the rental
49 of such textiles are subject to the tax at the time
50 of their purchase by the lessor. If no sales tax is
51 paid by the lessor at the time of purchase, the purchase
52 price of the materials shall be reported to the District
53 and the tax paid thereon.
54

55 In connection with the services of laundering, cleaning
56 and pressing, the materials which pass to the customer,
57 such as containers, wrapping paper, twine, etc., are
58 exempt from the sales tax but the materials which are
59 consumed or used in rendering such services, such as
60

6 of 7

1 soaps, soap powders, detergents, cleaning fluids,
2 etc., are subject to the sales tax, or, if no such
3 tax has been paid, must be reported to the District
4 and the tax paid thereon."

5 (o) Section 1210 is amended to read as follows:
6

7 "Section 1210. Photographers, Artists, Etc. -
8 (a) Photographers, photofinishers and photostat
9 producers are engaged both in the sale of tangible
10 personal property and in rendering services for others.
11 When such persons develop and print pictures and sell
12 films, frames, cameras, completed photographs, photostats,
13 blue prints, etc., they are making a sale of a completed
14 article of tangible personal property in every such case
15 and they shall collect the tax on the total selling
16 price without deduction for the cost of the property sold,
17 labor, service or any other expense whatsoever. Persons
18 engaged in the processing of color films and who, in
19 addition, mount such films in frames, etc., are considered
20 to be engaged in the sale of tangible personal property
21 and shall collect the tax on the total charge or selling
22 price. When persons covered by this section render
23 services such as retouching and tinting or coloring of
24 photographs belonging to others, they are rendering
25 taxable services and shall collect the tax from their
26 customers.
27

28 (b) The sale of pictures produced by artists,
29 including, but not limited to, those produced in the
30 following media, are taxable sales: Oil, charcoal,
31 pen and ink, pencil, water colors, pastels, tempera,
32 etc. The services performed by an artist in cleaning,
33 repairing or restoring pictures as described in this
34 subsection, are services subject to tax."
35

36 (p) Immediately following Section 1211 add the following
37 new Sections 1212 and 1213 reading as follows:
38

39 "Section 1212. Reproducing, Addressing, Mailing
40 and Public Stenographic Services. Charges for copying,
41 photocopying, reproducing, duplicating, mimeographing,
42 blueprinting, photostating, addressing, mailing (including
43 folding and inserting for mailing) and public stenographic
44 services (including typing services) are taxable regardless
45 of the manner or means of performing the services."
46

47 "Section 1213. Admissions to Public Events. - Sales
48 of tickets or charges for admission to public events,
49 including movies, musical performances, lectures, circuses,
50 sporting events, exhibitions and other shows or performances
51 of any type or nature are taxable. However, charges for
52 the use of recreational facilities by persons participating
53 in athletic events and dues or initiation fees for admission
54 to social clubs are exempt from the tax
55

56 Cover or minimum charges by restaurants and other
57 establishments for the sale of food or drink are deemed
58 to be part of the charges for food or drinks consumed
59 on the premises and are not taxable as admissions.
60

If discounts are allowed sales agents as their compensation for making sales of tickets, such discounts shall be considered to be a selling expense which may not be deducted in determining the amount of the taxable receipts. "

Section 3. Paragraph 2 of Subdivision A of Section 2-124 of the District of Columbia Alcoholic Beverage Control Regulations is amended by striking the word "tenth", and inserting in lieu thereof the word "fifteenth. "

Section 4. This regulation shall take effect immediately upon enactment.

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Regulation No. 70-12



March 26, 1970
Enactment Date

Regulation

of the

District of Columbia

TITLE Regulation to permit the Department of Public Welfare to disregard work incentive allowances paid by the Department of Vocational Rehabilitation to disabled public assistance recipients who are training for employment.
Mrs. Polly Shackleton Presents the following regulation:

1 WHEREAS, the Administrator, Social and Rehabilitation Service, Department
2 of Health, Education, and Welfare, in a letter to State Administrators dated February
3 7, 1969, directed that an integrated action program be developed as a top priority to
4 provide vocational rehabilitation services to public welfare clients; and
5
6 WHEREAS, the Department of Public Welfare and Department of Vocational
7 Rehabilitation have developed such a program whereby disabled recipients of public
8 assistance, including mothers of Aid to Families with Dependent Children families
9 who cannot be referred to the Work Incentive Program, will be evaluated and trained
10 for employment when such training is feasible; and
11
12 WHEREAS, the Department of Vocational Rehabilitation training plan provides
13 for paying a work training allowance as motivation to persons selected for training
14 comparable to the allowances paid to participants in the Work Incentive Program
15 which is disregarded in determining the need for public assistance; and
16
17 WHEREAS, Commissioners' Order No. 63-1348, as amended by Commissioners'
18 Order No. 64-1654, dated November 17, 1964, provides for disregarding income of
19 recipients of Aid to the Blind who have a plan to become self-supporting and
20 Commissioners' Order No. 68-552, dated August 8, 1968, establishes a similar
21 provision for recipients of Aid to the Permanently and Totally Disabled, there is no
22 authority for disregarding income of recipients of Aid to Families with Dependent
23 Children or General Public Assistance who have a plan to become self-supporting;
24 and

RECORD OF COUNCIL VOTE																	
COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
HAHN	X					DAUGHERTY				X		SHACKLETON	X				
TUCKER	X					HAYWOOD				X		ROBINSON	X				
ANDERSON	X					MOORE	X					YELDELL	X				

X—Indicates Vote A. B.—Absent N. V. Not Voting R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on March 3, 1970

Adopted on second and final reading March 17, 1970

Presented to the Mayor-Commissioner March 18, 1970 Stephen C. Swain
Date Secretary of the City Council

Approved Charles E. Washington March 26, 1970
Mayor-Commissioner Date

Enacted W/O signature of the Mayor according to ten day limitation rule: _____
Date

Disapproved and returned to the City Council _____
Mayor-Commissioner Date

Readopted _____
Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.
Stephen C. Swain
Secretary of the City Council

1 WHEREAS, pursuant to paragraphs 83 and 84 of Section 402 of Reorganization
 2 Plan No. 3 of 1967, the District of Columbia Council is authorized to establish rules
 3 and regulations to carry out the provisions of the District of Columbia Public Assistance
 4 Act of 1962, and to approve regulations under which shall be determined the amount of
 5 public assistance which any person shall receive.

6
 7 NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council that:

8
 9 Section 1. The Director, Department of Public Welfare, in determining the
 10 extent of need of persons who are receiving Aid to Families with Dependent Children
 11 or General Public Assistance and are selected by the Department of Vocational
 12 Rehabilitation to receive vocational training for gainful employment, shall disregard
 13 the full amount of work incentive allowances paid to trainees by the Department of
 14 Vocational Rehabilitation.

15
 16 Section 2. This regulation shall be effective on passage.
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Section 2. That Chapter 5, Health Regulations, of Title 8 of the District of Columbia Regulations be amended by adding a Part 3 as follows:

"Part 3. Reporting of Preventable Diseases

"8-5:301 Plumbism.

Any physician who diagnoses or treats a case of lead intoxication shall within 72 hours report such case to the Director of Public Health on a form prescribed and furnished by the Director.

"8-5:302 Penalty.

Any physician violating or failing to comply with the requirement of section 8-5:301 shall upon conviction be punished by a fine of not more than \$300."

Section 3. This Regulation shall become effective immediately upon enactment.

Regulation No. 70-14



April 16, 1970
Enactment Date

Regulation

of the
District of Columbia

TITLE Amendment to Chapter I, Section 3 (b) of the Manual Containing the Rules and Regulations of the Metropolitan Police Department of the District of Columbia.

Dr. Henry S. Robinson, Jr., _____ Presents the following regulation:

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WHEREAS, Paragraph 90 of section 402 of Reorganization Plan No. 3 of 1967, transferred to the District of Columbia Council the function of determining and fixing limits of age for appointment to the Metropolitan Police Department under D. C. Code, Section 4-107; and

WHEREAS, Chapter I, Section 3 (b) of the Metropolitan Police Manual of Rules and Regulations require that to be eligible for appointment an applicant must have reached his or her twenty-first birthday, but not have passed his or her thirtieth birthday on the date of appointment;

NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council that:

Section 1. Chapter 1, Section 3 (b) of the Police Department Manual of Rules and Regulations is amended as follows:

"To be eligible for appointment as a member of the Metropolitan Police Force of the District of Columbia an applicant must have reached his or her twentieth birthday but not have passed his or her thirtieth birthday on the day of appointment."

Section 2. The amendment made by this regulation shall become effective upon enactment.

RECORD OF COUNCIL VOTE

COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
HAHN	X					DAUGHERTY				X							
TUCKER				X		HAYWOOD	X					ROBINSON	X				
ANDERSON	X					MOORE	X					YELDELL					X

X—Indicates Vote A. B.—Absent N. V. Not Voting R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on March 30, 1970

Adopted on second and final reading April 9, 1970

Presented to the Mayor-Commissioner April 9, 1970
Date

Stephen C. Swain
Secretary of the City Council

Approved [Signature]
Mayor-Commissioner

April 16, 1970
Date

Enacted W/O signature of the Mayor according to ten day limitation rule:

_____ Date

Disapproved and returned to the City Council _____
Mayor-Commissioner

_____ Date

Readopted _____
Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.

Stephen C. Swain
Secretary of the City Council

Regulation No. 70-15



Enactment Date April 15, 1970

Regulation of the District of Columbia

TITLE TAXICAB LIABILITY INSURANCE RATES.

Mr. Philip J. Daugherty Presents the following regulation:

1 WHEREAS, the District of Columbia Council finds that the Commonwealth of
2 Virginia now requires that automobiles which are registered there must have liability
3 insurance coverage in an amount not less than \$20,000 for injury to or death of one
4 person in an accident; and

5
6 WHEREAS, District of Columbia licensed taxicabs registered in Virginia
7 must meet these liability limits, and

8
9 WHEREAS, the function of making rules and regulations governing the
10 writing of insurance, the making of bonds, and the business of insuring or bonding
11 risks under D.C. Code Section 44-302 was transferred to the District of Columbia
12 Council under Part 332 of Section 402 of Reorganization Plan No. 3 of 1967.

13
14 NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council
15 that:

16
17 Section 1. Rule 4 of the Rules and Regulations pertaining to insurance on
18 motor vehicles for hire in the District of Columbia, as adopted by the Superintendent
19 of Insurance pursuant to Public Law 85-792 (approved August 28, 1958) effective
20 July 23, 1967 is hereby amended as follows:

21
22 "4. The following rates or premiums shall be used by all companies:
23
24

RECORD OF COUNCIL VOTE																	
COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
HAHN	X					DAUGHERTY	X					ROBINSON	X				
TUCKER	X					HAYWOOD				X		VEAZEY	X				
ANDERSON				X		MOORE	X					YELDELL	X				

X—Indicates Vote A. B.—Absent N. V. Not Voting R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on _____

Adopted on second and final reading April 14, 1970

Presented to the Mayor-Commissioner April 14, 1970

Stephen C. Swain
Secretary of the City Council

Approved *Philip J. Daugherty*
Mayor-Commissioner

April 15, 1970
Date

Enacted W/O signature of the Mayor according to ten day limitation rule: _____
Date

Disapproved and returned to the City Council _____
Mayor-Commissioner _____
Date

Readopted _____
Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.

Stephen C. Swain
Secretary of the City Council

1 TAXICAB RISKS

3 Statutory Coverage and Minimum Limits of Liability

5 Bodily Injury \$10,000 each person
 6 \$20,000 each person
 7
 8 Property Damage \$5,000 each person

10 Rate or Premiums

	<u>Bodily Injury</u>	<u>Property Damage</u>	<u>Total</u>
15 Fifty-two weeks or 16 yearly premium	\$197.34	\$74.36	\$271.70
18 Two weeks' premium	\$ 7.59	\$ 2.86	\$ 10.45

20 Two weeks' premium for extraterritorial excess limits \$0.55, Maryland,
 21 \$15,000/30,000/5,000 excess over \$10,000/20,000/5,000, and Virginia
 22 \$5,000/10,000 excess over \$10,000/20,000; provided, that for an additional two
 23 weeks' premium of \$0.20 the extraterritorial coverage in Virginia may be increased
 24 to \$20,000/30,000.

26 Rates for terms other than for two weeks or for excess limits other than
 27 stated above will be furnished by the District of Columbia Council at the company's
 28 written request."

30 Section 2. All other rules and regulations pertaining to Insurance on Motor
 31 Vehicles for hire in the District of Columbia effective July 23, 1967 shall remain in
 32 full force and effect.

34 Section 3. This regulation shall take effect immediately upon enactment.

District of Columbia City Council

1970

City Hall, 11th and F Streets, N.W. Room 507 Phone 223-2100

To: Members of the City Council
Walter E. Washington
From: Mayor

Corporation Counsel
Special Assignments
Division

Date: April 14, 1970
Subject: Charles T. Duncan /S/ ATB P
Corporation Counsel, D. C.
Taxi Driver Liability Rates

April 14, 1970

Regulation No. 70-15

Virginia has raised the liability limits for motor vehicles required to be registered in the Commonwealth to \$20,000-\$30,000-\$5,000. This increased coverage must be obtained from an insurance company licensed in Virginia. Referred to this office for review was the above-referenced regulation passed by the District of Columbia Council on April 14, 1970 and submitted to you for approval and signing.

The regulation establishes insurance rates for the coverage of District taxi operators who desire to obtain liability coverage required by the Commonwealth of Virginia and made available by the District-regulated insurance companies. The regulation was initiated by the Department of Insurance and the Corporation Counsel and the Department of Management.

In the Corporation Counsel and the Department of Insurance has assisted the Council in preparing a regulation which would provide an optional \$5,000 worth of liability coverage for taxi drivers living in Virginia. There is no legal objection to approving the above-referenced regulation.

The regulation would also permit any taxi driver who does not live in Virginia to purchase the additional liability coverage with respect to his trips into Virginia.

A draft of the regulation was published in a special edition of the District Register on Friday, April 10th. The notice stated that pursuant to Section 6A of the District Administrative Procedure Act, the Council would take action in less than thirty days in order that the regulation could take effect in advance of the April 15th Virginia tag deadline.

District of Columbia City Council Report

City Hall, 14th and E Streets, N.W. Room 507 638-2223 or Government Code 137-3806

MEMORANDUM FOR THE DISTRICT OF COLUMBIA CITY COUNCIL

To Members of the City Council

From Councilman Philip Daugherty, Chairman, Government Operations Committee

Date April 14, 1970

Subject Taxicab Liability Rates

Virginia has raised the liability limits for motor vehicles required to be registered in the Commonwealth to \$20,000-\$30,000-\$5,000. This increased coverage must be obtained by April 15th which is the deadline for obtaining new license tags in Virginia. This has created a problem for licensed District of Columbia taxicab drivers who live in Virginia and are required to register their taxicabs there. If the drivers cannot obtain the additional coverage from their present insurance company they must pay \$50 to a motorist pool in Virginia for the coverage.

In order to avoid this problem, the Office of Budget and Executive Management, in cooperation with the Corporation Counsel and the Department of Insurance has assisted the Council in preparing a regulation which would provide an optional \$5,000 worth of insurance coverage for taxicab drivers living in Virginia at a rate of \$5.20.

The regulation would also permit any hack driver who does not live in Virginia to purchase the additional liability coverage with respect to his trips into Virginia.

A draft of the regulation was published in a special edition of the District Register on Friday, April 10th. The notice stated that pursuant to Section 6A of the District Administrative Procedure Act, the Council would take action in less than thirty days in order that the regulation could take effect in advance of the April 15th Virginia tag deadline.

This regulation must be in effect by tomorrow, the 15th of the month, to prevent the drivers from having to pay \$50.00 into the Virginia placement pool. I therefore move that this regulation be declared an "Emergency Measure" as is provided for in Section 26(c) of the Council Rules and that unanimous consent be given as is required under that section of the rules so that this regulation shall only be read and voted on once before it is sent to the Mayor.

Regulation No. 70-16



Enactment Date April 15, 1970

Regulation of the District of Columbia

TITLE Vaccination of Dogs Against Rabies.

Dr. Henry S. Robinson, Jr. Presents the following regulation:

1 WHEREAS, the Commissioner of the District of Columbia has been notified
2 by the Director of Public Health of said District that, notwithstanding the fact that
3 immunization of dogs within the District of Columbia and other restrictive measures
4 have curbed the disease of rabies in said District, said disease may spread within
5 the District unless said measures are continued in force because the rabies virus
6 is present in the Metropolitan Area and may exist from time to time in transient
7 animals passing through the District;

8
9 WHEREAS, in accordance with provisions of § 1 - 230 of the District of
10 Columbia Code, 1967 ed., and by virtue of the powers vested in it by Reorganization
11 Plan No. 3 of 1967, the District of Columbia Council is empowered to require certain
12 measures to be taken in the control of rabies.

13
14 NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council
15 that:

16
17 Section 1. The District of Columbia Council does hereby proclaim that:

18
19 1. (a) During the period between April 27, 1970, and May 2, 1970, both
20 dates inclusive, every person owning or keeping or having custody of a dog of the
21 age of three months or over in the District of Columbia shall have such dog vaccinated
22 against rabies by a licensed veterinarian with anti-rabies vaccine of a type and
23 strength approved by the Director of Public Health, except that if any dog within the
24 District during the vaccination period prescribed above has been vaccinated against
rabies within twelve months immediately preceding April 15, 1970, by a licensed

RECORD OF COUNCIL VOTE																	
COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
HAHN	X					DAUGHERTY	X					VEAZEY	X				
TUCKER	X					HAYWOOD				X		ROBINSON	X				
ANDERSON				X		MOORE	X					YELDELL	X				

X—Indicates Vote A. B.—Absent N. V. Not Voting R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on April 7, 1970

Adopted on second and final reading April 14, 1970

Presented to the Mayor-Commissioner April 14, 1970

Stephen C. Swain
Secretary of the City Council

Approved *Walter Washington*
Mayor-Commissioner

April 15, 1970
Date

Enacted W/O signature of the Mayor according to ten day limitation rule:

Date

Disapproved and returned to the City Council _____
Mayor-Commissioner

Date

Readopted _____
Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.

Stephen C. Swain
Secretary of the City Council

2 of 3

1 veterinarian such dog need not be vaccinated again until twelve months after date of
2 the last vaccination: Provided, That the owner, keeper, or person having custody
3 of the dog has secured and kept a valid vaccination certificate and a numbered
4 vaccination tag for such dog;

5
6 (b) Such vaccination may be done either at the expense of the District
7 by veterinarians designated for that purpose, or by a private veterinarian at the
8 expense of the person owning, keeping, or having custody of a dog;

9
10 (c) The Commissioner shall established and publicize the several
11 school locations throughout the city which shall provide free vaccinations.

12
13 (d) Dogs shall be brought as soon as possible after the opening time
14 of the clinics and must be leashed in accordance with the provisions of Article 18
15 of the Police Regulations applicable to dogs. In case of rain during the scheduled
16 hours, no clinics will be held but they will be conducted on the next scheduled date.

17
18 2. (a) Upon such vaccination, the veterinarian administering the vaccine
19 shall execute a certificate upon the form adopted by the Commissioner, which
20 certificate shall be furnished to the owner or other person presenting a dog for
21 vaccination, the carbon copy - or duplicate of such certificate to be retained by said
22 veterinarian and disposed of as directed by the Director of Public Health;

23
24 (b) Every veterinarian practicing in the District shall furnish to the
25 Director of Public Health such reports concerning dogs vaccinated by him against
26 rabies as the Director of Public Health may require.

27
28 3. Veterinarians shall, upon vaccinating a dog against rabies, furnish
29 to the owner or other person presenting such dog a numbered vaccination tag.

30
31 4. (a) Every person owning, keeping, or having custody of a dog in the
32 District of Columbia shall affix and keep affixed to the collar or harness of such dog
33 the vaccination tag provided for in this proclamation;

34
35 (b) No person owning, keeping, or having custody of a dog in the
36 District shall affix or permit to be affixed to the collar or harness of such dog any
37 tag other than a current tax tag, vaccination tag, or owner's identification tag;

38
39 (c) No person owning, keeping, or having custody of a dog in the
40 District shall affix or permit to be affixed to the collar or harness of such dog a
41 vaccination tag unless such vaccination tag was issued for such dog;

42
43 (d) No veterinarian licensed to practice in the District shall issue
44 a certificate or vaccination tag for any dog unless such dog has been vaccinated by
45 him against rabies.

46
47 5. The owner, keeper, or person having custody of any dog within the
48 District which reached the age of two months after the effective date of this proclamation
49 shall have such dog vaccinated against rabies within one month of the date upon which
50 such dog reaches the age of two months. Such dog may be vaccinated either at the
51 expense of the owner, keeper, or person having custody thereof by a licensed
52 veterinarian, or at the expense of the District of Columbia at the times specified herein
53 and at one of the clinics listed herein.

1 6. The owner, keeper, or person having custody of any dog brought into
 2 the District after April 15, 1970 shall have such dog vaccinated against rabies within
 3 fifteen days after its arrival herein: Provided, That if any such dog has been so
 4 vaccinated subsequent to April 15, 1970, and the owner, keeper, or person having
 5 custody of such dog has a valid certificate from the veterinarian who performed the
 6 vaccination and a vaccination tag for such dog, such dog need not be vaccinated
 7 again until twelve months after the date of the last vaccination.

8
 9 Section 2. This regulation shall become effective upon enactment, and
 10 shall continue in effect through April 15, 1971.

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Regulation No. 70-17



May 28, 1970
Enactment Date

Regulation

of the

District of Columbia

TITLE: Safety Standards, Rules and Regulations for Work in Tunnels and Working With Compressed Air

Mr. Philip J. Daugherty Presents the following regulation:

1 WHEREAS, the District of Columbia Council pursuant to Title 36, Sections
2 401-422 of the District of Columbia Code finds that it is necessary to adopt rules
3 and regulations for the safe conduct of work in tunnels and compressed air.

4
5 NOW, THEREFORE BE IT ENACTED, by the District of Columbia Council
6 that:

7
8 Section 1. The regulations attached as Appendix 1 to this regulation are
9 hereby adopted as the Safety Regulations for Work in Tunnels and Compressed
10 Air for the District of Columbia.

11
12 Section 2. This regulation shall take effect immediately upon enactment.
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RECORD OF COUNCIL VOTE

COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
HAHN	X					DAUGHERTY	X					ROBINSON	X				
TUCKER	X					HAYWOOD	X					VEAZEY				X	
ANDERSON	X					MOORE	X					YELDELL	X				

X—Indicates Vote A. B.—Absent N. V. Not Voting R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on April 21, 1970

Adopted on second and final reading May 19, 1970

Presented to the Mayor-Commissioner May 22, 1970

Stephen C. Swain
Secretary of the City Council

Approved *Donald Washington*
Mayor-Commissioner

May 28, 1970
Date

Enacted W/O signature of the Mayor according to ten day limitation rule:

_____ Date

Disapproved and returned to the City Council _____
Mayor-Commissioner

_____ Date

Readopted _____
Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.

Stephen C. Swain
Secretary of the City Council

GENERAL

11-29001. AUTHORITY. Pursuant to authority contained in the District of Columbia Minimum Wage Act approved September 19, 1918 (40 Stat. 960; D.C. Code, sections 36-401 through 36-422), as amended by the Act approved October 14, 1941, to add thereto a Title II entitled 'Industrial Safety' (55 Stat. 738; D.C. Code, sections 36-431 through 36-442); paragraphs 283 and 284 of section 402 of Reorganization Plan No. 3 of 1967; and Reorganization Order No. 36, C. O. 302, 853/14, June 16, 1953, as amended, these "Safety Standards, Rules and Regulations for Work in Tunnels and Work in Compressed Air" have been enacted by the District of Columbia Council to be effective on and after

11-28002. PURPOSE AND SCOPE. These Safety Standards, Rules and Regulations shall apply to all construction operations in connection with tunnels, caissons, and accessory shafts for the purpose of safeguarding the wage earners on such projects in accordance with the provisions of Title II entitled "Industrial Safety." In general, these regulations cover only such items and operations as are peculiar to underground operations. Items, equipment, devices and operations used aboveground and underground, not specifically covered, shall conform to the requirements of "Safety Standards, Rules and Regulations-Construction." The absence of a regulation or standard covering any specific equipment, operation or hazard does not relieve an employer from the responsibility of providing working conditions that are reasonably safe.

The provisions of the most recent edition of all Safety Codes approved by the American National Standards Institute, Inc., on or before May 1, 1970, are hereby adopted and made a part hereof in order to secure the correction of hazards or hazardous conditions not covered by these regulations. Copies of the American National Standards Institute, Inc., Safety Codes and other standards to which references are made herein are on file in the office of the Industrial Safety Division and available for examination.

Master Copy.
Robert F. Kueypp
May 18, 1970

11-28003. VARIATIONS. The Board may, upon the written application of any employer affected by these safety standards, rules and regulations, permit variations from any provision of these regulations if the Board shall find that the application of such provision would result in exceptional or undue hardship by reason of the work being performed: Provided, That a variance may be granted only where, and to the extent, necessary to ameliorate such exceptional or undue hardship, and only when compensating factors are present which give adequate protection to the employee and others, and such variance can be granted without impairing the intent and purposes of the Industrial Safety Program in the District for construction projects, equipment, and operations. Any variation the Board may grant shall be limited to the particular case covered by the application.

11-28004. DEFINITIONS. For the purpose of these Safety Standards, Rules and Regulations, the definitions given below shall apply. Other terms of less general application are defined elsewhere as they occur. Terms not defined herein shall be understood as having their usual or ordinary meanings unless a different meaning is plainly required by the context.

ABSOLUTE PRESSURE shall mean gauge pressure plus atmospheric pressure (psia).

ACCIDENT shall mean any unexpected, unintentional, unplanned, or unforeseen occurrence of such a nature, or under such circumstances, that personal injury or property damage may result therefrom, regardless of whether or not injury or damage does so result.

ADEQUATE shall mean meeting the requirements essential to reasonable safety.

APPOINTED PHYSICIAN shall mean the licensed physician appointed by the employer to supervise the required medical program.

APPROVED shall mean approved by the Minimum Wage and Industrial Safety Board.

AIR LOCK shall mean a compartment designed to permit passage between free air and a compressed air working chamber, in either direction.

AIR MASTER shall mean that competent individual, designated by the Employer, in charge of the work, when in compressed air.

AIR PRESSURE shall mean a force exerted by air over a unit area. Usually indicated in pounds per square inch (psi).

AIR SUPPLY shall mean compressed air used in the working chamber.

ATMOSPHERIC PRESSURE shall mean the normal air pressure of free atmospheric air. At sea level, atmospheric pressure has been assumed to be 14.7 psia. Atmospheric pressure is always zero psig.

BULKHEAD shall mean an air-tight structure separating the working chamber from free air or from another chamber under a lesser pressure than the working pressure.

Generally, one or more air locks penetrate the bulkhead, in addition to a number of penetrations for air pipes and other facilities.

CAISSON shall mean a structure which is sunk from the surface to some desired depth.

When the bottom of the structure extends below the elevation of free water and excavation is performed by workmen in a working chamber at an air pressure greater than atmospheric pressure, the caisson is then said to be a compressed air caisson.

COMBINATION LOCK shall mean an air lock which serves both as materials and man lock.

CONSTRUCTION shall include alteration, building, demolition, erection, excavation, installation, painting, maintenance, repair, tunneling, and other operations, and the site of construction operations shall be considered as a temporary workplace.

DECANTING shall mean a method for decompressing under certain circumstances. In this procedure the workers are brought to atmospheric pressure with a very high gas tension in the tissues and then immediately recompressed in a second and separate chamber or lock. The period of time that the workers spend at atmospheric pressure between the decompression following the shift and recompression must not exceed five minutes.

DIRECTOR shall mean the Director of Industrial Safety, or his designated agent.

EMERGENCY LOCK shall mean an air lock designed to permit all the workmen employed on any shift to exit from the working chamber.

EMPLOYEE shall mean any person rendering service to an employer for compensation.

EMPLOYEE-HOURS(EXPOSURE) shall mean the total number of hours worked by all employees of a group or establishment during a given period. Example: the employee-hours of 15 persons working 8 hours per day for 70 days would be $15 \times 8 \times 70$, or 8,400.

EQUIPMENT shall include machinery, devices, tools, derricks, hoists, elevators, scaffolds, platforms, runways, ladders, and all similar facilities, safeguards, and protective construction used in connection with construction operations.

FREE AIR shall mean normal atmospheric pressure.

GAUGE PRESSURE shall mean that air pressure measured by gauge indicating the air pressure exceeding atmospheric pressure (psig).

HIGH AIR shall mean compressed air normally used to activate pneumatic equipment and tools.

JUMBO shall mean a mobile work platform that provides an elevated work place for men and machines.

LOAD OR WORKING LOAD shall mean the total weight of persons, equipment, and materials supported, or the work performed, by a piece of equipment.

LOW AIR shall mean compressed air used to raise and maintain the pressure in the working chamber and in the air locks.

MAN LOCK shall mean an air lock through which only men may pass.

MATERIAL LOCK shall mean an air lock designed, and primarily used, for the passage of materials and equipment.

MATERIALS OR SUPPLIES shall mean any material, supply, substance, stock, part, or other object used, handled, or stored in any way other than as "equipment."

MEDICAL LOCK shall mean a special air lock in which men suffering from decompression illness may be placed for medical attention and treatment. The medical lock may also be used for pre-employment physical examination.

MILD PRESSURE shall mean working pressure not greater than 14.7 psig.

MUCK shall mean excavated rock, earth or other materials.

RAPID FLOODING shall mean a hazardous condition, resulting in the rapid rise of water in the working chamber, when the air pressure is lowered, whether by design or otherwise. A tunnel being driven under compressed air beneath a waterway, such as a river or bay, shall be considered to be subject to rapid flooding irrespective of the nature of the ground being traversed.

SAFETY SCREEN shall mean an air and water-tight diaphragm placed across the upper part of a compressed air tunnel, between the face and the bulkhead, in order to prevent flooding the crown of the tunnel between the safety screen and the bulkhead, thus providing a safe means of refuge and exit from a flooding or flooded tunnel.

SECURELY FASTENED shall mean so secured in place that the object referred to cannot, under normal foreseen conditions or circumstances, be accidentally or unintentionally displaced, and will be upheld and will withstand such weight or shock as is reasonably expected from normal use, conditions, or circumstances.

SHAFT shall mean a passage made from the surface of the ground to a point underground, the longer axis of which makes an angle greater than twenty(20) degrees with the horizontal.

AN ACCESS SHAFT shall mean a shaft through which men and material are moved to a tunnel operation.

SPECIAL DECOMPRESSION CHAMBER shall mean a chamber to provide greater comfort for employees when the total decompression time exceeds 60 minutes.

STRONG PRESSURE shall mean a working pressure greater than 14.7 psig.

SUBSTANTIAL shall mean of such strength, material, and workmanship that the object referred to shall, under normal foreseen conditions or circumstances, withstand all reasonably expected wear, shock, usage, and deterioration.

TEMPORARY WORKPLACE shall mean any structure or location, temporary or permanent in nature, in which an operation or service being conducted for a definitely limited

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period of time.

TUNNEL shall mean an excavation beneath the surface of the ground, the longer axis of which makes an angle not greater than twenty(20) degrees with the horizontal.

WORKING CHAMBER shall mean the space in which work is being done in compressed air.

WORKING MAN LOCK shall mean the man lock, emergency lock, combination lock, or special decompression chamber which is normally used by personnel for entering or leaving the working chamber.

WORKING PRESSURE shall mean the air pressure established at any time by the Air Master, or his duly authorized alternate, to be the desired air pressure in the working chamber.

WORKPLACE shall mean any building, room, passageway, stairs, yard, field, platform, or any other structure, area or equipment or part thereof, occupied or used by an employee in the performance of duty or as a condition of employment.

WORKROOM shall mean any enclosed workplace.

11-28005. RESPONSIBILITY FOR SAFETY, (a) Any employer of labor of any kind in connection with underground construction operations, shall furnish, erect, and maintain, or cause to be furnished, erected, and maintained, such equipment as may be necessary for the performance of such labor in compliance with the requirements of these Safety Standards, Rules and Regulations and he shall be responsible for the performance of such work in a reasonably safe manner.

(b) Any employer who requires or permits his employees to use or operate any equipment or facilities of another shall be responsible for the safe condition, adequate guarding, and safe operation or use of such equipment facilities.

(c) It shall be the general or prime contractor's responsibility to provide lighting in general areas, cover over or provide railings around floor openings, wall openings, shafts, excavations, provide railings along edges of walkways, runways, and ramps, provide railings on stairs and landings, provide safe and protected

entrances to facilities, provide drinking water, rest room, wash and change house facilities, and provide good general housekeeping in and around project to protect all workers on the project, in addition to the responsibility to his own employees as specified under sections (a) and (b).

(d) The subcontractor shall co-operate by helping to maintain a safe project in addition to providing a safe workplace for his employees as required under sections (a) and (b).

(e) All project supervisors shall take great precaution to give as much protection to the public as possible. Special attention shall be given to sidewalk protection, hoisting operations, and street excavations either adjacent, over, or in public space.

11-28006. SAFETY INSPECTIONS. The general or prime contractor of a project shall have inspections made during the period of the project for the purpose of maintaining compliance with the requirements of these Safety Standards, Rules and Regulations. Where no general contractor is actually involved in the performance of work on the project, each subcontractor actually engaged in the performance of work shall be responsible for such inspections. Required inspections shall be in accordance with the following schedule:

(a) Projects employing 25 to 100 persons shall have an employee assigned to make at least one inspection each workday.

(b) Projects employing 100 to 200 persons shall have two employees assigned to each make at least one inspection each workday in a specific area to insure complete coverage of the project.

(c) Projects employing more than 200 persons shall add one assigned employee for each 100 persons above 200, each such assigned employee to make at least one inspection each workday in a specific area to insure complete coverage of the project.

Simultaneous record of inspections shall be made on forms similar to the safety

check list (IS-18) used by the Industrial Safety Division or any other special check list that the Division may require.

Inspection record of the daily safety inspections shall be kept on the project for review by duly authorized representatives of the Industrial Safety Division.

11-28007. MINIMUM REQUIREMENTS. The values given as minimum requirements in these Safety Standards, Rules and Regulations do not prohibit the use of higher standards. Other sizes, dimensions, designs, and materials may be used if equal or greater strength, security, and protection are provided thereby.

HYGENIC REQUIREMENTS

11-28008. VENTILATION. (a) The contractor shall designate a competent employee whose duties shall be:

1. to make tests at least once every eight hours to determine the amounts of explosive gas or flammable atmosphere.
2. to make tests at least once every eight hours to determine the amount of poisonous gases.
3. to control the entrance and if necessary the evacuation of employees underground.

The designated employee shall keep a record of all tests showing the date, time, and readings or results. Said records shall be available for review by duly authorized representatives of the Industrial Safety Division.

The most recent edition of "Recommended Threshold Limit Values" approved by the American Conference of Governmental Industrial Hygienists on or before May 1, 1970, shall be used as a guide in determining and controlling safe concentrations of substances.

(b) When test results show that the concentration of poisonous or otherwise hazardous gases are in excess of the Threshold Limit Values or if flammable or explosive gases are present in concentrations in excess of 40% of the lower explosive limit, normal operations shall cease, except that under competent direction, necessary steps shall be taken to make the workplace safe.

(c) Before installing or using electrical equipment, thorough tests to determine the presence of any flammable or explosive gases shall be made. If test results show that flammable or explosive gases are present, necessary precautions shall be taken in compliance with the requirements of Articles 500 and 501 of the most recent edition of the National Electrical Code approved by the American National Standards Institute, Inc., on or before May 1, 1970.

(d) Workmen shall not enter an area in which a blast has been exploded until the fumes from the explosion have been removed or reduced to a harmless concentration, unless means are provided for supplying the workmen with fresh air.

(e) Fresh air shall be delivered in adequate quantities to all underground work areas. The supply shall at least be sufficient to prevent dangerous or harmful concentration of dusts, fumes, vapors, or gases and shall not be less than 200 cubic feet per minute for each man underground.

11-28009. ROCK DUST. (a) The drilling of holes in rock or concrete underground by machines without the use of water or other effective method of controlling the dust is prohibited.

(b) Sprinklers shall be installed and used on all chutes from which dusty rock is taken or other effective methods shall be used to prevent harmful concentrations of dust in the atmosphere.

(c) The muck pile shall be wet down prior to mucking and kept wet during the mucking of operation in order to control dust.

11-28010. CHANGE AND WASH HOUSES. Change and wash houses or partitioned areas of sufficient size to accommodate the workmen shall be provided at the project. Such change and wash houses or areas shall have adequate lighting, ventilation, heating, toilet and washing facilities, and hot water. Such houses or areas shall have:

1. one toilet facility for every 15 men or fraction thereof per shift.

2. one wash basin for every 15 men or fraction thereof per shift.
3. one shower bath unit for every 8 employees per shift.
4. a minimum temperature of 70° Fahrenheit shall be maintained in each such house or area.
5. a ventilated clothes locker for each employee.
6. benches in the dressing area of sufficient number and size to accommodate the employees on a shift.

A variation may be requested in cases where tunnel operation involves the employment of a small crew or is of short duration.

FIRE PREVENTION

11-28011. FIRE PREVENTION. (a) The storing, handling, and use of flammable liquids shall conform to the requirements of the current "D.C. Fire Prevention Code", and to the following additional requirements:

(b) Flammable liquids shall not be stored in or within 50 feet of any tunnel, shaft, approaches, or building directly connected with any tunnel opening, nor within 300 feet of any powder magazine.

(c) No above-ground tank shall be installed from which fuel oil is to be conducted by gravity to the point of combustion, unless such tank shall be so located that escaping oil cannot run over the surface from such tank to any building within 100 feet of any tunnel opening.

(d) The storage of gasoline, naphtha, and other distillates in tunnels and shafts is prohibited, except that a supply sufficient for one day's operation of fuel-burning engines or locomotives may be kept in the tank or tanks attached to such equipment.

(e) The storage or accumulation of combustible rubbish of all kinds, such as waste or decayed timber, empty boxes, wooden chips, and paper, in underground workings,

is prohibited.

(f) Smoking, open fires or flames shall be prohibited in any underground work areas, except for welding and flame cutting operations necessary for emergency repairs.

(g) Adequate fire protection shall be provided in and about underground workings where there are combustibles structures or materials, when deemed necessary by the Fire Marshal.

(h) Under no circumstances shall oxygen or any flammable gas be stored in proximity to oil or grease.

(i) Open flame lights shall be prohibited at all places where gasoline, distillate, oil, or other flammables are stored. Where necessary electric lights shall be installed.

(j) Lubricating oils, greases and rope dressings taken underground shall be in closed metal containers that will not permit the contents to leak out or spill. When taken underground, they shall be stored in a secluded place away from shafts, winches, hoists, powder magazines and tunnel timbers in such manner that the oil from a ruptured or overturned container will not flow from its storage place.

(k) Where welding or burning operations are necessary in tunnels, and when such operations may cause fires in timber or any flammable material, a fireproof shield shall be provided to protect the timber or other substance. Adequate fire extinguishers, other than the carbon tetrachloride type, shall be provided, and thorough inspections for fire hazards ^{shall be} made immediately after welding or burning is completed.

(l) No oil shall be taken underground for illuminating purposes.

(m) The use underground of volatile solvents such as gasoline is forbidden.

(n) All oily waste or rags used about underground machinery shall be deposited in metal receptacles. The contents of the receptacles shall be sent to the surface every week or when the receptacle is full.

(o) Waste materials for which no underground storage facilities are provided shall

be promptly removed from the tunnel.

(p) In every case of a fire threatening or causing injury to men or tunnel workings a report shall be made to the Industrial Safety Division promptly.

(q) Electrical battery charging stations shall be kept ventilated at all times in order to prevent accumulation of flammable gas.

(r) No combustible structure shall be erected over a shaft or tunnel opening except structures necessary for hoisting from such shaft or tunnel opening and the hatch or door necessary for closing such shaft or tunnel opening.

11-28012. FIRST AID. In addition to the requirements of 11-21025 and 11-21026 of the current Safety Standards, Rules and Regulations-Construction, stretchers, woolen blankets or equally warm covering and waterproof blankets shall be provided. In no case shall there be less than one stretcher for each twenty(20) men working on each work shift. During all underground operations there shall be on duty at least one person who has a current certificate in standard first aid issued by the American Red Cross or U.S. Bureau of Mines.

11-28013. HOUSEKEEPING. (a) Insofar as the nature of the work will reasonably permit, the workplace shall be kept free of discarded materials, refuse, dirt, debris, protruding or upturned nails, and other equipment or materials which may cause tripping, stumbling, slipping, or falling. Floors, walkways, aisles, stairs, and other passageways shall be kept clean and free of spilled or accumulated grease, oil, water, ice, or other slipping hazards.

(b) Unnecessary accumulations of muck, timber, nails, and similar materials shall be avoided underground. Particular attention shall be given to the maintaining of clear areas at shaft stations and between the track and sides of tunnels.

LIGHTING

11-28014. LIGHTING. In addition to the requirements of 11-21021 and 11-21097 of the Safety Standards, Rules and Regulations-Construction the following requirements shall be met:

- (a) Lighting circuits shall not be operated at voltages exceeding 300 volts between any two conductors nor 150 volts from any conductor to ground.
- (b) Wire for lighting circuits shall be insulated by flame retardant, moisture, and heat resistant thermoplastic suitable for use at 600 volts or less. Such wires shall be kept at least three inches apart and shall be supported on glass or ceramic insulators unless encased in metallic conduit.
- (c) When metallic conduit is used for lighting circuits, it shall be grounded.
- (d) Lamps shall be so located that they can not come in contact with combustible materials and so that a clear space shall be provided all around.
- (e) Lamp holders shall be non-metallic and weather-proof.
- (f) Lamp holders shall be protected with wire cage guards.

11-28015. RECEPTACLE AND ATTACHMENT PLUGS. Receptacles and attachment plugs shall be polarized and shall provide for connection to the grounding conductor of the flexible cord, and the equipment ground.

11-28016. EMERGENCY LIGHTING. Adequate and sufficient electric emergency lights shall be provided and maintained for immediate use.

ELECTRICAL EQUIPMENT

11-28017. ELECTRICAL EQUIPMENT. (a) All electrical equipment installed in underground work areas shall be in accordance with the requirements of 11-21096 and 11-21097 of the Safety Standards, Rules and Regulations-Construction, and with applicable sections of the most recent edition of the National Electric Code approved by the American National Standards Institute, Inc., on or before May 1, 1970.

(b) All electrical equipment energized at over 150 volts shall be properly illuminated when energized and shall be conspicuously marked "Danger High Voltage" in fluorescent letters.

(c) Underground primary power circuits shall not exceed 5,000 volts to ground.

(d) Hand held tools and control circuits for underground apparatus shall not exceed 150 volts to ground.

STRUCTURAL REQUIREMENTS

11-29018. BRACING. (a) The exposed surfaces of any shaft or tunnel excavation shall be supported and held in place by an adequate bracing system.

(b) The drawing for such system shall be available on the job site. Any changes and the reasons for such changes shall be noted on the drawing by the person in charge of the operation.

(c) Tunnel supports shall be installed as soon and as close to the face as practical.

(d) When mining machines are used, tunnel support shall be installed as soon as practical.

(e) All voids in ~~the~~ back of ring beams, liner plates, and other tunnel supports shall be filled, blocked, or braced to prevent cave-ins.

11-28019. ACCESS SHAFTS. (a) A covered stairway at least 30 inches wide shall be installed from the bottom of each shaft to the surface.

(b) The dimensions of an access shaft shall be such as to provide safe passageway from one heading to another, or from one side of a shaft to the other side, outside the areas used or effected by hoisting equipment.

11-28020. SAFE WALKWAYS. (a) Walkways at least 18 inches wide and not less than two inches thick, free of debris and obstructions, shall be provided in underground work areas.

(b) Walkways elevated three feet or more above the floor of a tunnel shall be provided with standard railings along the exposed edges.

(c) When there is less than two feet of clearance along the side of a train or other vehicles, places of refuge shall be provided at intervals of no more than 100 feet. Such places shall provide at least two feet of clearance, shall be kept clear of all debris, and shall be made readily visible.

11-28021. FLOOR HOLES. ~~and~~ Floor openings, floor holes, and sump holes shall be provided with covers or standard rails around all open sides.

MECHANICAL EQUIPMENT

11-28022. HOISTING EQUIPMENT. (a) Hoist cars or cages shall not be used for routine transportation of employees unless the hoist has been erected in accordance with "Safety Requirements for Workmen's Hoists", A10.4-1963, approved by the American National Standards Institute, Inc.

(b) Every hoist cage used for transporting employees shall be covered with a metal bonnet. The bonnet shall consist of two hinged leaves of at least 3/16 of an inch thick plate so arranged so as to open upward.

(c) No person shall ride any car, cage or bucket while raising or lowering materials or equipment into shaft unless the hoist has been erected in accordance with "Safety Requirements for workmen's Hoists", A10.4-1963, approved by the American National Standards Institute, Inc.

11-28023. HOISTING SIGNALS AND DEVICES. (a) On equipment where overhoisting or other movement beyond certain limits is hazardous and where the operator cannot see from his normal operating position when such limits are reached, as on hoists and similar equipment, at least one of the following devices shall be provided:

(1) An automatic device that will definitely prevent overhoisting or other movement beyond safe limits.

(2) An automatic warning device or indicator that will give a warning or signal to the operator as the equipment approaches, or as it reaches, the limit of safe movement.

(b) Automatic safe-limit stops shall not be used for routine stopping of equipment in lieu of regular stopping controls, except for test purposes.

(c) Two competent signalmen shall be on duty at all times when hoisting or lowering is being done, one at the top and one at the bottom of the shaft, except when an approved electrical or mechanical signaling device is installed.

(d) The signal to move a cage, skip or bucket shall be given only when the same is at the level from which the signal is to be given.

(e) Before complying with a signal from a person whom he cannot see, the operator shall reply to same by repeating the signal.

INTERNAL COMBUSTION ENGINES

11-28024. USE OF INTERNAL COMBUSTION ENGINES. (a) The use of fuel-burning or internal combustion engines or locomotives underground is prohibited, except for diesel engines when written permission is granted by the Director.

(b) Requests for permission to use diesel engines shall include the following information:

1. Details and specifications of the engine.
2. Location of underground operation and details of how diesel equipment is to be used.
3. Date when diesel equipment use is to begin and details of schedule for testing for noxious gases.

(c) Fresh air in the area where diesels are operating shall flow constantly in one direction and shall amount to at least 75 cubic feet per minute per diesel brake horsepower.

(d) A testing device for nitrogen dioxide shall be provided and used in the tunnel at least once each shift at the peak of diesel operation and a written record shall be kept of the readings. Nitrogen Dioxide permissible maximum amount is five parts per million (0.0005 percent in the general tunnel atmosphere).

(e) The exhaust from the diesel engine shall be passed through an effective scrubber. The engine and scrubber shall be maintained in good mechanical and proper working condition.

(f) The diesel fuel used shall not contain more than .35 percent sulphur, by weight.

11-28025. VEHICLES AND EQUIPMENT. All vehicles required to move in or out of a tunnel shall be equipped with a revolving, flashing, amber light, mounted so as to be visible in all directions. This light shall flash when the vehicle is in operation.

11-28026. LOCOMOTIVES. (a) All haulage locomotives shall be equipped with a horn or whistle which shall be maintained in a workable condition and be operable when the locomotive is moved in either direction.

(b) Each electric locomotive shall be equipped with an approved "dead-man" control which shuts off the power automatically when the operator leaves his post.

(c) Where persons other than the operator are permitted to ride on a locomotive it shall be equipped with steps or footboards and with suitable handholds.

(d) Each locomotive shall be equipped with lights on both the front end and the back end which can illuminate the track in either direction.

11-28027. MOBILE WORK PLATFORM OR JUMBO. (a) Standard railings shall be provided along the exposed edge of any work platform or station ten (10) feet or more in height.

(b) Toeboards shall be provided along the exposed edges of the work platform.

(c) No tools, material, or equipment shall remain on any platform while the platform is being moved.

(d) Overhead protection against falling rocks or other objects shall be provided at all working areas where the platform is being used.

(e) All electrical circuits to the mobile platform shall be disconnected and the live ends moved to a minimum distance of 100 feet before explosives are brought up to the heading.

COMMUNICATION SYSTEM

11-28028. TELEPHONE SYSTEM. During periods of major construction or repair, tunnels that will be more than 3,000 feet long shall have at least one underground telephone as soon as the length reaches 1,600 feet. Other phones are to be added as the work progresses so that there is never less than one phone to serve each length-zone of 3,000 feet, and one for any remaining zone exceeding 1,600 feet in length. They shall be conveniently located, properly identified, and tested once each shift.

EXPLOSIVES AND BLASTING

11-28029. GENERAL. (a) The use of explosives and blasting equipment shall be in accordance with regulations 11-21159 thru 11-21165 in "Safety Standards, Rules and Regulations-Construction" where applicable.

(b) Explosives shall be water resistant and suitable for use in wet holes.

(c) Explosives shall be Fume Class I and shall be in containers marked "Fume Class I" in letters not less than one-fourth inch($\frac{1}{4}$ ") high.

(d) Detonators and explosives shall not be stored in tunnels, shafts or caissons. All detonators and explosives in excess after loading shall be removed from the working chamber before the connecting wires are connected.

(e) Detonators or explosives when being transported shall be inside an explosive car except when being hand-carried from the car to the blasting zone.

(f) The explosive car shall be lined with non-conductive material and shall have tight fitting covers and doors.

(g) The explosive car shall be painted bright red and shall display on all four sides and top the word "Explosives" in bright fluorescent letters not less than three inches (3") in height, in a contrasting color.

(h) Detonators and explosives may be transported in the same explosive car, except when being hoisted or lowered in a shaft, provided that the detonators and explosives are in separate compartments. The compartments shall be separated by at least four inches (4") of hardwood. Each compartment shall be kept locked except when being loaded or unloaded.

(i) No supplies shall be carried or transported on top of the car.

(j) No person shall be permitted to ride on any explosive car.

(k) No person shall be permitted to enter an air lock in which there are detonators or explosives other than the Blaster, Powderman, Lock Tender, and any persons necessary for carrying such detonators or explosives. No other material, supplies or equipment shall be permitted in an air lock in which there are detonators or explosives.

(l) Only two sets of keys to the firing mechanisms shall be permitted to remain on the jobsite. One set of keys shall be kept on the person of the Blaster on duty. The other set of keys shall be kept by the Superintendent under lock and key in the office.

GENERAL

11-28050. GENERAL PROVISIONS. (a) Where men are to be employed in compressed air, no work shall be started until 7 days after the firm, corporation, commission, or person to undertake such work has notified, in writing, the Industrial Safety Division of such contemplated work.

(b) When men are so employed, there shall be present at all times at least one competent person designated by and representing the employer who shall be familiar with and in all respects be responsible for full compliance with these and other applicable Safety Regulations, and who shall have the authority to require all employees to comply with such Regulations. This person shall be known as an Air Master or Superintendent.

(c) Every effort shall be taken to insure the safety of workmen in all situations.

COMPRESSION

11-28051. COMPRESSION RATE. During the compression of workmen, the pressure shall not be increased to more than 3 psig within the first minute. The pressure shall be held at 3 psig and again at 7 psig sufficiently long to determine if any individuals are experiencing discomfort. After the first minute the pressure is to be raised uniformly and at a rate not to exceed 10 psi per minute. If any workmen complain of discomfort, the pressure will be held to determine if the symptoms are relieved. If after 5 minutes the discomfort does not disappear, the lock attendant shall gradually reduce the pressure, until the workman signals that the discomfort has ceased. If he does not indicate that the discomfort has disappeared, the lock attendant shall reduce the pressure to atmospheric and the workman shall be released from the lock.

DECOMPRESSION

11-28052. NORMAL CONDITION. - A normal condition is one during which exposure to compressed air limited to a single continuous working period followed by a single decompression in any given 24 hour period; the total time of exposure to compressed

air during the single continuous working period is not interrupted by exposure to normal atmospheric pressure, and a second exposure to compressed air does not occur until at least 12 consecutive hours of exposure to normal atmospheric pressure has elapsed since the workman has been under pressure.

Decompression for normal condition shall be in accordance with the Decompression Tables. (See Decompression Table No. 1 and No. 2).

11-28053. REPETITIVE EXPOSURES. In the event it is necessary for an employee to be in compressed air more than once in a 24 hour period, the appointed physician shall be responsible for the establishment of methods and procedures of decompression applicable to repetitive exposures. (See Tables No. 3, No. 4, and No. 5).

11-28054. DECANTING. If decanting is to be used, the appointed physician shall submit his procedures to the Industrial Safety Division for approval before anyone is permitted to be decompressed by decanting methods.

WORKING MAN LOCKS AND SPECIAL DECOMPRESSION CHAMBER

11-28055. MAN LOCKS. (a) Except in emergency, no person employed in compressed air shall be permitted to pass from the working chamber to atmospheric pressure until after decompression in a working man lock in accordance with the procedures in Table No.1, No. 2, No. 3, No. 4, or No. 5, or Rule 11-28054, whichever may be applicable.

(b) Time of decompression shall be posted in each man lock.

(c) The man lock shall be in charge of a lock attendant who shall be at the lock controls during the period of decompression and shall remain in the vicinity of the man lock wherever there are men in the working chamber or in the man lock.

(d) Except where air pressure in the working chamber is below 14 psig(mild pressure), each man lock shall be equipped with suitable automatic controls which, through taped programs, cams, or similar apparatus shall automatically regulate decompressions. It shall also be equipped with manual controls to permit the lock attendant to override the automatic mechanism in the event of an emergency.

(e) A manual control, which can be used in the event of an emergency, shall be placed inside the man lock.

(f) A record of men employed under compressed air shall be kept by the lock attendant. This record shall show each employee's period of stay in the working chamber and the time taken for his decompression.

(g) A clock, thermometer, and continuous recording pressure gauge shall be installed outside of each man lock. The gauge dial and the chart shall be of sufficient size to register a legible record of variations in pressure within the man lock and shall be visible to lock attendant. In addition, a pressure gauge, clock, and thermometer shall also be installed in each working man lock.

(h) (1) All tunnels where air pressure is above 14 psig (strong pressure) or where there is danger of rapid flooding, shall be equipped with a man lock, an emergency lock and a material lock. An emergency lock is not required when a special decompression chamber is used.

(2) Where a combination lock is used it shall be of sufficient capacity to hold the men constituting two successive shifts.

(3) All caissons having a working area greater than 150 square feet shall have at least two(2) locks, one of which shall be a man lock.

(i) The man lock shall be large enough so that those using it are not compelled to be in cramped positions, and shall have not less than 5 feet clear head room at the center and a minimum of 30 cubic feet of air space per occupant. Adequate seating facilities shall be provided for an entire shift. Each seat shall be at least 24 inches wide. All working man locks shall be large enough to hold an entire shift.

(j) Locks in caissons shall be so located that the bottom door shall be not less than 3 feet above the water level surrounding the caisson on the outside, and the water level, where it is affected by tides, is construed to mean high tide.

(k) In addition to the pressure gauge in the locks, an accurate pressure gauge shall be maintained on the outer and inner side of each bulkhead. These gauges shall be accessible at all times and shall be kept in accurate working order.

(l) Every man lock shall be adequately lighted by electricity, and shall have an observation port at least 4 inches in diameter located in such position that all occupants of the man lock may be observed from the working chamber and from the free air side of the lock.

(m) Adequate ventilation in the lock shall be provided.

(n) Man locks shall be maintained at a minimum temperature of 70 degrees Fahrenheit, dry bulb.

(o) When locks are not in use and men are in the working chamber, lock doors shall be kept open to the working chamber, where practicable.

(p) There shall be effective means of oral intercommunication between the lock attendant, the interior of the man lock, and each man lock observation port.

(q) All locks shall be constructed in accordance with the Boiler and Pressure Vessel Regulations of the District of Columbia.

(r) A special decompression chamber of sufficient size to accommodate the entire force of workmen being decompressed at the end of a shift shall be provided whenever the regularly established working period requires a total time of decompression exceeding 60 minutes. This special decompression chamber shall meet the requirements of 11-28056. 11-28056. SPECIAL DECOMPRESSION CHAMBER. A special decompression chamber shall be provided for use when the nature of the work requires decompression times and procedures within the scope of 11-28055(r).

(b) The headroom in the special decompression chamber shall be not less than 7 feet clear headroom at the center and a minimum of 50 cubic feet of air space per occupant. For each occupant there shall be provided 4 square feet of free walking area and 3 square feet of seating space exclusive of area required for lavatory, toilet and shower facilities. Seating space not less than 18 inches by 24 inches wide shall be provided for each occupant, and the seat and the back of seating space shall be padded.

(c) The special decompression chamber shall comply with all applicable sections of 11-28055.

(d) (1) Adequate toilet and washing facilities to meet the following schedule shall be provided in the special decompression chamber:

- 1 toilet per 15 occupants
- 1 wash basin per 15 occupants
- 1 urinal per 15 occupants
- 1 shower per 8 occupants

(2) An adequate supply of drinking water and disposable cups shall be provided.

(3) An adequate supply of disposable and hand towels shall be provided.

(4) Shelving and baskets for the temporary storage of clean clothing and bath towels shall be provided.

(5) A waste receptacle for used drinking cups and hand towels shall be provided.

(e) Unless the special decompression chamber is serving as the man lock to atmospheric pressure the special decompression chamber shall be situated, where practicable, adjacent to the man lock on the atmospheric pressure side of the bulkhead. A passageway shall be provided connecting the special chamber with the man lock to permit workmen in the process of decompression to move from the man lock to the special chamber without a reduction in the ambient pressure from that designated for the next stage of decompression. The passageway shall be so arranged as to not interfere with the

normal operation of the man lock nor with the release of the occupants of the special chamber to atmospheric pressure upon the completion of the decompression procedure.

(f) All applicable provisions of 11-28060, Fire Prevention, shall apply to special decompression chambers.

TEMPERATURE, LIGHTING AND SANITATION

11-28057. TEMPERATURE AND LIGHTING. The following provisions shall be observed in the conduct of compressed air work:

(a) Temperature of all working chambers which are subjected to compressed air shall, by means of after-coolers or other suitable devices, be maintained at a temperature not to exceed 80 degree Fahrenheit, wet bulb.

(b) All lighting in working chambers shall be by electricity only.

(c) All passages shall be kept clear and properly lighted.

(d) Emergency lighting shall be provided in the man lock and working chambers.

11-28058. SANITATION AND ADDITIONAL FACILITIES. In addition to the facilities required in 11-28010 all compressed air operations shall provide the following:

1. A drying room with facilities for drying clothing and sufficient heat to dry the clothing within 12 hours.
2. At least one approved chemical toilet shall be provided in the working chamber.
3. An adequate supply of drinking water and disposable cups in the working chambers and other work areas.
4. A sufficient supply of hot coffee, sugar and dextrose shall be supplied to men working in compressed air at the termination of each shift. Coffee shall be heated by means of other than direct steam. Coffee containers and cups shall be kept in a clean and sanitary condition at all times. All containers shall be kept covered at all times.

COMPRESSOR PLANT, AIR SUPPLY AND TELEPHONE
COMMUNICATION

11-28059. COMPRESSOR PLANT, AIR SUPPLY AND TELEPHONE COMMUNICATION. (a) There shall at all times be a thoroughly experienced, competent and reliable person on duty at the air control valves as a gauge tender who shall regulate the pressure in the working areas. During tunneling operations, one gauge tender may regulate the pressure in not more than two headings provided that the gauges and controls for both such headings are all in one location. In caisson work there shall be a gauge tender for each caisson.

(b) The low air compressor plant shall be of sufficient capacity not only to permit the work to be done safely, but shall also provide a margin to meet emergencies and repairs.

(c) Low air compressor units shall have at least 2 independent and separate sources of power supply. Each independent and separate source of power supply shall be capable of operating the entire low air plant and its accessory systems.

(d) The capacity, arrangement, and number of compressors shall be sufficient to maintain the necessary pressure without overloading the equipment and to assure maintenance of such pressure in the working chamber during periods of breakdown, repair, or emergency.

(e) Switching from one independent source of power supply to the other shall be done periodically to ensure the workability of the apparatus in an emergency, and a record shall be kept of each such switch.

(f) Duplicate low pressure air feed lines and regulating valves shall be provided between the source of air supply and a point beyond the locks with one of the lines extending to within 100 feet of the working face.

(g) All high and low pressure air supply lines shall be equipped with check valves.

(h) Low pressure air shall be regulated automatically. In addition, manually operated valves shall be provided for emergency conditions.

(i) The air intakes for all air compressors shall be located at a place where fumes, exhaust gases, and other air contaminants will be at a minimum.

(j) Gauges indicating the pressure in the working chamber shall be installed in the compressor building, the lock attendant's station, and at the Field Office of the employer's representative.

(k) Exhaust valves and exhaust pipes shall be provided and operated so that the working chamber shall be well ventilated, and there shall be no pockets of dead air. Outlets may be required at intermediate points along the main low pressure air supply line to the heading to eliminate such pockets of dead air. Ventilating air shall be not less than 30 cubic feet per man per minute.

(l) There shall be effective communication maintained at all times between the following:

1. The working chamber face;
2. The working chamber side of the man lock near the door;
3. The interior of the man lock;
4. Lock attendant's station;
5. The compressor plant;
6. The first-aid station;
7. The emergency lock;
8. The special decompression chamber(if one is required).

BULKHEADS AND SCREENS

11-28060. BULKHEADS AND SCREENS. (a) Intermediate bulkheads with locks or intermediate safety screens or both may be required where there is danger of rapid flooding. The distance from such intermediate bulkheads or safety screens to the heading shall not be greater than that prescribed by the Industrial Safety Division.

(b) In tunnels 16 feet or more in diameter, hanging walkways shall be provided from the face to the man lock, as high in the tunnel as practicable, with at least 6 feet of headroom. Walkways shall be constructed of noncombustible material. Standard railings

shall be securely installed throughout the length of all walkways on open sides. Where walkways are ramped under safety screens, the walkway surface shall be skidproofed by cleats or otherwise.

(c) Bulkheads used to contain compressed air shall be tested, where practicable, to prove their ability to resist the highest air pressure which may be expected to be used.

(d) Pressure gauges shall be installed in accordance with 11-28055(k).

FIRE PREVENTION

11-28061. FIRE PREVENTION. (a) Every tunnel shall be provided with a water line, 2-inch minimum diameter, extending into the working chamber and to within 100 feet of the working face. The water line shall have hose outlets with 100 feet of fire hose properly maintained at:

- 1) The working face
- 2) The working chamber side of each bulkhead
- 3) The outside of each bulkhead

Quick connect-disconnect hose outlets shall be provided at 200-foot intervals throughout the length of the tunnel.

(b) Fire hose shall be at least $1\frac{1}{2}$ inches in normal diameter. Water pressure shall at all times be adequate for efficient operation of the type of nozzle used, having due regard to the air pressure in the working chamber.

(c) In addition to required fire hose protection, there shall be provided a suitable number of fire extinguishers of adequate size approved for the class of hazard involved. Extinguishers containing carbon tetrachloride and methyl bromide shall not be used. Extinguishers shall be so located as to be readily available but yet protected from damage.

(d) At least two buckets of sand shall be provided at each location where a fire extinguisher is placed.

(e) No person shall smoke or carry smoking materials in compressed air.

(f) While welding or flame cutting is being done in compressed air, a watchman with a fire hose or suitable extinguisher shall stand by until the welding or flame cutting is completed. Devices to prevent reverse flow of compressed air shall be installed on oxygen and acetylene regulating equipment.

(g) The compressor building shall be constructed of noncombustible materials.

(h) Equipment, fixtures, and furniture in man locks and special decompression chambers shall be constructed of noncombustible materials. Bedding and other furnishings shall be chemically treated so as to be fire-resistant. The treating compound and process shall be acceptable to the Industrial Safety Division.

MEDICAL ATTENDANCE, EXAMINATION AND MEDICAL LOCK

11-28062. MEDICAL CONTROL. (a) There shall be retained one or more physicians licensed by the District of Columbia who are familiar with and experienced in the physical requirements and the medical aspects of compressed air work and the treatment of decompression illness. Each such physician shall himself be physically qualified and be willing to enter a pressurized environment. He shall be immediately available at all times while work is in progress in order to provide medical supervision of men employed in compressed air work.

(b) The physician shall be responsible for matters on the job pertaining to the health of employees, treatment on the job of illness and injuries, special first-aid and nursing assistants, lock attendants, and medical and first-aid equipment.

(c) The physician shall make and sign all required physical examination reports.

(d) The physician shall inspect the lock register and the treatment record at least once a day.

11-28063. MEDICAL FIRST AID. (a) There shall be on the job a certified medical attendant trained to the satisfaction of the physician in administering first aid on compressed air jobs, and who shall be in attendance in the first-aid room while work in compressed air is going on and at such other times as the physician may direct.

(b) The superintendent or air master and every foreman on each shift below ground shall be trained in administering first aid to the satisfaction of the physician. The physician may train and use additional employees for administering first aid.

(c) A first-aid room properly heated and maintained shall be located in proximity to the main entrance to the underground work. It shall be equipped to the satisfaction of the physician and be maintained by the first-aid attendant.

(d) A "first-aid" cabinet plainly marked with a red cross shall be provided and maintained underground at each of the following locations:

1. Within 100 yards of the working face; and
2. Within the working chamber of caissons.

Each first-aid cabinet shall contain such items as may be specified by the physician. With each cabinet there shall be provided a mine-type stretcher, a woolen blanket, a waterproof covering, and at least 20 feet of one-half inch rope. All first-aid equipment shall be kept dry and sanitary.

11-28064. EXAMINATIONS. (a) No employee shall be permitted to enter a compressed air environment until he has been examined by the physician and found by him to be physically qualified to engage in such work.

(b) The physician's findings shall be entered on two forms to be maintained for each employee, one such form to be entitled "Pre-Employment History," and the other entitled "Physical Examination." A statement of his recommendation as to employability shall be submitted to the superintendent or air master and shall be kept on the job.

(c) In the event of absence from work by an employee for ten or more successive days, he shall not resume work until he has again been examined by the physician, and his physical condition reported, as heretofore provided, to be such as to permit him to work in compressed air.

(d) No person known to be addicted to the excessive use of intoxicants or to the use of narcotics shall be permitted to work in compressed air.

(e) After a person has been employed continuously in compressed air for a period designated by the physician, but not to exceed 1 year, he shall be re-examined by the physician to determine if he is still physically qualified to engage in compressed air work.

(f) The physician shall at all times keep a complete and full record of examinations made by him. The physician shall also keep an accurate record of any decompression illness or fatality. These records shall be available for inspection by any duly authorized representative of the Industrial Safety Division.

11-28065. MEDICAL LOCK. When the air pressure in the working chamber is 14 psig (strong pressure) or above, a medical lock shall be provided and shall meet the following requirements:

(a) Have at least six feet of clear headroom at the center, and be subdivided into not less than two compartments.

(b) Be readily accessible to persons working under compressed air.

(c) Be kept ready for immediate use for at least five hours subsequent to the emergence of any person from the working chamber.

(d) Be properly heated, lighted, and ventilated.

(e) Be maintained in a sanitary condition.

(f) Have a non-shatterable view port in each bulkhead door through which each occupant may be kept under constant observation.

(g) Be constructed and tested in accordance with the Boiler and Pressure Vessels Regulations of the District of Columbia, and be retested whenever it has been out of service for more than 1 year and whenever it is moved from one location to another.

(h) Be designed for a working pressure of 75 psig.

(i) Be equipped with internal controls which may be overridden by external controls.

(j) Be provided with air pressure gauges to show the air pressure within each compartment to observers inside and outside the medical lock.

(k) Be equipped with a quick acting automatic sprinkler system.

(l) Be equipped with a floor drain operated from outside the lock.

(m) Be provided with oxygen lines and fittings leading to external tanks, such lines to be fitted with check valves to prevent reverse flow.

(n) Be in constant charge of an attendant under the direct control of the retained physician, such attendant to be trained in the use of the lock and suitably instructed regarding steps to be taken in the treatment of workmen exhibiting symptoms compatible with a diagnosis of decompression illness.

(o) Be adjacent to the first-aid room.

(p) Be equipped with demand type oxygen inhalation equipment approved by the U. S. Bureau of Mines.

(q) Be capable of being maintained at a temperature, in use, not more than 90 degrees Fahrenheit nor less than 70 degrees Fahrenheit.

(r) Be provided with oil free air sources, both normal and emergency, which are capable of raising the air pressure in the lock from 0 to 75 psig in five minutes.

11-28066. IDENTIFICATION BADGES. Identification badges shall be furnished to all persons employed to work in compressed air, indicating that the wearer is a compressed air worker. The badge shall give employee's name, address of the medical lock, the phone number of the physician for the compressed air project, and contain instructions that in case of an emergency of unknown or doubtful cause or illness, the wearer shall be rushed to the medical lock. The badge shall be worn at all times, off the job as well as on the job.

11-28067. GUIDANCE OF COMPRESSED AIR WORKERS. The following "Suggestions for the Guidance of Compressed Air Workers" shall be conspicuously posted in all man locks and at entrances to and exits from the project:

"Suggestions for the Guidance of Compressed Air Workers"

1. Never go on shift with an empty stomach.
2. Be temperate - avoid all alcoholic liquors.

3. Eat moderately.
4. Sleep at least seven hours daily.
5. Keep the bowels regular.
6. Take extra outer clothing into tunnel when going on shift and wear it during decompression to avoid chilling during that period.
7. Stimulate circulation by moving limbs freely during decompression.
8. Decompress slowly, for this means safety and freedom from compressed air illness.
9. Drink hot coffee and take a warm shower bath and a brisk rubdown after each shift.
10. Immediately report any compressed air illness to the physician in charge, and do not give men suffering from compressed air illness any intoxicating liquor.
11. If taken sick away from the work site, communicate at once with one of the physicians in charge.
Dr. _____ Telephone _____
Dr. _____ Telephone _____
12. Wear your identification badge so that it will be known what to do with you in any emergency.
13. Stay about the works for at least one-half hour after locking out (one hour is more desirable).
14. See that you are re-examined after an absence from the job of ten days or more, and at least once a year.

DECOMPRESSION TABLE NO. 1

Work Pressure psig	TOTAL DECOMPRESSION TIME--MINUTES Working Period Hours										
	½	1	1½	2	3	4	5	6	7	8	Over 8
0-14	6	6	6	6	6	6	6	6	16	16	32
16	7	7	7	7	7	7	17	33	43	49	63
18	7	7	7	8	11	17	43	63	63	73	87
20	7	7	8	15	15	43	63	73	83	103	113
22	9	9	16	24	33	63	83	103	113	129	133
24	11	12	23	27	52	92	117	122	127	137	151
26	13	14	29	34	69	104	126	141	142	142	163
28	15	23	31	41	95	127	143	153	153	165	183
30	17	28	39	62	105	143	165	168	178	183	204
32	19	35	43	85	126	163	178	193	203	213	226
34	21	39	53	98	151	178	166	218	223	233	248
36	24	44	63	113	170	193	223	233	243	253	273
38	23	49	73	128	178	203	223	233	253	263	278
40	31	49	81	143	183	213	233	249	259	270	288
42	37	56	102	144	189	215	245	260	263	269	293
44	43	61	118	154	190	234	254	264	260	270	293
46	44	74	139	171	214	244	269	274	280	289	318
48	51	80	144	189	229	260	289	300	319	319
50	58	94	164	209	249	279	300	329

DECOMPRESSION TABLE NO. 2

Working Chamber Pressure	Working Period	DECOMPRESSION DATA					
		Stage No.	Pressure Reduction		Time in Stage	Pressure Reduction Rate	Total Time Decompress
			Psig				
psig	Hours		From	To	Minutes	Min/Pound	Minutes
14	1/2	1	14	4	2	0.20	6
		2	4	0	4	1.00	
	1	1	14	4	2	0.20	6
		2	4	0	4	1.00	
	1 1/2	1	14	4	2	0.20	6
		2	4	0	4	1.00	
	2	1	14	4	2	0.20	6
		2	4	0	4	1.00	
	3	1	14	4	2	0.20	6
		2	4	0	4	1.00	
	4	1	14	0	2	0.20	6
2		4	0	4	1.00		
5	1	14	4	2	0.20	6	
	2	4	0	4	1.00		
6	1	14	4	2	0.20	6	
	2	4	0	4	1.00		
7	1	14	4	2	0.20	16	
	2	4	0	14	3.50		
8	1	14	4	2	0.20	16	
	2	4	0	14	3.50		
Over 8	1	14	4	2	0.20	32	
	2	4	0	30	7.50		
16	1/2	1	16	4	3	0.20	7
		2	4	0	4	1.00	
	1	1	16	4	3	0.20	7
		2	4	0	4	1.00	
	1 1/2	1	16	4	3	0.20	7
		2	4	0	4	1.00	
	2	1	16	4	3	0.20	7
		2	4	0	4	1.00	
	3	1	16	4	3	0.20	7
		2	4	0	4	1.00	
	4	1	14	4	3	0.20	7
2		4	0	4	1.00		
5	1	14	4	3	0.20	17	
	2	4	0	4	3.50		
6	1	14	4	3	0.20	33	
	2	4	0	30	7.50		
7	1	14	4	3	0.20	48	
	2	4	0	45	11.25		
8	1	14	4	3	0.20	48	
	2	4	0	45	11.25		
Over 8	1	14	4	3	0.20	63	
	2	4	0	60	15.00		

Do not interpolate, use next higher value for conditions not computed.

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DECOMPRESSION TABLE NO. 2—Continued

Working Chamber Pressure psig	Working Period Hours	DECOMPRESSION DATA					
		Stage No.	Pressure Reduction psig		Time In Stage Minutes	Pressure Reduction Rate Min/Pound	Total Time Decompress Minutes
			From	To			
18	½	1	18	4	3	0.20	7
		2	4	0	4	1.00	
	1	1	18	4	3	0.20	7
		2	4	0	4	1.00	
	1½	1	18	4	3	0.20	7
		2	4	0	4	1.00	
	2	1	18	4	3	0.20	8
		2	4	0	5	1.25	
	3	1	18	4	3	0.20	11
		2	4	0	8	2.00	
	4	1	18	4	3	0.20	17
2		4	0	14	3.50		
5	1	18	4	3	0.20	48	
	2	4	0	45	11.25		
6	1	18	4	3	0.20	63	
	2	4	0	60	15.00		
7	1	18	4	3	0.20	63	
	2	4	0	60	15.00		
8	1	18	4	3	0.20	73	
	2	4	0	70	17.50		
Over 8	1	18	4	3	0.20	87	
	2	4	0	84	21.00		
20	½	1	20	4	3	0.20	7
		2	4	0	4	1.00	
	1	1	20	4	3	0.20	7
		2	4	0	4	1.00	
	1½	1	20	4	3	0.20	8
		2	4	0	5	1.25	
	2	1	20	4	3	0.20	15
		2	4	0	12	3.00	
	3	1	20	4	3	0.20	15
		2	4	0	12	3.00	
	4	1	20	4	3	0.20	43
2		4	0	40	10.00		
5	1	20	4	3	0.20	63	
	2	4	0	60	15.00		
6	1	20	4	3	0.20	73	
	2	4	0	70	17.50		
7	1	20	4	3	0.20	83	
	2	4	0	80	20.00		
8	1	20	4	3	0.20	103	
	2	4	0	100	25.00		
Over 8	1	20	4	3	0.20	113	
	2	4	0	110	27.50		

Do not interpolate, use next higher value for conditions not computed.

DECOMPRESSION TABLE NO. 2—Continued

Working Chamber Pressure	Working Period	DECOMPRESSION DATA					Total Time Decompress
		Stage No.	Pressure Reduction		Time in Stage	Pressure Reduction Rate	
			From	To			
psig	Hours		psig				Minutes
22	½	1	22	6	3	0.20	9
		2	6	0	6	1.00	
	1	1	22	6	3	0.20	9
		2	6	0	6	1.00	
	1½	1	22	6	3	0.20	16
		2	6	0	13	2.20	
	2	1	22	6	3	0.20	24
		2	6	0	21	3.50	
	3	1	22	6	3	0.20	33
		2	6	0	35	5.85	
	4	1	22	6	3	0.20	68
		2	6	0	65	10.83	
	5	1	22	6	3	0.20	93
		2	6	0	90	15.00	
	6	1	22	6	3	0.20	103
		2	6	0	100	16.67	
	7	1	22	6	3	0.20	113
		2	6	0	110	18.35	
8	1	22	6	3	0.20	128	
	2	6	0	125	20.80		
Over 8	1	22	6	3	0.20	133	
	2	6	0	130	21.70		

Do not interpolate, use next higher value for conditions not computed.

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DECOMPRESSION TABLE NO. 2—Continued

Working Chamber Pressure	Working Period	DECOMPRESSION DATA					Total Time Decompress
		Stage No.	Pressure Reduction		Time in Stage	Pressure Reduction Rate	
			Psig				
psig.	Hours		From	To	Minutes	Min/Pound	Minutes
24	½	1	24	8	3	0.20	11
		2	8	4	4	1.00	
		3	4	0	4	1.00	
	1	1	24	8	3	0.20	12
		2	8	4	4	1.00	
		3	4	0	5	1.25	
	1½	1	24	8	3	0.20	23
		2	8	4	4	1.00	
		3	4	0	15	4.00	
	2	1	24	8	3	0.20	27
		2	8	4	4	1.00	
		3	4	0	20	5.00	
	3	1	24	8	3	0.20	52
		2	8	4	4	1.00	
		3	4	0	45	11.25	
	4	1	24	8	3	0.20	92
		2	8	4	4	1.00	
		3	4	0	85	21.25	
	5	1	24	8	3	0.20	117
		2	8	4	4	1.00	
		3	4	0	110	27.50	
	6	1	24	8	3	0.20	122
		2	8	4	4	1.00	
		3	4	0	115	28.50	
7	1	24	8	3	0.20	127	
	2	8	4	4	1.00		
	3	4	0	120	30.00		
8	1	24	8	3	0.20	137	
	2	8	4	4	1.00		
	3	4	0	130	32.50		
Over 8	1	24	8	3	0.20	151	
	2	8	4	8	2.00		
	3	4	0	140	35.00		

Do not interpolate, use next higher value for conditions not computed.

DECOMPRESSION TABLE NO. 2—Continued

Working Chamber Pressure psig	Working Period Hours	DECOMPRESSION DATA					
		Stage No.	Pressure Reduction Psig		Time In Stage Minutes	Pressure Reduction Rate Min/Pound	Total Time Decompress Minutes
			From	To			
26	1/2	1 2 3	26 10 4	10 4 0	3 6 4	0.20 1.00 1.00	13
	1	1 2 3	26 10 4	10 4 0	3 6 5	0.20 1.00 1.25	14
	1 1/2	1 2 3	26 10 4	10 4 0	3 6 20	0.20 1.00 5.00	29
	2	1 2 3	26 10 4	10 4 0	3 6 25	0.20 1.00 6.25	34
	3	1 2 3	26 10 4	10 4 0	3 6 60	0.20 1.00 15.00	69
	4	1 2 3	26 10 4	10 4 0	3 6 95	0.20 1.00 23.75	104
	5	1 2 3	26 10 4	10 4 0	3 8 115	0.20 1.33 28.80	126
	6	1 2 3	26 10 4	10 4 0	3 8 130	0.20 1.33 32.50	141
	7	1 2 3	26 10 4	10 4 0	3 9 130	0.20 1.50 32.50	142
8	1 2 3	26 10 4	10 4 0	3 9 130	0.20 1.50 32.50	142	
Over 8	1 2 3	26 10 4	10 4 0	3 30 130	0.20 5.00 32.50	163	

Do not interpolate, use next higher value for conditions not computed.

1-277

DECOMPRESSION TABLE NO. 2—Continued

Working Chamber Pressure	Working Period	DECOMPRESSION DATA					Total Time Decompress
		Stage No.	Pressure Reduction, Psig		Time in Stage	Pressure Reduction Rate	
			From	To			
26	½	1 2 3	26 12 4	12 4 0	3 5 4	0.20 1.00 1.00	15
	1	1 2 3	26 12 4	12 4 0	3 8 12	0.20 1.00 3.00	23
	1½	1 2 3	26 12 4	12 4 0	3 8 20	0.20 1.00 5.00	31
	2	1 2 3	26 12 4	12 4 0	3 8 30	0.20 1.00 7.50	41
	3	1 2 3	26 12 4	12 4 0	3 10 85	0.20 1.25 21.25	96
	4	1 2 3	26 12 4	12 4 0	3 14 119	0.20 1.75 27.50	127
	5	1 2 3	26 12 4	12 4 0	3 20 120	0.20 2.50 30.00	143
	6	1 2 3	26 12 4	12 4 0	3 26 150	0.20 2.50 32.50	153
	7	1 2 3	26 12 4	12 4 0	3 20 130	0.20 2.50 32.50	153
	8	1 2 3	26 12 4	12 4 0	3 32 130	0.20 4.00 32.50	165
	Over 8	1 2 3	26 12 4	12 4 0	3 50 150	0.20 6.25 32.50	183

Do not interpolate, use next higher value for conditions not computed.

DECOMPRESSION TABLE NO. 2—Continued

Working Chamber Pressure	Working Period	DECOMPRESSION DATA					Total Time Decompress
		Stage No.	Pressure Reduction		Time in Stage	Pressure Reduction Rate	
			From	To			
psig	Hours						Minutes
30	½	1	30	14	3	0.20	17
		2	14	4	10	1.00	
		3	4	0	4	1.00	
	1	1	30	14	3	0.20	23
		2	14	4	10	1.00	
		3	4	0	15	3.75	
	1½	1	30	14	3	0.20	33
		2	14	4	10	1.00	
		3	4	0	25	6.25	
	2	1	30	14	3	0.20	62
		2	14	4	14	1.40	
		3	4	0	45	11.25	
3	1	30	14	3	0.20	105	
	2	14	4	17	1.70		
	3	4	0	55	21.20		
4	1	30	14	3	0.20	143	
	2	14	4	30	3.00		
	3	4	0	110	27.50		
5	1	30	14	3	0.20	165	
	2	14	4	25	3.50		
	3	4	0	120	32.50		
6	1	30	14	3	0.20	168	
	2	14	4	35	3.50		
	3	4	0	130	32.50		
7	1	20	14	3	0.20	178	
	2	14	4	45	4.50		
	3	4	0	130	32.50		
8	1	20	14	3	0.20	188	
	2	14	4	55	5.50		
	3	4	0	130	32.50		
Over 8	1	30	14	3	0.20	204	
	2	14	4	71	7.10		
	3	4	0	130	32.50		

Do not interpolate, use next higher value for conditions not computed.

7-504

DECOMPRESSION TABLE NO. 2—Continued

Working Chamber Pressure	Working Period	DECOMPRESSION DATA					
		Stage No.	Pressure Reduction		Time in Stage	Pressure Reduction Rate	Total Time Decompress
			Psig				
psig	Hours		From	To	Minutes	Min Pound	Minutes
32	½	1	32	16	3	0.20	19
		2	16	4	12	1.00	
		3	4	0	4	1.00	
1	1	1	32	16	3	0.20	35
		2	16	4	12	1.00	
		3	4	0	20	5.00	
1½	1½	1	32	16	3	0.20	43
		2	16	4	15	1.25	
		3	4	0	25	6.25	
2	2	1	32	16	3	0.20	85
		2	16	4	22	1.63	
		3	4	0	60	15.00	
3	3	1	32	16	3	0.20	123
		2	16	4	28	2.33	
		3	4	0	93	23.75	
4	4	1	32	16	3	0.20	163
		2	16	4	40	5.33	
		3	4	0	120	30.00	
5	5	1	32	16	3	0.20	178
		2	16	4	45	3.75	
		3	4	0	130	32.50	
6	6	1	32	16	3	0.20	193
		2	16	4	60	5.00	
		3	4	0	130	32.50	
7	7	1	32	16	3	0.20	203
		2	16	4	70	5.83	
		3	4	0	130	32.50	
8	8	1	32	16	3	0.20	213
		2	16	4	80	6.67	
		3	4	0	130	32.50	
Over 8	Over 8	1	32	16	3	0.20	226
		2	16	4	93	7.75	
		3	4	0	130	32.50	

Do not interpolate, use next higher value for conditions not computed.

2504

DECOMPRESSION TABLE NO. 2--Continued

Working Chamber Pressure	Working Period	DECOMPRESSION DATA					
		Stage No.	Pressure Reduction		Time in Stage	Pressure Reduction Rate	Total Time Decompress
			From	To			
34	1/2	1 2 3	34 18 4	18 4 0	3 14 4	0.20 1.00 1.00	21
	1	1 2 3	34 18 4	18 4 0	3 14 22	0.20 1.00 5.50	39
	1 1/2	1 2 3	34 18 4	18 4 0	3 25 30	0.20 1.89 7.50	58
	2	1 2 3	34 18 4	18 4 0	3 35 60	0.20 2.50 15.00	93
	3	1 2 3	34 18 4	18 4 0	3 43 105	0.20 3.10 28.25	151
	4	1 2 3	34 18 4	18 4 0	3 55 120	0.20 3.83 30.00	173
	5	1 2 3	34 18 4	18 4 0	3 62 130	0.20 4.43 32.50	195
	6	1 2 3	34 18 4	18 4 0	3 85 130	0.20 6.07 32.50	213
	7	1 2 3	34 18 4	18 4 0	3 90 130	0.20 6.43 32.50	223
	8	1 2 3	34 18 4	18 4 0	3 100 130	0.20 7.15 32.50	233
	Over 8	1 2 3	34 18 4	18 4 0	3 115 130	0.20 8.23 32.50	243

Do not interpolate, use next higher value for conditions not computed.

202

DECOMPRESSION TABLE NO. 2—Continued

Working Chamber Pressure psig	Working Period Hours	DECOMPRESSION DATA					
		Stage No.	Pressure Reduction Psig		Time In Stage Minutes	Pressure Reduction Rate Min. Pound	Total Time Decompress Minutes
			From	To			
36	½	1	36	20	3	0.20	24
		2	20	4	16	1.00	
		3	4	0	5	1.25	
	1	1	36	20	3	0.20	44
		2	20	4	16	1.00	
		3	4	0	25	6.25	
	1½	1	36	20	3	0.20	63
		2	20	4	30	1.85	
		3	4	0	30	7.50	
	2	1	36	20	3	0.20	113
		2	20	4	40	2.50	
		3	4	0	70	17.50	
	3	1	36	20	3	0.20	170
		2	20	4	52	3.25	
		3	4	0	115	28.75	
	4	1	36	20	3	0.20	198
		2	20	4	65	4.00	
		3	4	0	130	32.50	
	5	1	36	20	3	0.20	223
		2	20	4	90	5.63	
		3	4	0	130	32.50	
	6	1	37	20	3	0.20	233
		2	20	4	100	6.25	
		3	4	0	130	32.50	
7	1	36	20	3	0.20	243	
	2	20	4	110	6.85		
	3	4	0	130	32.50		
8	1	36	20	3	0.20	253	
	2	20	4	120	7.50		
	3	4	0	130	32.50		
Over 8	1	36	20	3	0.20	273	
	2	20	4	140	8.75		
	3	4	0	130	32.50		

Do not interpolate, use next higher value for conditions not computed.

DECOMPRESSION TABLE NO. 2—Continued

Working Chamber Pressure	Working Period	DECOMPRESSION DATA					Total Time Decompress
		Stage No.	Pressure Reduction #		Time in Stage	Pressure Reduction Rate	
			From	To			
psig	Hours						Minutes
33	½	1	33	22	3	0.20	28
		2	22	6	16	1.00	
		3	6	0	9	1.50	
	1	1	33	22	3	0.20	49
		2	22	6	16	1.00	
		3	6	0	30	5.00	
	1½	1	33	22	3	0.20	73
		2	22	6	20	1.25	
		3	6	0	50	8.34	
	2	1	33	22	3	0.20	123
2		22	6	30	1.83		
3		6	0	90	15.83		
3	1	33	22	3	0.20	173	
	2	22	6	35	2.19		
	3	6	0	140	23.35		
4	1	33	22	3	0.20	203	
	2	22	6	50	3.12		
	3	6	0	150	25.00		
5	1	33	22	3	0.20	223	
	2	22	6	55	3.41		
	3	6	0	165	27.50		
6	1	33	22	3	0.20	238	
	2	22	6	70	4.53		
	3	6	0	105	27.50		
7	1	33	22	3	0.20	253	
	2	22	6	85	5.32		
	3	6	0	165	27.50		
8	1	33	22	3	0.20	263	
	2	22	6	95	5.93		
	3	6	0	165	27.50		
Over 8	1	33	22	3	0.20	278	
	2	22	6	110	6.58		
	3	6	0	165	27.50		

Do not interpolate, use next higher value for conditions not computed.

DECOMPRESSION TABLE NO. 2--Continued

Working Chamber Pressure psig	Working Period Hours	DECOMPRESSION DATA					
		Stage No.	Pressure Reduction Psig		Time in Stage Minutes	Pressure Reduction Rate Min./Pound	Total Time Decompress Minutes
			From	To			
40	½	1	40	24	3	0.20	31
		2	24	8	16	1.00	
		3	8	4	4	1.00	
		4	4	0	8	2.00	
	1	1	40	24	3	0.20	49
		2	24	8	16	1.00	
		3	8	4	5	1.25	
		4	4	0	25	6.25	
	1½	1	40	24	3	0.20	84
		2	24	8	16	1.00	
		3	8	4	20	5.00	
		4	4	0	45	11.25	
	2	1	40	24	3	0.20	143
		2	24	8	25	1.56	
		3	8	4	20	5.00	
		4	4	0	95	23.75	
	3	1	40	24	3	0.20	183
		2	24	8	30	1.88	
		3	8	4	30	7.50	
		4	4	0	120	30.00	
	4	1	40	24	3	0.20	213
		2	24	8	45	2.81	
		3	8	4	35	8.75	
		4	4	0	130	32.50	
	5	1	40	24	3	0.20	233
		2	24	8	47	2.91	
		3	8	4	53	13.25	
		4	4	0	130	32.50	
	6	1	40	24	3	0.20	248
		2	24	8	57	3.44	
		3	8	4	60	15.00	
		4	4	0	130	32.50	
7	1	40	24	3	0.20	258	
	2	24	8	65	4.68		
	3	8	4	60	15.00		
	4	4	0	130	32.50		
8	1	40	24	3	0.20	263	
	2	24	8	75	4.70		
	3	8	4	60	15.00		
	4	4	0	130	32.50		
Over 8	1	40	24	3	0.20	268	
	2	24	8	95	5.93		
	3	8	4	60	15.00		
	4	4	0	130	32.50		

Do not interpolate, use next higher value for conditions not computed.

DECOMPRESSION TABLE NO. 2—Continued

Working Chamber Pressure psig	Working Period Hours	DECOMPRESSION DATA					Total Time Decompress Minutes
		Stage No.	Pressure Reduction Psig		Time in Stage Minutes	Pressure Reduction Rate Min Pound	
			From	To			
42	½	1	42	26	3	0.20	37
		2	26	10	16	1.69	
		3	10	4	6	1.60	
		4	4	0	12	3.60	
	1	1	42	26	3	0.20	56
		2	26	10	16	1.60	
		3	10	4	12	2.00	
		4	4	0	25	6.25	
	1½	1	42	26	3	0.20	102
		2	26	10	16	1.00	
		3	10	4	21	3.83	
		4	4	0	60	15.00	
	2	1	42	26	3	0.20	144
		2	26	10	16	1.00	
		3	10	4	30	5.00	
		4	4	0	95	23.75	
	3	1	42	26	3	0.20	180
		2	26	10	16	1.00	
		3	10	4	50	8.34	
		4	4	0	120	30.00	
	4	1	42	26	3	0.20	215
		2	26	10	17	1.66	
		3	10	4	65	10.83	
		4	4	0	130	32.50	
	5	1	42	26	3	0.20	245
		2	26	10	27	1.69	
		3	10	4	85	14.15	
		4	4	0	130	32.50	
	6	1	42	26	3	0.20	260
		2	26	10	27	1.69	
		3	10	4	100	16.67	
		4	4	0	130	32.50	
	7	1	42	26	3	0.20	263
		2	26	10	30	1.88	
		3	10	4	100	16.67	
		4	4	0	130	32.50	
8	1	42	26	3	0.20	268	
	2	26	10	35	2.19		
	3	10	4	100	16.67		
	4	4	0	130	32.50		
Over 8	1	42	26	3	0.20	293	
	2	26	10	60	3.75		
	3	10	4	100	16.67		
	4	4	0	130	32.50		

Do not interpolate, use next higher value for conditions not computed.

DECOMPRESSION TABLE NO. 2—Continued

Working Chamber Pressure psig	Working Period Hours	DECOMPRESSION DATA					Total Time Decompress Minutes
		Stage No.	Pressure Reduction Psig		Time in Stage Minutes	Pressure Reduction Rate Min. Poursel	
			From	To			
44	½	1	44	28	3	0.20	43
		2	28	12	16	1.00	
		3	12	4	8	1.00	
		4	4	0	16	4.00	
1	1	1	44	28	3	0.20	64
		2	28	12	16	1.00	
		3	12	4	20	2.50	
		4	4	0	25	6.25	
1½	1½	1	44	28	3	0.20	118
		2	28	12	16	1.00	
		3	12	4	27	3.33	
		4	4	0	72	18.00	
2	2	1	44	28	3	0.20	154
		2	28	12	16	1.00	
		3	12	4	40	5.00	
		4	4	0	95	23.75	
3	3	1	44	28	3	0.20	199
		2	28	12	16	1.00	
		3	12	4	60	7.50	
		4	4	0	120	30.00	
4	4	1	44	28	3	0.20	234
		2	28	12	16	1.00	
		3	12	4	85	10.62	
		4	4	0	150	37.50	
5	5	1	44	28	3	0.20	254
		2	28	12	16	1.00	
		3	12	4	105	13.13	
		4	4	0	120	32.50	
6	6	1	44	28	3	0.20	264
		2	28	12	16	1.00	
		3	12	4	115	14.38	
		4	4	0	130	32.50	
7	7	1	44	28	3	0.20	269
		2	28	12	16	1.00	
		3	12	4	120	15.00	
		4	4	0	130	32.50	
8	8	1	44	28	3	0.20	269
		2	28	12	16	1.00	
		3	12	4	120	15.00	
		4	4	0	130	32.50	
Over 8	Over 8	1	44	28	3	0.20	293
		2	28	12	40	2.50	
		3	12	4	120	15.00	
		4	4	0	120	32.50	

Do not interpolate, use next higher value for conditions not computed.

DECOMPRESSION TABLE NO. 2—Continued

Working Chamber Pressure psig	Working Period Hours	DECOMPRESSION DATA					Total Time Decompress Minutes
		Stage No.	Pressure Reduction Psig		Time in Stage Minutes	Pressure Reduction Rate Min/Pound	
			From	To			
46	½	1	46	30	3	0.20	44
		2	30	14	16	1.00	
		3	14	4	10	1.00	
		4	4	0	15	3.75	
1	1	1	46	30	3	0.20	74
		2	30	14	16	1.00	
		3	14	4	25	2.50	
		4	4	0	30	7.50	
1½	1½	1	46	30	3	0.20	139
		2	30	14	16	1.00	
		3	14	4	35	3.50	
		4	4	0	85	21.20	
2	2	1	46	30	3	0.20	171
		2	30	14	16	1.00	
		3	14	4	47	4.70	
		4	4	0	103	25.25	
3	3	1	46	30	3	0.20	214
		2	30	14	16	1.00	
		3	14	4	63	6.50	
		4	4	0	130	32.50	
4	4	1	46	30	3	0.20	244
		2	30	14	16	1.00	
		3	14	4	95	9.50	
		4	4	0	130	32.50	
5	5	1	46	30	3	0.20	269
		2	30	14	16	1.00	
		3	14	4	120	12.00	
		4	4	0	130	32.50	
6	6	1	46	30	3	0.20	274
		2	30	14	16	1.00	
		3	14	4	125	12.50	
		4	4	0	130	32.50	
7	7	1	46	30	3	0.20	289
		2	30	14	16	1.00	
		3	14	4	140	14.00	
		4	4	0	130	32.50	
9	9	1	46	30	3	0.20	299
		2	30	14	16	1.00	
		3	14	4	150	15.00	
		4	4	0	130	32.50	
Over 8	Over 8	1	46	30	3	0.20	318
		2	30	14	25	1.56	
		3	14	4	100	16.00	
		4	4	0	130	32.50	

Do not interpolate, use next higher value for conditions not computed.

DECOMPRESSION TABLE NO. 2—Continued

Working Chamber Pressure psig	Working Period Hours	DECOMPRESSION DATA					Total Time Decompress Minutes
		Stage No.	Pressure Reduction Psig		Time in Stage Minutes	Pressure Reduction Rate Min./Pound	
			From	To			
48	1/2	1	48	32	3	0.20	51
		2	32	16	16	1.00	
		3	16	4	12	1.00	
		4	4	0	20	5.00	
	1	1	48	32	3	0.20	89
		2	32	16	14	1.00	
		3	16	4	35	2.92	
		4	4	0	35	8.75	
	1 1/2	1	48	32	3	0.20	144
		2	32	16	16	1.00	
		3	16	4	45	3.75	
		4	4	0	80	20.00	
	2	1	48	32	3	0.20	189
		2	32	16	16	1.00	
		3	16	4	60	5.00	
		4	4	0	110	27.50	
	3	1	48	32	3	0.20	229
		2	32	16	16	1.00	
		3	16	4	90	7.50	
		4	4	0	120	30.00	
	4	1	48	32	3	0.20	293
		2	32	16	16	1.00	
		3	16	4	120	10.00	
		4	4	0	130	32.50	
	5	1	48	32	3	0.20	299
		2	32	16	16	1.00	
		3	16	4	140	11.67	
		4	4	0	130	32.50	
	6	1	48	32	3	0.20	309
		2	32	16	16	1.00	
		3	16	4	160	18.33	
		4	4	0	130	32.50	
7	1	48	32	2	0.20	319	
	2	32	16	16	1.00		
	3	16	4	170	14.17		
	4	4	0	130	32.50		
8	1	48	32	3	0.20	319	
	2	32	16	16	1.00		
	3	16	4	170	14.17		
	4	4	0	130	32.50		

Do not interpolate, use next higher value for conditions not computed.

DECOMPRESSION TABLE NO. 2—Continued

Working Chamber Pressure psig	Working Period Hours	DECOMPRESSION DATA					
		Stage No.	Pressure Reduction Psig		Time in Stage* Minutes	Pressure Reduction Rate Min/Pound	Total Time Decompress Minutes
			From	To			
50	½	1	50	34	3	0.20	58
		2	34	18	16	1.00	
		3	18	4	14	1.00	
		4	4	0	25	6.25	
	1	1	50	34	3	0.20	94
		2	34	18	16	1.00	
		3	18	4	40	2.83	
		4	4	0	35	8.75	
	1½	1	50	34	3	0.20	164
		2	34	18	16	1.00	
		3	18	4	55	3.93	
		4	4	0	90	22.50	
	2	1	50	34	3	0.20	200
		2	34	18	16	1.00	
		3	18	4	70	5.00	
		4	4	0	120	30.00	
	3	1	50	34	3	0.20	240
		2	34	18	16	1.00	
		3	18	4	100	7.15	
		4	4	0	130	32.50	
	4	1	50	34	3	0.20	279
		2	34	18	16	1.00	
		3	18	4	130	8.58	
		4	4	0	130	32.50	
5	1	50	34	3	0.20	300	
	2	34	18	16	1.00		
	3	18	4	160	11.42		
	4	4	0	130	32.50		
6	1	50	34	3	0.20	329	
	2	34	18	16	1.00		
	3	18	4	180	12.85		
	4	4	0	130	32.50		

Do not interpolate, use next higher value for conditions not computed.

OPEN AIR INTERVAL CREDIT TABLE

REPETITIVE GROUP AT END OF OPEN AIR INTERVAL																
	Z	O	N	M	L	K	J	I	H	G	F	E	D	C	B	A
Z	0:10 0:22	0:34 0:46	0:48 1:00	1:07 1:19	1:18 1:30	1:31 1:43	1:55 2:07	2:17 2:29	2:42 2:54	3:10 3:22	3:45 3:57	4:20 4:32	5:27 5:39	6:56 7:08	10:05 10:17	12:00*
O	0:10 0:23	0:36 0:49	0:51 1:04	1:07 1:20	1:24 1:37	1:43 1:56	2:04 2:17	2:29 2:42	2:58 3:11	3:33 3:46	4:17 4:30	5:16 5:29	6:44 6:57	9:54 10:07	12:00*	
N	0:10 0:24	0:38 0:51	0:54 1:07	1:11 1:24	1:30 1:43	1:53 2:06	2:18 2:31	2:47 3:00	3:22 3:35	4:04 4:17	5:03 5:16	6:32 6:45	9:43 9:56	12:00*		
M	0:10 0:25	0:40 0:53	0:56 1:09	1:12 1:25	1:31 1:44	1:54 2:07	2:29 2:42	2:58 3:11	3:33 3:46	4:17 4:30	5:16 5:29	6:44 6:57	9:54 10:07	12:00*		
L	0:10 0:26	0:42 0:55	0:58 1:11	1:24 1:37	1:43 1:56	2:04 2:17	2:29 2:42	2:58 3:11	3:33 3:46	4:17 4:30	5:16 5:29	6:44 6:57	9:54 10:07	12:00*		
K	0:10 0:27	0:44 0:57	1:00 1:13	1:18 1:31	1:47 2:00	2:11 2:24	2:36 2:49	3:01 3:14	3:26 3:39	4:01 4:14	5:00 5:13	6:28 6:41	9:37 9:50	12:00*		
J	0:10 0:28	0:46 0:59	1:02 1:15	1:26 1:39	1:55 2:08	2:20 2:33	2:45 2:58	3:10 3:23	3:35 3:48	4:10 4:23	5:09 5:22	6:37 6:50	9:46 9:59	12:00*		
I	0:10 0:29	0:48 1:01	1:04 1:17	1:30 1:43	2:00 2:13	2:25 2:38	2:40 2:53	3:05 3:18	3:20 3:33	3:55 4:08	4:54 5:07	6:22 6:35	9:31 9:44	12:00*		
H	0:10 0:30	0:50 1:03	1:06 1:19	1:34 1:47	2:04 2:17	2:29 2:42	2:44 2:57	3:09 3:22	3:24 3:37	4:09 4:22	5:08 5:21	6:36 6:49	9:45 9:58	12:00*		
G	0:10 0:31	0:52 1:05	1:08 1:21	1:38 1:51	2:08 2:21	2:33 2:46	2:58 3:11	3:23 3:36	3:48 4:01	4:33 4:46	5:32 5:45	7:00 7:13	10:09 10:22	12:00*		
F	0:10 0:32	0:54 1:07	1:10 1:23	1:40 1:53	2:10 2:23	2:35 2:48	2:50 3:03	3:15 3:28	3:30 3:43	4:15 4:28	5:14 5:27	6:42 6:55	9:51 10:04	12:00*		
E	0:10 0:33	0:56 1:09	1:12 1:25	1:52 2:05	2:22 2:35	2:47 3:00	3:02 3:15	3:27 3:40	3:52 4:05	4:37 4:50	5:36 5:49	7:04 7:17	10:13 10:26	12:00*		
D	0:10 0:34	0:58 1:11	1:14 1:27	1:54 2:07	2:24 2:37	2:49 3:02	3:04 3:17	3:29 3:42	3:54 4:07	4:39 4:52	5:38 5:51	7:06 7:19	10:15 10:28	12:00*		
C	0:10 0:35	1:00 1:13	1:16 1:29	1:46 2:01	2:26 2:41	2:51 3:06	3:06 3:21	3:31 3:46	3:56 4:11	4:51 5:06	6:00 6:15	7:18 7:33	10:27 10:42	12:00*		
B	0:10 0:36	1:02 1:17	1:18 1:33	1:48 2:03	2:28 2:43	2:53 3:08	3:08 3:23	3:33 3:48	3:58 4:13	4:53 5:08	6:02 6:17	7:15 7:30	10:29 10:44	12:00*		
A	0:10 0:37	1:04 1:19	1:20 1:35	1:50 2:05	2:30 2:45	2:55 3:10	3:10 3:25	3:25 3:40	3:40 3:55	4:55 5:10	6:04 6:19	7:17 7:32	10:31 10:46	12:00*		

INSTRUCTIONS FOR USE

Open air interval time in the table is in hours and minutes (2:20 means 2 hours and 20 minutes). The open air interval must be at least 10 minutes.

Find the repetitive group designation from Table 3 on the diagonal slope. Enter the table horizontally to select the listed open air interval time that is exactly or NEXT GREATER than the actual open air interval time. The repetitive group designation for the end of the open air interval is at the head of the vertical column where the selected open air interval time is listed.

For example: A previous compressed air exposure was for 45 minutes at 30 psig. The compressed air worker decompresses according to Table 2 and remains in open air for 1 hour and 30 minutes and wishes to find his new repetitive group designation. From Table 3 his repetitive group at the start of the open air interval is "I." Now enter Table 4 at "I" on the diagonal slope and move horizontally to the column having 2:02 listed, which is the next greater time, since 1:30 is not tabulated. The compressed air worker has lost sufficient inert gas to place him now in group "F."

TABLE 4

*NOTE: Compressed air exposures following open air intervals of more than 12 hours are not considered multiple exposures. ACTUAL compressed air exposure time will be used for the determination of decompression time for open air intervals greater than 12 hours.

The information contained in the following pages is adapted from the U. S. Navy Diving Tables and is to be used when an employee will enter a compressed air environment more than once within a 12-hour period.

The Division may accept alternate methods of decompression for repetitive exposures provided the licensed physician submits his proposed procedures to the Division for its review and approval.

The Department of the Navy is in no way liable for the use or misuse of Tables 3, 4, and 5.

Pressure (psig)	Repetitive Groups															
	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	Z
4	60	120	210	300												
7	35	70	110	160	225	350										
9	25	50	75	100	135	180	240	325								
11	20	35	55	75	100	125	160	190	245	315						
13	15	30	45	60	75	95	120	145	170	205	250	310				
16	5	15	25	40	50	60	80	100	120	140	160	190	220	270	310	
18	5	15	25	30	40	50	70	80	100	110	130	150	170	230	270	300
22	--	10	15	25	30	40	50	60	70	80	90	110	140	160	200	210
27	--	10	15	20	25	30	40	50	55	60	70	80	100	120	140	200
31	--	5	10	15	20	30	35	40	45	50	60	70	80	100	130	170
36	--	5	10	15	20	25	30	35	40	--	50	60	70	90	110	150
40	--	5	10	12	15	20	25	30	--	40	--	50	60	80	90	130
45	--	5	7	10	15	20	22	25	30	--	40	50	--	60	80	120
49	--	--	5	10	13	15	20	25	--	30	--	40	50	60	70	100

TABLE 3

INSTRUCTIONS FOR USE:

The tabulated compressed air exposure times are in minutes. The times at the various pressures in each vertical column are the maximum exposures during which a compressed air worker will remain within the group listed at the head of the column.

To find the repetitive group designation enter the table on the exact or next greater working pressure than that to which exposed and select the listed exposure time exact or next greater than the actual exposure time. The repetitive group designation is indicated by the letter at the head of the vertical column where the selected exposure time is listed.

For example: An exposure in compressed air was for 45 minutes at 26 psig. To determine the repetitive group enter the table at 27 psig (the next higher pressure, as 26 psig is not listed) and move along horizontally until 50 minutes (the next greater tabulated exposure time, as 45 minutes is not listed), then move vertically to the top of the column where "H" is shown as the repetitive group.

Repet. Group	Repetitive Exposure Pressure (psig)							
	16	22	27	31	36	43	45	47
A	7	6	5	4	4	3	3	3
B	17	13	11	9	8	7	7	6
C	25	21	17	15	13	11	10	10
D	37	27	24	20	18	15	14	13
E	49	33	30	26	23	20	16	16
F	61	47	36	31	29	24	22	20
G	73	56	44	37	32	23	26	24
H	87	66	52	43	39	33	30	27
I	101	76	61	50	43	33	34	31
J	116	87	70	57	48	43	33	34
K	138	99	79	64	54	47	43	36
L	161	111	83	72	61	53	49	42
M	187	124	97	80	68	59	52	47
N	213	142	107	87	73	64	57	51
O	241	160	117	95	80	70	62	55
Z	257	169	122	100	84	73	64	57

TABLE 5

INSTRUCTIONS FOR USE

The compressed air exposure times listed in this table are called "residual nitrogen times" and are the times a compressed air worker is to consider he has already spent in compressed air when he starts a repetitive exposure to a specific pressure. They are in minutes.

Enter the table horizontally with the repetitive group designation from the Open Air Interval Credit Table (table 4). The time in each vertical column is the number of minutes that would be required (at the pressure listed at the head of the column) to saturate to the particular group.

For example: The final group designation from the Open Air Interval Credit Table (table 4) on the basis of a previous exposure and open air interval is "H." It is planned to re-enter compressed air at a pressure of 42 psig. What time must be added to the actual time spent in compressed air? Enter table 5 on row H. Since 42 psig is greater than 40 psig but less than 45 psig, use the longer time of 33 minutes. This means that the compressed air worker enters the compressed air environment as though he had already been at 42 psig for 33 minutes.

The exposure time listed in table 5 is added to the actual time spent in compressed air. Decompression is carried out based on the sum of the actual exposure time and the time from table 5 for the pressure encountered.

Walter E. Washington
Mayor

Corporation Counsel
Special Assignments
Division

MARCH 30, 1970
Charles T. Duncan *C.T.D.*
Corporation Counsel, D. C.

APR 13 1970

Regulation No. 70-14

Referred to this office for review was the above-referenced regulation passed by the District of Columbia Council on April 9, 1970 and submitted to you for approval and signing.

The regulation lowers from 21 years to 20 years the age for eligibility for appointment as a member of the Metropolitan Police Force. The regulation was initiated by the Police Department as a means of aiding in the recruitment of man power for the Department.

There is no legal objection to approving the above-referenced regulation.

Mr. Chairman and Members of the Council, I urge your approval of this proclamation at this time in order that the intent expressed herein can take effect by April 15, 1970.

District of Columbia City Council Report

City Hall, 14th and E Streets, N.W. Room 507 638-2223 or Government Code 137-3806

To	MEMBERS OF THE CITY COUNCIL	Corporation Counsel
	Walter E. Washington	Special Assignments
From	Mayor COUNCILMAN STANLEY J. ANDERSON	Division
Date	MARCH 30, 1970	April 14, 1970
Subject	Charles T. Duncan /S/TKBP Corporation Counsel, D. C.	Regarding Vaccination of Dogs Against Rabies

Regulation No. 70-16

Mr. Chairman and Members of the Council -

Referred to this office for review was the above-referenced regulation passed by the District of Columbia Council on April 14, 1970 and submitted to you for approval and signing.

The regulation provides for the immunization of dogs within the District against rabies. The regulation was initiated by the Department of Public Health. It is the belief of the Director of the Department of Public Health that rabies could spread within the District of Columbia unless such vaccination is required against this disease. There is no legal objection to approving the above-referenced regulation.

It is the belief of the Director of the Department of Public Health that rabies could spread within the District of Columbia unless such vaccination is required against this disease. There is no legal objection to approving the above-referenced regulation.

The regulation provides for the immunization of dogs within the District against rabies. The regulation was initiated by the Department of Public Health. It is the belief of the Director of the Department of Public Health that rabies could spread within the District of Columbia unless such vaccination is required against this disease. There is no legal objection to approving the above-referenced regulation.

Mr. Chairman and Members of the Council, I urge your approval of this proclamation at this time in order that the intent expressed herein can take effect by April 15, 1970.

District of Columbia City Council Report

City Hall, 14th and E Streets, N.W. Room 507 638-2223 or Government Code 137-3806

To MEMBERS OF THE CITY COUNCIL
From COUNCILMAN STANLEY J. ANDERSON
Date MARCH 30, 1970
Subject Report on Regulation Regarding Vaccination of Dogs Against Rabies

Mr. Chairman and Members of the Council -

Upon the recommendation of the Director of the Department of Public Health, Dr. Raymond Standard, the Council has been requested to issue the following proclamation which would require the vaccination of dogs against rabies.

It is the belief of the Director of the Department that rabies could spread within the District of Columbia unless such vaccination is required again this year. The rabies virus is still present within the metropolitan area and may exist in transient animals passing through the District. Previous vaccination requirements in the District and surrounding jurisdictions have controlled this disease such that no cases of rabies in domestic animals have been reported in several years.

Mr. Chairman and Members of the Council, I urge your approval of this proclamation at this time in order that the intent expressed herein can take effect by April 15, 1970.

Regulation No. 70-18



Enactment Date May 28, 1970

Regulation of the District of Columbia

TITLE: Regulation Related to Safety Standard, Rules for Underwater Diving Operations

Mr. Philip J. Daugherty Presents the following regulation:

1 WHEREAS, the District of Columbia Council pursuant to Title 36, Sections
2 401-422 of the District of Columbia Code finds that it is necessary to adopt rules
3 and regulations for the safe conduct of underwater diving operations.
4

5 NOW, THEREFORE, BE IT ENACTED, by the District of Columbia Council
6 that:
7

8 Section 1. The regulations attached as Appendix 1 to this regulation are
9 hereby adopted as the Safety Regulations for Underwater Diving Operations for the
10 District of Columbia.
11

12 Section 2. This regulation shall take effect immediately upon enactment.
13
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RECORD OF COUNCIL VOTE																	
COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
HAHN	X					DAUGHERTY	X					ROBINSON	X				
TUCKER	X					HAYWOOD	X					VEAZEY				X	
ANDERSON	X					MOORE	X					YELDELL	X				

X—Indicates Vote A. B.—Absent N. V. Not Voting R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on April 21, 1970

Adopted on second and final reading May 19, 1970

Presented to the Mayor-Commissioner May 22, 1970 Date Stephen C. Swain
Secretary of the City Council

Approved Walter Washington Mayor-Commissioner Date May 28, 1970

Enacted W/O signature of the Mayor according to ten day limitation rule: _____ Date _____

Disapproved and returned to the City Council _____ Mayor-Commissioner _____ Date _____

Readopted _____ Date _____

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.

Stephen C. Swain
Secretary of the City Council

APPENDIX I

SAFETY REGULATIONS FOR UNDERWATER DIVING OPERATIONS

SAFETY STANDARDS, RULES AND REGULATIONS FOR DIVING OPERATIONS

GENERAL

11-29001 AUTHORITY. Pursuant to authority contained in the District of Columbia Minumum Wage Act approved September 19, 1918 (40 Stat. 960; D.C. Code, sections 36-401 through 36-422), as amended by the act approved October 14, 1941, to add thereto a Title II entitled 'Industrial Safety' (55 Stat. 738; D.C. Code, sections 36-431 through 36-442); paragraphs 283 and 284 of section 402 of Reorganization Plan No. 3 of 1967; and Reorganization Order No. 36, C.O. 302,853/14, June 16, 1953, as amended, these "Safety Standards, Rules and Regulations for Diving Operations" have been enacted by the District of Columbia Council to be effective on and after.....

11-29002 PURPOSE AND SCOPE. These Safety Standards, Rules and Regulations shall apply to all diving operations for the purpose of safeguarding the wage earners on such operations in accordance with the provisions of Title II entitled "Industrial Safety." In general, these regulations cover only such items and operations as are peculiar to diving operations. Items, equipment, devices and operations used on the surface to support the operation and not specifically covered, shall conform to the requirements of "Safety Standards, Rules and Regulations-Construction." The absence of a regulation or standard covering any specific equipment, operation or hazard does not relieve an employer from the responsibility of providing working conditions that are reasonably safe.

The provisions of the most recent edition of all Safety Codes approved by the American National Standards Institute, Inc. on or before May 1, 1970, are hereby adopted and made a part hereof in order to secure the correction of hazards or hazardous conditions not covered by these regulations.

Copies of the American National Standards Institute, Inc. Safety Codes and other Standards to which references are made herein are on file in the office of the Industrial Safety Division.

11-29003. RESPONSIBILITY FOR SAFETY. Any employer of labor of any kind, in connection with diving operations shall furnish, erect, and maintain, or cause to be furnished, erected and maintained such equipment as may be necessary for the performance of such labor, in compliance with the requirements of these Safety Standards, Rules and Regulations; and he shall be responsible for the performance of such work including the use of equipment in a reasonably safe manner.

Any employer who requires or permits his employees to use or operate any equipment or facilities of another shall be responsible for the safe condition, adequate guarding, and safe operation or use of such equipment or facilities.

11-29004. VARIATIONS. The Board may, upon written application of any employer affected by these Safety Standards, Rules and Regulations, permit variations from any provision of these regulations if the Board shall find that the application of such provision would result in exceptional or undue hardship by reason of the work being performed: Provided, That a variance may be granted only where, and to the extent, necessary to ameliorate such exceptional or undue hardship, and only when compensating factors are present which give adequate protection to the employee and others, and such variance can be granted without impairing the intent and purposes of the Industrial Safety Program in the District of Columbia for diving operations.

Any variation the Board may grant shall be limited to the particular case covered by the application.

11-29005. DEFINITIONS.

ACCIDENT shall mean any unexpected, unintentional, unplanned, or unforeseen occurrence of such a nature, or under such circumstances, that personal injury or property damage may result therefrom, regardless of whether or not injury or damage does so result.

ADEQUATE shall mean meeting the requirements essential to reasonable safety.

DEEP SEA or HARD HAT DIVING shall mean diving operations where the air is surface supplied.

DISABLING INJURY shall mean an injury which disables a person for the performance of his regular duties, or the normal duties of a regularly established job, beyond the date or shift of the injury, or one which results in permanent disability.

EMPLOYEE shall mean any person rendering service to an employer for compensation.

EQUIPMENT shall include machinery, devices, tools, derricks, hoists, scaffolds, platforms, runways, ladders, and all similar facilities, safeguards and protective construction used in connection with diving operations.

RECOMPRESSION CHAMBER shall mean a compartment designed to recompress a diver so that the diver can then undergo decompression at a controlled rate.

SCUBA DIVING shall mean diving operations employing self contained underwater breathing apparatus.

11-29006. INVESTIGATION OF ACCIDENTS. Every employer shall investigate, or cause to be investigated, every accidental injury that his employees suffer in connection with their employment, to determine the means that should be taken to prevent a recurrence of similar accidents.

11-29007. ACCIDENT OR OCCUPATIONAL INJURY REPORTS. Each employer shall submit a copy of Form B.E.C.-202 to the Industrial Safety Division within ten days from the date of any injury or death, or from the date that the employer has knowledge of any disease or infection resulting from any injury.

11-29008. RECORDS. Every employer shall keep an accurate record of:

- (1) injuries incurred by his employees while in line of duty,
- (2) the number of employee -hours worked by his employees, and
- (3) the injury frequency rates of his establishment, calculated on a quarterly basis, commencing the first of January each year.

These records shall be kept on file for at least four years and shall be available for inspection by any duly authorized employee of the Board.

GENERAL

11-29009. DIVING MASTER. A diver experienced in the type of diving being performed shall be in complete charge of the operation as it relates to diving. Duties of the Diving Master shall include, but not be limited to: planning the dive, briefing the crew, making certain all necessary equipment is available, taking all necessary precautions against foreseeable contingencies, and being responsible for the safety of the persons he supervises.

11-29010. DIVING WHEN HAZARDS EXIST. Divers shall not be required or permitted to dive when the diver or diving master has reason to believe a hazard exists which would immediately jeopardize the diver's health or safety.

11-29011. DIVING IN POLLUTED WATER. The following precautions must be observed whenever diving operations take place in polluted waters:

(a) If using suit and helmet (deep sea or hard hat equipment):

1. Avoid taking in water through the spit cock or by other means.
2. Hose the diver off when he surfaces to remove any clinging filth.
3. Avoid putting hands in mouth or handling food after tending or working with diving equipment.
4. Wash hands thoroughly and bathe as soon as possible when the job is completed.

(b) If using scuba:

1. Use equipment with full face mask.
2. Wear full dry type rubber swim suit.
3. Hose the diver off when he surfaces to remove any clinging filth.
4. Avoid putting hands in mouth or handling food after tending or working with diving equipment.
5. Wash hands thoroughly and bathe as soon as possible when job is completed.

(c)

1. If injury occurs in polluted water, surface promptly and cleanse wound thoroughly with soap and water. Obtain a tetanus booster.
2. Make sure that all inoculations are up to date.
3. Report any illness promptly.

11-29012. DECOMPRESSION. (a) Divers shall use the latest available U. S.

avy Standard Air Decompression Tables and other appropriate U. S. Navy diving tables for decompressions and repetitive dive decompressions.

(b) A recompression chamber that meets the requirements of the most recent edition of the U. S. Navy Diving Manual issued on or before May 1, 1970, shall be at the diving site whenever planned dives will exceed the "no decompression " limits as specified by the U. S. Navy Standard Air Decompression Tables.

(c) Whenever a recompression chamber is required, a qualified person must be immediately available to operate the chamber.

(d) An adequate approved method of supplying air shall be readily available for the immediate operation of the chamber.

11-29013. IDENTIFICATION TAG. An identification tag bearing the following information shall be worn for a minimum of twelve (12) hours after completion of a dive:

1. Diver's name
2. The following words; "I am a diver."
3. Telephone number of hospital or nearest recompression chamber or of a doctor familiar with "decompression sickness."

11-29014. BUDDY SYSTEM. For all scuba diving operations the Buddy System must be used. The Buddy System of diving is a pair of divers working as a unit. They shall keep in visual or physical contact with each other so either may render immediate assistance to the other when required. Buddy lines will be used when visibility is poor.

11-29015. STANDBY DIVER. For all diving operations and in addition to the requirements of 11-29009 a standby diver shall remain on the surface during normal diving operations and will only enter the water in cases of emergency to aid the working diver or divers.

11-29016. TIMEKEEPER-TENDER. (a) There shall be one timekeeper-tender for each surface-tender (hard-hat) diver and one timekeeper-tender for each scuba diving buddy pairs. In addition to tending the surface-tender diver or , the scuba divers , the timekeeper-tender will keep accurate and legible records of the time of descent, the depth of the dive, the duration of the dive, and the time of the ascent. He will also know the probable diving depth; the probable duration of the apparatus in the case of scuba dives and will notify the Diving-Master that the divers' time is up; he will foresee decompression of necessary and warn the Diving-Master soon enough to make adequate arrangements and he will give the Diving-Master the proper decompression schedule.

(b) The timekeeper-tender records shall be kept on file for a least 24 months.

11-29017. COMMUNICATIONS. Dependable two-way communications between the diver and the surface shall be provided and used during all deep sea (hard-hat) dives. The communications system provided shall meet the requirements of the U. S. Navy Diving Manual.

11-29018. EQUIPMENT INSPECTIONS. (a) All equipment used by divers or on the surface to tend or supply divers shall be inspected daily before any dives are permitted and adequate written inspection reports, signed by the person making the inspection, shall be kept on the site and available for inspection by any duly authorized representative of the Board.

(b) Any equipment found to be defective or in questionable condition shall be clearly labeled defective; removed from service, and reported at once to the employer.

11-29019. FLOATING EQUIPMENT. All floating equipment shall meet the applicable regulations of the U. S. Coast Guard and the D. C. Harbor Police.

11-29020. LIFE PRESERVERS. (a) Buoys and life lines shall be provided and readily accessible for emergency use.

(b) Not less than one life buoy with line attached shall be provided for each 100 feet or part thereof of workplace which is adjacent to or over water.

(c) During night operations, each buoy shall be illuminated so as to be easily visible from a distance of 50 feet.

(d) Life buoys shall not be less than 24 inches outside dimensions and shall meet construction, workmanship, and performance requirements of the U. S. Coast Guard specifications for buoys and life rings of cork or balsa wood.

(e) Approved life vests shall be worn by all employees, except divers, when working on or over water.

11-29021. ACCESS LADDERS. At each workplace, one or more fixed or portable ladders giving access to the water shall be provided at each structure where it meets the water and at each floating equipment.

11-29022. HOUSEKEEPING. (a) Decks of floating equipment shall be kept clean of unnecessary tools, equipment, material and debris.

(b) Lines shall be coiled, tools stored, and materials stacked securely.

11-29023. DECK HATCHES. Deck hatches shall not be left uncovered unless completely enclosed by guardrails.

- 11-29024. GANGPLANKS AND WALKWAYS. Gangplanks and walkways shall be at least 20 inches in width and provided with standard railings.
- 11-29025. PRESSURE VESSELS. All pressure vessels used in connection with diving operations shall conform to all requirements of the Boiler and Pressure Vessel Regulations of the District of Columbia.
- 11-29026. MECHANICAL GUARDING. Adequate safeguarding of all moving mechanical parts shall be provided in accordance with applicable District of Columbia Industrial Safety Regulations.
- 11-29027. OTHER REGULATIONS. In order to secure the correction of hazards or hazardous conditions not covered by these regulations, applicable Safety Regulations of the D. C. Minimum Wage and Industrial Safety Board shall be complied with.

Regulation No. 70-19



May 1, 1970
Enactment Date

Regulation

of the
District of Columbia

TITLE Regulation to Prohibit a Durational Residence Requirement as a Condition for Certification for Maternity Home Care.
Mr. Stanley J. Anderson Presents the following regulation:

1 WHEREAS the Department of Health, Education, and Welfare published
2 in the Federal Register June 3, 1969, Social and Rehabilitation Service Program
3 Regulation 10-6 which prohibits any durational residence requirement as a condition
4 of eligibility for assistance programs established by the Social Security Act; and
5
6 WHEREAS, the Department of Health, Education, and Welfare issued
7 requirements for service programs for families and children, published in Volume 34,
8 Number 18, of the Federal Register on January 28, 1969, stating that child welfare
9 services must be available on the basis of need for services and shall not be denied
10 on the basis of financial need, legal residence, social status or religion; and
11
12 WHEREAS, a residence requirement as a condition of eligibility for service
13 is no longer in effect in other programs administered by the Department of Public
14 Welfare; and
15
16 WHEREAS, pursuant to paragraphs 81 and 82 of Section 402 of the
17 Reorganization Plan #3 of 1967, the District of Columbia Council is authorized to
18 make rules and regulations relating to the admission of persons to institutions, and
19 to establish rules for receiving and temporarily caring for children.
20
21 NOW THEREFORE BE IT ENACTED by the District of Columbia Council
22 that:
23
24

RECORD OF COUNCIL VOTE																	
COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
HAHN	X					DAUGHERTY	X					Veazey	X				
TUCKER				X		HAYWOOD	X					ROBINSON	X				
ANDERSON	X					MOORE	X					YELDELL	X				

X—Indicates Vote A. B.—Absent N. V. Not Voting R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on April 7, 1970
Adopted on second and final reading April 21, 1970
Presented to the Mayor-Commissioner April 22, 1970 Date
Approved [Signature] Mayor-Commissioner May 1, 1970 Date
Enacted W/O signature of the Mayor according to ten day limitation rule: _____ Date
Disapproved and returned to the City Council _____ Mayor-Commissioner _____ Date
Readopted _____ Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.
[Signature] Secretary of the City Council

1 Section 1. The Department of Public Welfare shall not impose, as a
2 condition of eligibility for maternity home care services, any residence requirement
3 which excludes an individual who resides in the District of Columbia.
4

5 Section 2. This regulation rescinds the following action of the former
6 Board of Public Welfare: Administrative Order 2.12/2, Section on Eligibility for
7 Care, Paragraph 1, approved July 7, 1949 to implement action of the Board on June 24,
8 1949.
9

10 Section 3. This regulation shall be effective upon enactment.
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Regulation No. 70-20



May 27 1970

Enactment Date

Regulation of the District of Columbia

TITLE AMENDMENT TO D. C. PLUMBING CODE

Dr. Henry S. Robinson, Jr. Presents the following regulation:

1 WHEREAS, at present there is no specific requirement in the Plumbing
2 Code concerning the capping, plugging, and sealing of abandoned sewer laterals,
3 and
4

5 WHEREAS, open sewer laterals present a health hazard in that they
6 provide harborage for rats and offer rats a means of access to buildings.
7

8 NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council
9 that:

10 Section 1. Section 10B-557-A Plugging, Capping and Sealing of
11 Abandoned Sewer Laterals
12
13

14 When a building is razed or a new sewer connection is provided for an
15 existing building, the abandoned sewer lateral shall be plugged or capped at, or
16 outside of, the property line, and tightly sealed with an approved material.
17

18 A permit for this work will be required and the work performed by a
19 registered master plumber as defined in Section 10B-115-1, 10B-115-2, and
20 10B-115-7 of this Code. The sealed lateral shall not be covered until approved
21 by the Chief of the Plumbing and Refrigeration Section, Department of Economic
22 Development.
23
24

RECORD OF COUNCIL VOTE

COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
HAHN	X					DAUGHERTY	X					ROBINSON	X				
TUCKER	X					HAYWOOD	X					VEAZEY					X
ANDERSON	X					MOORE	X					YELDELL	X				

X—Indicates Vote A. B.—Absent N. V. Not Voting R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on May 5, 1970

Adopted on second and final reading May 19, 1970

Presented to the Mayor-Commissioner May 20, 1970 Date Stephen C. Swain Secretary of the City Council

Approved Walter Washington Mayor-Commissioner Date May 27, 1970

Enacted W/O signature of the Mayor according to ten day limitation rule: Date

Disapproved and returned to the City Council Mayor-Commissioner Date

Readopted Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein. Stephen C. Swain Secretary of the City Council

1 Where evidence of an abandoned sewer lateral is found on a vacant lot
2 or in an abandoned building, it shall be plugged and sealed by the owner after
3 notice. Should the owner not comply within 30 days after notice, it shall be the
4 duty of the Chief of the Plumbing and Refrigeration Section, Department of Economic
5 Development to arrange to have the work performed and the cost charged as a tax
6 against the property in the manner provided by law.
7

8 Section 2. This regulation shall take effect immediately upon enactment.
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Regulation No. 70-21



May 27 1970
Enactment Date

Regulation

of the

District of Columbia

TITLE PROPOSED AMENDMENT TO THE 1961 BUILDING CODE OF THE DISTRICT OF COLUMBIA TO UP-DATE CONSTRUCTURAL STEEL STANDARDS

Mr. Sterling Tucker Presents the following regulation:

WHEREAS, the Building Code of the District of Columbia was enacted in 1961; and

WHEREAS, it is desirable to amend the D. C. Building Code to permit the design of the more flexible type.

WHEREAS, the D. C. Building Code Advisory Committee has recommended this amendment.

NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council, that:

Section 1. Section 3-8202 of Article 7 of the D. C. Building Code is hereby amended as follows:

Strike the words "adopted April 17, 1963, amended through June 14, 1968" and insert in their place the following:

"adopted February 12, 1969."

Section 2. This Regulation shall become effective upon enactment.

RECORD OF COUNCIL VOTE

COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
HAHN	X					DAUGHERTY	X					ROBINSON	X				
TUCKER	X					HAYWOOD	X					VEAZEY					X
ANDERSON	X					MOORE	X					YELDELL	X				

X—Indicates Vote A. B.—Absent N. V. Not Voting R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on May 5, 1970

Adopted on second and final reading May 19, 1970

Presented to the Mayor/Commissioner May 20, 1970 Date Stephen C. Swain Secretary of the City Council

Approved Shalter M. Shriver Mayor-Commissioner Date May 27, 1970

Enacted W/O signature of the Mayor according to ten day limitation rule: _____ Date

Disapproved and returned to the City Council _____ Date
Mayor-Commissioner

Readopted _____ Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.
Stephen C. Swain Secretary of the City Council



Regulation No. 70-22

Enactment Date May 27 1970

Regulation

of the

District of Columbia

TITLE: Regulation to Require all Students in Public and Private Schools to Wear Protective Eye Goggles when Engaged in Laboratory or Shop Procedures Which Might Cause Damage to the Eyes

Mr. Philip J. Daugherty Presents the following regulation:

1 WHEREAS, the District of Columbia Council finds that the safety to the
2 eyes of those engaging in a procedure of instruction in the schools of the District
3 of Columbia is not adequately provided for, and that there is a danger to the public
4 health and safety engendered by a lack of protection from eye damage to those
5 persons engaging in such courses and procedures.

6
7 NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council
8 that:

9
10 Section 1. (a) Any institution of learning or any work training program
11 which offers instruction involving procedure which can cause damage to the human
12 eye shall furnish to all persons likely to be exposed to such procedure an eye pro-
13 tective device as shall be prescribed by the Mayor-Commissioner or his designated
14 agent.

15
16 (b) The Mayor-Commissioner or his designated agent shall
17 prescribe the method for use and maintenance of the devices required in this section.
18

19 Section 2. Any such device prescribed under Section 1 of this regulation
20 shall as a minimum conform to the Z87.1 (1968) Standard Safety Code for Head, Eye,
21 and Respiratory Protection approved by the American National Standards Institute,
22 Incorporated.
23
24

RECORD OF COUNCIL VOTE																	
COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
HAHN	X					DAUGHERTY	X					ROBINSON	X				
TUCKER	X					HAYWOOD	X					VEAZEY					X
ANDERSON	X					MOORE	X					YELDELL	X				

X—Indicates Vote A. B.—Absent N. V. Not Voting R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on April 21, 1970

Adopted on second and final reading May 19, 1970

Presented to the Mayor-Commissioner May 20, 1970

Approved Robert Washington Mayor-Commissioner May 27, 1970 Date

Enacted W/O signature of the Mayor according to ten day limitation rule: _____ Date

Disapproved and returned to the City Council _____ Date

Readopted _____ Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein. Stephen C. Swain Secretary of the City Council

1 Section 3. As used in Section 1 of this regulation, "a procedure which
 2 can cause damage to the human eye," shall include but not be limited to a procedure
 3 involving exposure of the eye to the following: hot molten metals, or other molten
 4 materials; milling, sawing, turning, shaping, cutting, grinding, or stamping of any
 5 solid materials; heat treatment, tempering, or kiln firing of any metal or other
 6 materials; gas or electric arc welding, or other forms of welding processes; or repair,
 7 or servicing of any vehicle; or any caustic or explosive materials; or hot liquids or
 8 solids, or injurious radiations produced either naturally or by any device; or other
 9 hazards.

10
 11 Section 4. Any person who violates any provision of these regulations
 12 shall, upon conviction, be punished by a fine not to exceed \$300 or imprisonment
 13 not to exceed ten days for each such violation.

14
 15 Section 5. This regulation shall take effect three months after enactment.
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Regulation No. 70-23



June 12, 1970
Enactment Date

Regulation

of the
District of Columbia

TITLE AMENDMENTS TO HOUSING REGULATIONS OF THE DISTRICT OF COLUMBIA

Mr. Sterling Tucker

Presents the following regulation:

1 WHEREAS, the District of Columbia Council in April and May of 1969 held
2 wide-ranging public hearings on the problem of housing in the District of Columbia;
3 and

4
5 WHEREAS, the District of Columbia Council identified a housing crisis
6 of growing magnitude, intensity, and danger that threatens to grow worse for every
7 day it is ignored; and

8
9 WHEREAS, much of the housing available to low and moderate income
10 families is deteriorated, overcrowded, overpriced, and is characterized by negligent
11 maintenance; and

12
13 WHEREAS, an estimated 100,000 District families live in inadequate dwelling
14 units, of which 25,000 are dilapidated and should be vacated and of which 50,000 need
15 substantial renovation or repairs; and

16
17 WHEREAS, the present system of code enforcement, through the imposition
18 of criminal penalties, has failed to improve significantly the quality of housing available
19 to low and moderate income District residents; and

20
21 WHEREAS, the amendments set forth below are deemed advisable for the
22 health, welfare, and safety of all persons and property in the District of Columbia.

23
24 NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council
that:

RECORD OF COUNCIL VOTE																	
COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
HAHN	X					DAUGHERTY	X					ROBINSON	X				
TUCKER	X					HAYWOOD	X					VEAZEY	X				
ANDERSON	X					MOORE				X		YELDELL	X				

X—Indicates Vote A. B.—Absent N. V. Not Voting R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on May 19, 1970

Adopted on second and final reading June 2, 1970

Presented to the Mayor-Commissioner June 2, 1970
Date

Stephen C. Swain
Secretary of the City Council

Approved *Peter Washington*
Mayor-Commissioner

6/12/70
Date

Enacted W/O signature of the Mayor according to ten day limitation rule:

Date

Disapproved and returned to the City Council

Mayor-Commissioner

Date

Readopted

Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.

Stephen C. Swain
Secretary of the City Council

..2..of..5..

1 Section 1. The Housing Regulations of the District of Columbia are
2 hereby amended to provide an Article 290 as follows:

3
4 "Section 2901. Statement of Policy Regarding Civil Enforcement of Regu-
5 lations

6
7 2901.1. The maintenance of leased or rental habitations in violation of
8 these Regulations, where such violations constitute a danger to the health,
9 welfare, or safety of the occupants, is hereby declared to be a public
10 nuisance.

11
12 2901.2. It is further declared that the abatement of such public nuisances
13 by criminal prosecution or by compulsory repair, condemnation and demoli-
14 tion alone has been and continues to be inadequate.

15
16 2901.3. It is further declared that such public nuisances additionally
17 cause specific, immediate, irreparable and continuing harm to the occupants
18 of these habitations.

19
20 2901.4. It is further declared that such public nuisances damage the
21 quality of life and the mental development and well-being of the occupants,
22 as well as their physical health and personal property, and thus such harm
23 cannot be fully compensated for by an action for damages, rescission or
24 equitable set-off for the reduction in rental value of the premises.

25
26 2901.5. It is the intention of this Section to declare expressly a public
27 policy in favor of speedy abatement of such public nuisances, if necessary,
28 by preliminary and permanent injunction issued by Courts of competent
29 jurisdiction.

30
31 Section 2902. Failure to Comply with Regulations

32
33 2902.1. (a) Any letting of a habitation which, at the inception of the
34 tenancy, is unsafe or unsanitary by reason of violations of
35 these Regulations with respect to the particular habitation let
36 or the common space of the premises, whether or not such
37 violations are the subject of a notice issued pursuant to these
38 Regulations, of which the owner has knowledge or reasonably
39 should have knowledge, shall render void the lease or rental
40 agreement for such habitation.

41
42 (b) Any letting of a habitation which, following the inception
43 of the tenancy, becomes unsafe or unsanitary by reason of
44 violations of these Regulations with respect to the particular
45 habitation let or the common space of the premises, whether or
46 not such violations are the subject of a notice issued pursuant
47 to these Regulations, which violations have not resulted from the
48 intentional act or negligence of the tenant or his invitees, and
49 which violations are not corrected within the time allowed therefor
50 under a notice issued pursuant to these Regulations, or, if
51 such notice has not been issued, within a reasonable time after
52 the owner has knowledge or reasonably should have knowledge
53 of such violations, shall render void the lease or rental agreement
54 for such habitation.

55
56 2902.2. There shall be deemed to be included in the terms of any lease
57 or rental agreement covering a habitation an implied warranty that the
58 owner will maintain the premises in compliance with these Regulations.

Section 2903. Deficiency Notice to Tenants

(a) After an inspection of a habitation by the Department of Economic Development, the Department shall provide the tenant of the habitation a copy of any notification with respect to such habitation issued to the owner pursuant to these Regulations. Such notification shall state plainly and conspicuously that it is only for the tenant's information or if the notice places duties on the tenant, it shall so state.

(b) In any instance where a violation of these Regulations directly involves more than one habitation, the Department of Economic Development shall post a copy of any notification issued to the owner pursuant to these Regulations for a reasonable time in one or more locations within the building or buildings in which the deficiency exists. Such locations shall be reasonably selected to give notification to all tenants affected. No person shall alter, modify, destroy or otherwise tamper with or mutilate such a posted notification. Upon request to the Department, any tenant directly affected by such violation shall be sent a copy of such posted notification.

(c) This Section shall not be subject to any notice requirement of these Regulations.

Section 2904. Informing Tenants of Remedies and Responsibilities

2904.1. The Department of Economic Development, within 90 days from the effective date of this Article, shall make available copies of this Article.

2904.2. One hundred and twenty (120) days after the enactment of this Article, the owner shall at the commencement of any tenancy provide the tenant with a copy of this Article and shall also provide such copies to existing tenants.

Section 2905. Signed Copies of Agreements and Applications

In every lease or rental of a habitation entered into after the effective date of this Article, the owner shall provide the tenant upon execution or within seven days thereof with an exact, legible, completed copy of any agreement or application which the tenant signs.

This Section shall not be subject to any notice requirement of these Regulations.

Section 2906. Waiver of Liability

No owner shall cause to be placed in a lease or rental agreement a provision exempting from liability or limiting the liability of the owner of residential premises from damages for injuries to persons or property caused by or resulting from the negligence of the owner, his agents, servants or employees, in the operation, care or maintenance of the leased premises or any portion of, or facility upon, the property of which the leased premises are a part.

This Section shall not be subject to any notice requirement of these Regulations.

Section 2907. No Waiver of Jury Trial, Fees, or Confession of Judgment

No owner shall cause to be placed in a lease or rental agreement a provision waiving the right of a tenant of residential premises to a jury trial, or requiring that the tenant pay the owner's court costs or legal fees, or authorizing a person other than the tenant to confess judgment against a tenant. This Section should not be interpreted to preclude a court from assessing court or legal fees against a tenant in appropriate circumstances.

This Section shall not be subject to any notice requirement of these Regulations.

1 Section 2908. Security Deposits

2
3 2908.1. For all monies paid to the owner by the tenant as a deposit or
4 other payment made as security for performance of the tenant's obligations
5 in a lease or rental of property, the owner shall clearly state in the lease
6 or agreement or on the receipt for the deposit or other payment the terms
7 and conditions under which such a payment was made.
8

9 2908.2. The owner shall tender payment to the tenant without demand and
10 within thirty days of the termination of the tenancy or within thirty days
11 after the owner has or should have knowledge of the termination of the
12 tenancy - whichever occurs later - any security deposit and any other
13 similar payment paid by the tenant as a condition of his tenancy in addition
14 to the stipulated rent; or within such thirty-day period the owner shall notify
15 the tenant in writing to be delivered to the tenant personally or by certified
16 mail at the tenant's last known address of the owner's intention to withhold
17 and apply such monies toward defraying the cost of expenses properly incurred
18 under the terms and conditions of the security deposit agreement. The owner,
19 within thirty days after notification to the tenant pursuant to the requirements
20 of this Section, shall tender a refund of the balance of the deposit or payment
21 not used to defray such expenses and at the same time give the tenant an
22 itemized statement of the use to which such monies were applied.
23

24 2908.3. This Section shall not be subject to the notice requirements of any
25 other Section of these Regulations.
26

27 Section 2909. Written Receipts

28
29 In every lease or rental of a habitation, the owner shall provide written
30 receipts for all monies paid to him by the tenant as rent, security or other-
31 wise, unless the payment is made by personal check. Each such receipt
32 shall state the exact amount received, the date the monies are received, and
33 the purpose of the payment.
34

35 In addition, each receipt shall state any amounts still due attributable to
36 late charges, court costs or any other such charge in excess of rent. When
37 payment is made by personal check and there is a balance attributable to late
38 charges, court costs or any other such charge in excess of rent, the owner
39 shall provide a receipt stating such and the amount due.
40

41 This Section shall not be subject to any notice requirement of these Regulations.
42

43 Section 2910. Retaliatory Acts

44
45 No action or proceeding to recover possession of a habitation may be brought
46 against a tenant, nor shall an owner otherwise cause a tenant to quit a habita-
47 tion involuntarily, nor demand an increase in rent from the tenant, nor decrease
48 the services to which the tenant has been entitled, nor increase the obligations
49 of a tenant,
50

51 in retaliation against a tenant's:

52
53 (a) good faith complaint or report concerning housing deficiencies made
54 to the owner or a governmental authority, directly by the tenant or through
55 a tenant organization.
56

57 (b) good faith organization of or membership in a tenant organization.
58

59 (c) good faith assertion of rights under these Regulations, including rights
60 under Sections 2901 or 2902.

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Section 2911. Pre-Inspection

Following a judicial determination that a lease or rental agreement is void or that the owner has breached the implied warrant of habitability applying to the premises, the owner shall prior to the next reletting of the habitation obtain a certificate from the Department of Economic Development that such habitation is in compliance with these Regulations.

Section 2912. Waiver Prohibited

Any provision of any lease or agreement contrary to, or providing for a waiver of, the terms of this Article shall be void and unenforceable. No person shall cause any of the provisions prohibited by this Article to be included in a lease or agreement respecting the use of the property in the District of Columbia, or demand that any person sign a lease or agreement containing any such provision.

This Section shall not be subject to any notice requirement of these Regulations.

Section 2913. Provision Not Exclusive

The rights, remedies, and duties set forth in this Article shall not be deemed to be exclusive of one another unless expressly so declared or to preclude a court of law from determining that practices, acts, lease provisions and other matters not specifically dealt with herein are contrary to public policy or unconscionable or otherwise unlawful.

Section 2914. Severability

If any provision or clause of this Article or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Article which can be given effect without the invalid provision or application, and to this end the provisions of this Article are declared to be severable."

Section 2. Article 260 of the Housing Regulations of the District of Columbia is amended as follows:

"Section 2602A. Tenant Responsibility

In addition to the tenant's responsibility under Section 2601 and 2602 the tenant shall specifically be responsible for the following:

2602A.1. keeping that part of the premises which he occupies and uses as clean and sanitary as the conditions of the premises permit;

2602A.2. disposing from his dwelling unit all rubbish, garbage, and other organic or flammable waste, in a clean, safe, and sanitary manner;

2602A.3. keeping all plumbing fixtures as clean and sanitary as their condition permits;

2602A. 4. properly using and operating all electrical, gas, plumbing and heating fixtures and appliances.

2602A.5. not permitting any person on the premises with his permission to willfully or wantonly destroy, deface, damage, impair, or remove any part of the structure or dwelling unit or the facilities, equipment, or appurtenances thereto, nor himself do any such thing."

Section 3. This Regulation shall take effect immediately upon enactment.

Regulation No. 70-24



June 12, 1970
Enactment Date

Regulation

of the

District of Columbia

TITLE AMENDMENT TO THE RULES AND REGULATIONS OF THE FIRE DEPARTMENT OF THE DISTRICT OF COLUMBIA

Councilman Carlton W. Veazey Presents the following regulation:

1 WHEREAS, pursuant to section 402(107) of Reorganization Plan No. 3 of 1967, the
2 District of Columbia Council is authorized to make, alter, or amend rules and regulations
3 relating to the appointment and promotion of officers and members of the Fire Department
4 of the District of Columbia.

5
6 NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council that Article
7 XII of the Rules and Regulations of the District of Columbia Fire Department is amended
8 as follows:

9
10 Section 1. Amend subsection (b) of Section 1 of Part A to read as follows:

11
12 " (b) have reached his twentieth (20th) birthday but must not have
13 passed his twenty-ninth (29th) birthday;"

14
15 Section 2. Amend Section 2 of Part A to change "Commissioners" to "Commissioner" in
16 line 2.

17
18 Section 3. Amend Section 3 of Part A to change "Commissioners" to "Commissioner" in
19 line 3, "Retiring" to "Retirement" in line 7, "Commissioners" to "Fire Chief" in lines 9
20 and 10, and strike out "1961 edition," in line 8.

21
22 Section 4. Amend subsection (b) of Section 1 of Part B to read as follows:

23
24 " (b) action by the Fire Department Promotion Board (hereinafter
defined). "

RECORD OF COUNCIL VOTE

COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
HAHN	X					DAUGHERTY	X					ROBINSON	X				
TUCKER	X					HAYWOOD	X					VEAZEY	X				
ANDERSON	X					MOORE				X		YELDELL	X				

X—Indicates Vote A. B.—Absent N. V. Not Voting R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on May 21, 1970

Adopted on second and final reading June 2, 1970

Presented to the Mayor-Commissioner June 2, 1970

Stephen C. Swain
Secretary of the City Council

Approved *Robert Washington*
Mayor-Commissioner

6/12/70
Date

Enacted W/O signature of the Mayor according to ten day limitation rule:

Date

Disapproved and returned to the City Council _____
Mayor-Commissioner

Date

Readopted _____
Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.

Stephen C. Swain
Secretary of the City Council

1 Section 5. Amend Section 4 of Part B to read as follows:

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"Section 4. Qualifying examinations shall consist of such subjects and tests as may from time to time be deemed appropriate. Points for service and education shall be added in the manner provided in Section 9 of Part B. All candidates taking the test will be placed on a qualifying list according to their combined rating."

9 Section 6. Amend subsection (a) of Section 7 of Part B to read as follows:

"(a) All Privates of the D. C. Fire Department applying for promotion to the grade of Sergeant pursuant to this Part B must have served for at least six (6) years in the Fire Department of the District of Columbia during the period ending on the qualifying date of the examination, in the grade or grades of Private, Pilot, Assistant Pilot, Marine Engineer, Assistant Marine Engineer, Fire Inspector, or as an officer. On the qualifying date of the examination, members must (1) be in a grade not lower than Private, Service Step 5, and (2) have successfully passed the established training course at the Fire Department Training Center."

23 Section 7. Amend subsection (b) of Section 7 of Part B to read as follows:

"(b) Sergeants applying for promotion to the grade of Lieutenant pursuant to this Part B must have served as a Sergeant in the Fire Department of the District of Columbia at least one year preceding the qualifying date of the examination and be serving in the grade of Sergeant on the date of examination."

31 Section 8. Amend subsection (c) of Section 7 of Part B to read as follows:

"(c) Lieutenants applying for promotion to the grade of Captain pursuant to this Part B must have served as a Lieutenant in the Fire Department of the District of Columbia at least two years preceding the qualifying date of the examination and shall be serving in the grade of Lieutenant on the date of the examination."

39 Section 9. Amend Section 8 of Part B to read as follows:

"Section 8. The period of eligibility under regular examinations shall be for two years, the expiration date of which shall be the October 15 subsequent to the promotional qualifying examination as provided for in Section 2 of this Part: provided, that the period of eligibility under any special examination shall expire on the date of the establishment of the next regular qualifying examination list."

48 Section 10. Amend Section 9 of Part B to read as follows:

"Section 9. After the results of a promotional qualifying examination are determined by the Civil Service Commission, points shall be added to each candidate's score as follows:

(a) Points for service: 1/12 point, but never more than 5 points in all, for each completed month ending on the qualifying date of examination over the applicable prerequisite, computed on the basis of the individual's record.

1 (b) Points for education: 1/30 point, but never more than 4 points
2 in all, for each semester hour of a course relevant to the Fire
3 Department which has been successfully completed at a
4 recognized institution of higher learning on or before the
5 qualifying date for the examination. Points for credits earned
6 on a quarterly basis shall be computed at 2/3 the value of
7 courses on a semester basis. A joint labor-management Board
8 shall be established by the Fire Chief to determine whether
9 courses were relevant and whether the credits were earned at a
10 recognized institution of higher learning. With respect only to
11 the examination to be held in June, 1970, the points which a
12 member may have added to his promotional qualifying exami-
13 nation score shall be determined from credits which have been
14 earned through study in the Washington Technical Institute Fire
15 Science Curriculum since September 23, 1968, or equivalent
16 courses taken at another recognized institution of higher learning.
17

18 (c) Information concerning points earned pursuant to subsections
19 (a) and (b) shall be forwarded to the Civil Service Commission
20 by the Fire Chief. The Commission shall add points for service
21 and education to the examination score before the final relative
22 standing qualifying lists are established."
23

24 Section 11. Amend Section 10 of Part B to read as follows:
25

26 "Section 10. When the final relative standing qualifying lists are
27 completed, all candidates will be notified by the Civil Service
28 Commission of their final score and their relative standing and the
29 lists will be forwarded to the Fire Chief to be administered."
30

31 Section 12. Amend Section 11 of Part B to read as follows:
32

33 "Section 11. Whenever one or more promotions are to be made, the
34 Fire Chief shall submit to the Promotion Board for its consideration
35 at least two more names than the number of promotions to be made,
36 all such names to be those of eligibles from the top of the appropriate
37 qualifying list. Promotion shall be made from the names submitted,
38 provided (a) the Promotion Board recommends the member eligible for
39 promotion, and (b) the Fire Chief approves such recommendation.
40

41 "In the event the Promotion Board finds that it cannot recommend for
42 a promotion any of the eligibles whose names have been submitted for
43 consideration, the Fire Chief shall submit the names of three additional
44 eligibles from the top of the appropriate qualifying list.
45

46 "An eligible will continue to receive consideration for future promotions
47 unless he has been notified that his name has been stricken from the
48 list after first consideration.
49

50 "When the Promotion Board, or the Fire Chief, finds that promoting
51 the eligible at the top of the list would not be in the best interest of
52 the Fire Department, his name may be removed from the current list
53 provided that at the first consideration by the Promotion Board sufficient
54 evidence of unfitness for promotion is submitted by the testifying
55 officers, or indicated by his personnel record.
56

57 "In each case where an eligible member is passed over for promotion
58 by the Promotion Board, he will be given a summary of the findings on
59 which non-selection was based. He shall be notified in writing that
60 he has five (5) days from the date of receipt, exclusive of Saturdays,

1 Sundays, and Holidays, to make a written appeal to the Fire Chief.
2 Interim promotions shall not be made until appeal has been acted
3 upon by the Fire Chief. Action by the Fire Chief shall be taken within fifteen
4 (15) days, and his decision shall be final.
5

6 "Any case of non-selection by the Promotion Board must be based on
7 unanimous vote of the Promotion Board."
8

9 Section 13. Amend Section 13 of Part B to read as follows:
10

11 "Section 13. The Promotion Board shall consist of an Assistant Fire
12 Chief serving as chairman, a minimum of two (2) of the Deputy Fire
13 Chiefs from the Firefighting Division and at least one (1) other Deputy
14 Fire Chief selected by the Fire Chief from the Fire Prevention Division,
15 Training Division, or Apparatus Division. When a Deputy Fire Chief
16 of a division is on extended leave, a regular Acting Deputy Fire Chief
17 of that Division may be selected to serve."
18

19 Section 14. Amend Section 16 of Part B to read as follows:
20

21 "(a) Prerequisite lengths of service for consideration for assignment
22 as Acting Battalion Fire Chief: A member shall have served at
23 least two (2) years in the grade of Captain in the Fire Department
24 of the District of Columbia before being assigned as Acting
25 Battalion Fire Chief.
26

27 "(b) Whenever one (1) or more assignments are to be made as Acting
28 Battalion Fire Chief, the Fire Chief shall submit the names of
29 three (3) or more eligibles from the top of the list of eligibles,
30 arranged by order of seniority in meeting the required length
31 of service in grade, to the Promotion Board. Assignment shall
32 be made from the names submitted, provided the Promotion
33 Board recommends the member eligible for assignment and the
34 Fire Chief approves such recommendation. The provisions of
35 Section 14 and 15 of Part B shall apply in assisting the Board
36 to determine the suitability of the Captains being considered
37 for such assignment.
38

39 "(c) Prerequisite length of service for consideration for promotion
40 to Battalion Fire Chief: A member shall have been assigned as
41 Acting Battalion Fire Chief in the Fire Department of the District
42 of Columbia for one year before being considered for promotion
43 to Battalion Fire Chief.
44

45 "(d) Whenever one or more promotions are to be made to the grade
46 of Battalion Fire Chief, the Fire Chief shall submit the names
47 of three or more eligibles from the top of the list of eligibles,
48 arranged by order of seniority in meeting the required length of
49 service as Acting Battalion Fire Chief, to the Promotion Board.
50 Assignment shall be made from the names submitted, provided
51 the Promotion Board recommends the member eligible for assign-
52 ment and the Fire Chief approves such recommendation. The
53 provisions of Sections 14 and 15 of Part B shall apply in assisting
54 the Board to determine the suitability of the Acting Battalion
55 Fire Chief being considered for promotion to Battalion Fire Chiefs."
56

57 Section 15. Amend Section 17 of Part B to read as follows:
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60

1 "Section 17. With respect to the examination to be held in June,
 2 1970 and continuing thereafter, any uniformed member of the Department
 3 theretofore promoted non-competitively in any division of the Fire
 4 Department is hereby placed in a status to compete in qualifying
 5 examinations for the next higher grade position above that to which
 6 he was most recently promoted non-competitively. When computing
 7 length of service in any particular grade for admission to the
 8 qualifying examination, the prerequisite length of service required
 9 for each grade shall be the same as that for those promoted competitively.
 10 Points for service and points for education shall be calculated in the
 11 same manner as described in Section 9 of Part B."
 12

13 Section 16. Amend Section 3 of Part C to change "Commissioners" to "Commissioner"
 14 in lines 2 and 6.
 15

16 Section 17. Amend Section 4(d) of Part C to read as follows:
 17

18 "(d) examined within 45 days prior to expiration of probationary
 19 period by the Board of Surgeons;"
 20

21 Section 18. Amend Section 4(e) of Part C to read as follows:
 22

23 "(e) required to perform such duties and attain such standards
 24 at the Training School as are established by the Fire Chief;"
 25

26 Section 19. Amend the last paragraph of Section 4 of Part C to read as follows:
 27

28 "Provided: (1) That during attendance at the Training School, as
 29 prescribed in part (e) of this Section, a probationer will be excused
 30 from the requirements for examinations prescribed in parts (a) and
 31 (b) of this Section; and (2) That if the probationer cannot be scheduled
 32 to attend the training school during his probationary year he will be
 33 excused from the requirement prescribed in part (e) of this Section."
 34

35 Section 20. Amend Section 1 of Part D to change "Commissioners" to "Commissioner"
 36 on lines 3 and 5.
 37

38 Section 21. Amend Section 2(c) of Part D to change "Commissioners" to "Commissioner"
 39 in line 4 and to delete the word "their".
 40

41 Section 22. Amend Part E to read in its entirety as follows:
 42

43 "PART E. Merit Promotions in the Administrative, Apparatus and Fire Prevention
 44 Divisions.
 45

46 Section 1. The practice of non-competitive promotions to the positions of
 47 sergeant, lieutenant and captain in the Administrative, Apparatus and Fire
 48 Prevention Divisions is hereby abolished. Effective June 15, 1972, all
 49 promotions shall be made in the manner set forth in Part B of this Article.
 50

51 Section 2. With respect to all promotions to the positions of sergeant,
 52 lieutenant and captain in the Administrative, Apparatus and Fire Prevention
 53 Divisions before June 15, 1972, eligibility for such promotion shall be
 54 determined in accordance with the standards set forth in Section 3 of this
 55 Part E. Selection from those eligible for promotion shall be made on the
 56 basis of merit using evaluation criteria consistent with requirements of
 57 this Part E. The Personnel Office of the District of Columbia Government
 58 shall, within 90 days from the effective date of this Amendment, develop
 59 standards and policies for merit promotions consistent with subchapter 3 of
 60 Chapter 335 of the Federal Personnel Manual relating to merit promotion plans.

The Personnel Office shall not establish a written examination to be given as one of the criteria for merit promotion under Section 2 of this part before June, 1972. Members of the Fire Department in divisions other than the Administrative, Apparatus and Fire Prevention Divisions shall be afforded the opportunity of being promoted in accordance with the standards of this Part E.

Section 3. The following standards shall determine eligibility for merit promotion under this Part E.

- (a) Sergeant - at least 6 years of continuous service as a private in the Fire Department.
- (b) Lieutenant - at least 1 year of service as a Sergeant in the Fire Department.
- (c) Captain - at least 2 years of service as a Lieutenant in the Fire Department.

Section 4. Status heretofore obtained through non-competitive promotion will not be restricted to service in the Division in which promotion was authorized. In case of reassignment to any other Division, the employee shall retain his non-competitive grade. However, the Department shall limit reassignment into any Division to those officers who have met the promotional qualifying criteria of that Division to which they are being reassigned. None of the foregoing shall in any way limit the ability of the Department to reassign Privates from one Division to another."

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Regulation No. 70-25



Enactment Date June 18, 1970

Regulation

of the
District of Columbia

TITLE Amendment to Alcoholic Beverage Control Regulations

Mr. Philip J. Daugherty Presents the following regulation:

WHEREAS, the District of Columbia Council is authorized to make and amend rules and regulations limiting the number of licenses for the sale of alcoholic beverages which may be issued in the District of Columbia;

NOW, THEREFORE BE IT ENACTED BY THE DISTRICT OF COLUMBIA COUNCIL THAT:

Section 1. Section 2-148 of the Alcoholic Beverage Control Regulations is hereby amended to read as follows:

"2.148. LIMITATION OF LICENSES. The number of retailer's licenses Class A is hereby limited to 300, Provided, That nothing herein shall forbid the issuance of a license for any place for which a retailer's license Class A has been or may be issued and which said license is in effect on the date the application is filed; Provided further, That nothing herein shall forbid the issuance of such a license to one who was the holder of such a license and who was required to close the business for which the license was issued and to surrender the license because the premises on which said business was conducted was acquired by the United States or the District of Columbia through eminent domain or threat of eminent domain, if

RECORD OF COUNCIL VOTE																	
COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
HAHN	X					DAUGHERTY				X		ROBINSON	X				
TUCKER	X					HAYWOOD	X					VEAZEY	X				
ANDERSON				X		MOORE	X					YELDELL				X	

X—Indicates Vote A. B.—Absent N. V. Not Voting R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on June 2, 1970

Adopted on second and final reading June 9, 1970

Presented to the Mayor-Commissioner June 9, 1970 Date Stephen C. Swain Secretary of the City Council

Approved [Signature] Mayor-Commissioner Date 6/18/70

Enacted W/O signature of the Mayor according to ten day limitation rule: _____ Date _____

Disapproved and returned to the City Council _____ Mayor-Commissioner _____ Date _____

Readopted _____ Date _____

I hereby certify that this regulation is true and adopted (or readopted) as stated therein. Stephen C. Swain Secretary of the City Council

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application for such new license is made within three years after the expiration date of the then currently valid license so surrendered at the time of such acquisition or threat thereof; and Provided further, that nothing herein shall forbid the issuance of such a license to one who was the holder of such a license and who was required to close the business for which the license was issued and to surrender the license because the premises on which said business was conducted was rendered unfit for use by action over which said licensee had no effective control during the period of an officially declared emergency, if application for such new license is made within three years after the expiration of the then currently valid license so surrendered at the time of the closing of such business."

Section 2. This Regulation shall take effect immediately upon the satisfaction of the publication requirement of the District of Columbia Alcoholic Beverage Control Act.

Regulation No. 70-26



June 18, 1970
Enactment Date

Regulation

of the

District of Columbia

TITLE AMENDMENT TO ARTICLE 47 RELATING TO FAIR EMPLOYMENT

Mrs. Margaret A. Haywood Presents the following regulation:

1 WHEREAS, it was the intent of the Commissioners of the District of
2 Columbia in adopting Article 47 of the Police Regulations to end discrimination
3 in employment in the District of Columbia by reason of race, color, religion,
4 national origin, or sex; and

5
6 WHEREAS, the District of Columbia Council continues to support the
7 policy of ending discrimination in employment and to this end has entertained a
8 recommendation from the Human Relations Commission for an amendment to
9 Article 47 of the Police Regulations which would have a strengthening effect on
10 the efforts of the said Commission to end discrimination in employment; and

11
12 WHEREAS, the Council is authorized to adopt reasonable and usual
13 police regulations;

14
15 NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council
16 that:

17
18 Section 1. "Article 47 of the Police Regulations of the District of
19 Columbia is amended by--

20
21 (1) Amending the heading of section 5 to read:

22
23 "Sec. 5. Notices to be Posted, Reports, and Records"; and by

24
25 (2) Adding the following new subsection (c) at the end of
subsection (b):

RECORD OF COUNCIL VOTE																	
COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
HAHN	X					DAUGHERTY				X		ROBINSON	X				
TUCKER	X					HAYWOOD	X					VEAZEY	X				
ANDERSON				X		MOORE	X					YELDELL					X

X—Indicates Vote A. B.—Absent N. V.—Not Voting R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on June 2, 1970

Adopted on second and final reading June 9, 1970

Presented to the Mayor-Commissioner June 9, 1970

Approved Therese Washington Mayor-Commissioner Stephen C. Swain Secretary of the City Council
Date: _____ Date: 6/18/70

Enacted W/O signature of the Mayor according to ten day limitation rule: _____ Date: _____

Disapproved and returned to the City Council _____ Date: _____
Mayor-Commissioner

Readopted _____ Date: _____

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.
Stephen C. Swain Secretary of the City Council

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"(c) Every employer, employment agency and labor organization subject both to this Article and to Title VII of the Civil Rights Act of 1964 shall preserve any regularly kept personnel or employment record (including but not necessarily limited to application forms submitted by applicants and other records having to do with hiring, promotion, demotion, transfer, layoff or termination, rates of pay or other terms of compensation and selection for training or apprenticeship) for a period of 6 months from the date of the making of the record, or from the date of the personnel action which is the subject of the record, whichever is longer. Where a charge of discrimination has been filed against an employer, employment agency, or labor organization under this Article, the respondent shall preserve all personnel records relevant to the charge or action until final disposition of the charge or action."

Section 2. This regulation shall take effect immediately upon enactment.

Regulation No. 70-27



June 18, 1970
Enactment Date

Regulation

of the
District of Columbia

Regulation concerning the Disregarding of Certain Monthly Social Security Insurance
TITLE Benefits in Determining Public Assistance Needs.

Dr. Henry S. Robinson, Jr. Presents the following regulation:

1 WHEREAS, the Social Security Amendments of 1969 authorize an increase
2 of 15% in monthly old-age, survivors, and disability insurance benefits, and require
3 the States to disregard all amounts attributable to such increased benefits paid
4 retroactively for the months of January and February 1970, in determining need in all
5 categories of public assistance; and
6

7 WHEREAS, the Social Security Amendments of 1969 further require that
8 recipients of benefits in the adult categories of public assistance who also receive
9 monthly old age, survivors or disability insurance benefits shall have disregarded,
10 in determining their need for such assistance, the increase in benefits received by
11 them for the months of April, May and June, 1970, or the sum of \$4.00 per month
12 whichever is less; and
13

14 WHEREAS, although there is no statutory requirement for disregarding such
15 increase in insurance benefits in determining the need of recipients of General Public
16 Assistance, the District of Columbia Council believes that recipients in all adult
17 categories of public assistance should be treated equally; and
18

19 WHEREAS, the Council is authorized to promulgate regulations determinative
20 of the amount of public assistance which any person shall receive.
21

22 NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council that:
23
24

RECORD OF COUNCIL VOTE																	
COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
HAHN	X					DAUGHERTY				X		ROBINSON	X				
TUCKER	X					HAYWOOD	X					VEAZEY	X				
ANDERSON				X		MOORE	X					YELDELL				X	

X—Indicates Vote A. B.—Absent N. V. Not Voting R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on June 2, 1970

Adopted on second and final reading June 9, 1970

Presented to the Mayor-Commissioner June 9, 1970

Approved Walter Washington
Mayor-Commissioner

Stephen C. Swain
Secretary of the City Council

Enacted W/O signature of the Mayor according to ten day limitation rule:

6/18/70
Date

Disapproved and returned to the City Council _____
Mayor-Commissioner

Readopted _____
Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.

Stephen C. Swain
Secretary of the City Council

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Section 1. The Director of the Department of Human Resources, in determining the need for, and the amount of public assistance in all categories of public assistance, shall disregard the retroactive payment for the months of January and February 1970 of the increased old-age, survivors, and disability insurance benefits authorized by the Social Security Amendments of 1969.

Section 2. The Director of the Department of Human Resources, in determining the need for, and the amount of monthly assistance payments made to recipients of Old-Age Assistance, Aid to the Blind, Aid to the Permanently and Totally Disabled or General Public Assistance for the months of April, May and June, 1970, shall disregard as income for such months, (1) the amount of the increase in old-age, survivors, or disability insurance benefits resulting from the Social Security Amendments of 1969 also received by such recipients, or (2) the sum of \$4.00 per month, whichever is the lesser.

Section 3. This Regulation shall take effect immediately upon enactment and shall be effective through June 30, 1970.

Regulation No. 70-28



June 23, 1970
Enactment Date

Regulation

of the

District of Columbia

TITLE AMENDMENT TO THE TRAFFIC AND MOTOR VEHICLE REGULATIONS RELATED TO POSITIVE CRANKCASE VENTILATION VALVES.

Mr. Philip I. Daugherty Presents the following regulation:

1 WHEREAS, the District of Columbia Council is authorized to make rules and
2 regulations relating to automotive equipment and the inspection thereof, and
3

4 WHEREAS, the Council has determined that it would be desirable to require,
5 as part of the automobile inspection process, that inspections be made to determine
6 whether the anti air-pollution devices known as Positive Crankcase Ventilation Valves
7 are in good operating condition.
8

9 NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council that:

10 Section 1. Section 144 of Part I of the Traffic and Motor Vehicle Regulations
11 of the District of Columbia is hereby amended to add a subsection (e) thereto as follows:
12
13

14 "(e) Every gasoline propelled motor vehicle of the 1968 Model Year, and any
15 model year thereafter, when operated on a street or highway shall be equipped with a
16 Positive Crankcase Ventilation Valve which shall be in good operating condition."
17

18 Section 2. Section 17 (b) of Part III of the Traffic and Motor Vehicle Regulations
19 of the District of Columbia is hereby amended to read as follows:
20

21 "(b) If, upon mechanical inspection of any vehicle, the Director determines it
22 conforms to the equipment standards contained in
23
24

RECORD OF COUNCIL VOTE																		
COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	
HAHN	X					DAUGHERTY	X					ROBINSON	X					
TUCKER	X					HAYWOOD	X					VEAZEY	X					
ANDERSON	X					MOORE				X		YELDELL					X	

X—Indicates Vote A. B.—Absent N. V. Not Voting R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on June 9, 1970

Adopted on second and final reading June 23, 1970

Presented to the Mayor-Commissioner June 23, 1970 Date

Approved [Signature] July 2, 1970 Date
acting Mayor-Commissioner

Enacted W/O signature of the Mayor according to ten day limitation rule: _____ Date

Disapproved and returned to the City Council _____ Date
Mayor-Commissioner

Readopted _____ Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.
[Signature]
Secretary of the City Council

2 of 2

1 the Motor Vehicle Inspection Manual of the District of Columbia,
2 promulgated by the Department of Motor Vehicles as of July 1,
3 1969, and Section 144(e) of Part I of these regulations, the Director
4 shall issue to such registrant or person desiring registration an
5 approved inspection sticker for a motor vehicle or an approved
6 inspection seal for a trailer, which will permit the operation and
7 use of such motor vehicle or trailer until such time as the registrant
8 or person desiring registration is notified by the Director to present
9 such motor vehicle or trailer for another inspection; provided that
10 such registrant or such person has complied with all of the other
11 provisions of law and these regulations." .
12

13 Section 3. Section 17(e) of Part III of the Traffic and Motor Vehicle Regulations
14 of the District of Columbia is hereby amended to read as follows:
15

16 "(e) If, upon any mechanical inspection of any motor vehicle or trailer,
17 the Director determines it does not conform to the equipment standards
18 contained in the Motor Vehicle Inspection Manual of the District of
19 Columbia, promulgated by the Department of Motor Vehicles as of July
20 1, 1969, and Section 144(e) of Part I of these regulations, the Director
21 shall issue to such registrant or person desiring registration a condemned
22 sticker as provided in paragraph (g) of this Section or a rejection sticker.
23 If a rejection sticker is issued, the operation and use of such motor
24 vehicle or trailer will be permitted for ten (10) days from the date of
25 issuance; provided, that the registrant or the person desiring registration
26 to whom such rejection sticker was issued continues to hold legal title
27 to such motor vehicle or trailer; and provided further, that such registrant
28 or such person has complied with all of the other provisions of law and
29 these regulations. A registrant or any person desiring registration, to
30 whom such rejection sticker was issued, shall not park or permit the
31 parking of such vehicle on any public space after the expiration date of
32 such rejection sticker."
33

34 Section 4. This regulation shall take effect immediately upon enactment.
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Regulation No. 70-29



July 9 1970
Enactment Date

Regulation

of the
District of Columbia

TITLE ESTABLISHING THE ELIGIBILITY REQUIREMENTS FOR THE AID TO FAMILIES WITH DEPENDENT CHILDREN PROGRAM

Dr. Henry S. Robinson, Jr. Presents the following regulation:

1 WHEREAS, the District of Columbia Council is authorized to promulgate rules
2 and regulations to effectuate the provisions of the District of Columbia Public
3 Assistance Act of 1962 and to establish the amount of public assistance which any
4 person shall receive;

5
6 NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council that:

7
8 Section 1. (a) A needy child is eligible for Aid to Families with Dependent
9 Children (hereinafter referred to as "AFDC"), when he is deprived of parental support
10 or care by reason of the death, continued absence from the home, or the physical or
11 mental incapacity of a parent, or the unemployment of his father.

12
13 (b) For the purposes of this regulation, the term "parent" means
14 a child's natural or adoptive parent.

15
16 (c) Both need and deprivation must exist in all AFDC cases without
17 regard to whether one resulted from the other.

18
19 (d) When a parent who is the primary wage earner of a family
20 must remain in the home to care for his children because of the sudden death, incapacity,
21 or desertion of the other parent, assistance may be granted for a reasonable period
22 of time, not to exceed three months, so that a child day care plan may be arranged.

23
24 Section 2. The incapacity of a parent shall be determined by the Medical

RECORD OF COUNCIL VOTE																	
COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
HAHN	X					DAUGHERTY	X					ROBINSON	X				
TUCKER	X					HAYWOOD	X					VEAZEY	X				
ANDERSON	X					MOORE	X					YELDELL					X

X—Indicates Vote A. B.—Absent N. V. Not Voting R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on June 23, 1970
June 30, 1970

Adopted on second and final reading _____

Presented to the Mayor-Commissioner June 30, 1970
Date _____ Secretary of the City Council Stephen C. Swain

Approved _____ July 9, 1970
Acting Mayor-Commissioner Date

Enacted W/O signature of the Mayor according to ten day limitation rule: _____
Date

Disapproved and returned to the City Council _____
Mayor-Commissioner Date

Readopted _____
Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.

Stephen C. Swain
Secretary of the City Council

2 of 4

1 Review Team on the basis of medical and related social information.

2
3 Section 3. (a) The term "continued absence from the home" means the
4 absence of a parent from the home by reason of (1) desertion or abandonment, (2)
5 divorce or legal separation, (3) imprisonment, or (4) voluntary separation involving
6 a dissociation of marital and family relationships; except that -

7
8 (b) the term does not include absence from the home of a parent:
9 (1) which results from separate living arrangements made by a couple for the purpose
10 of establishing eligibility for assistance; or (2) who has left home for employment
11 elsewhere and who is meeting the needs of his family.

12
13 Section 4. (a) An absent parent is expected to contribute toward the support
14 and maintenance of his family. The Department of Human Resources (hereinafter
15 referred to as the "Department"), shall endeavor, in recognition of the important in-
16 fluence an absent parent may have in the life of a child, to strengthen the parent's
17 sense of responsibility for his child and his concern for his child's welfare. In
18 furtherance thereof, the Department shall encourage such parents to enter into voluntary
19 agreements to contribute toward the support and maintenance of their families. The
20 Department shall devote maximum efforts to locating an absent parent whose where-
21 abouts are unknown. The Department shall notify the appropriate law enforcement
22 officials concerning a parent who has deserted his family or abandoned his children
23 and the parent applying for aid under this program will be advised that such notifi-
24 cation will be made.

25
26 (b) The parent or relative with whom a child lives shall be
27 encouraged to cooperate with appropriate law enforcement officials charged with the
28 responsibility for pursuing public remedies against an absent parent who is not
29 contributing toward the support of his family; provided, that such cooperation need
30 not be extended in the case of a child born out of wedlock if adoption plans for
31 such child have been initiated and are still active; provided further, that the failure
32 of a parent or other person with whom a child lives to cooperate with law enforcement
33 officials, as aforesaid, shall have no effect on eligibility for assistance under this
34 program.

35
36 (c) The offer of an absent parent to return and live with and
37 support his family shall be evaluated by the Department to determine whether such
38 offer is made in good faith and is in the best interest of the family. The denial of
39 assistance on the basis of such an offer shall not be made without the written approval
40 of the Chief of the Public Assistance Division, or in his absence, of the Acting Chief.

41
42 Section 5. When continued absence from the home is by reason of imprison-
43 ment, the Director shall verify the length of the prison term of the parent, ascertain
44 the date the parent will be eligible for parole, determine whether the parent is employed
45 under the Work Release Program and the amount of support payments made to the family
46 if so employed.

47
48 Section 6. (a) A child shall be eligible to receive AFDC by reason of the
49 unemployment of his father if the father -

50
51 (1) is employed less than 35 hours a week;

52
53 (2) has been employed less than 35 hours a week for at least 30 days
54 prior to the receipt of AFDC;

55
56 (3) has not without good cause, within such 30 day period, refused a
57 bonafide offer of employment or training for employment;

58
59 (4) has six (6) or more quarters of work during which he earned not less
60 than \$50 in each quarter, within the three years and three months ending

3 of _4_

1 within one year prior to applying for AFDC, or, within such one year period he has
2 either received unemployment compensation or would have been entitled thereto had
3 the industry in which he was employed been covered under the unemployment compen-
4 sation law; and

5
6 (5) is registered with the District of Columbia Manpower Administration.

7
8 (b) The family shall not be eligible for assistance for any
9 week in which the father receives unemployment compensation.

10
11 (c) The father must be referred to the Work Incentive
12 Program within 30 days after receipt of the first AFDC payment.

13
14 Section 7. (a) The term "stepparent" means a person who is living
15 in the home of the children for whom AFDC is requested and who is legally married
16 to the natural or adoptive parent of the children.

17
18 (b) A stepparent is not required by the law of the District
19 of Columbia to support his stepchildren, but is legally responsible for the support
20 of his wife.

21
22 (c) When a child lives with a parent and a stepparent or
23 a person who is maintaining a home with the parent, and who has financial resources,
24 the extent to which such stepparent or other person is contributing to the support
25 of the parent and the child shall be considered. Contributions which are actually
26 being provided by the stepparent or other person shall be considered a resource
27 in determining the need of the child and the parent.

28
29 (d) When there is a stepparent in the home or a person
30 who is maintaining a home with the parent of the children receiving AFDC, his
31 employability status, financial resources, and whether he is legally married to
32 the parent of the children for whom AFDC is requested, will determine how require-
33 ments of members of the household are to be met in accordance with the following
34 considerations:

35
36 (1) The requirements of a stepparent or other person who is unemployed
37 because of incapacity or age and who is in need, will be included in the
38 assistance payment unless he is eligible in his own right for assistance
39 under one of the adult programs;

40
41 (2) A stepparent or other person who is unemployable, and has children
42 of his own who are in need, may receive a separate AFDC payment for
43 himself and his children;

44
45 (3) The needs of a stepparent or other person who is employable and has
46 no children of his own, may not be included in the AFDC payment and
47 every effort shall be made to help him find employment;

48
49 (4) A stepparent who is employed is responsible for the support of his
50 own children and of his spouse, unless such stepparent's income is not
51 sufficient to meet the needs of his own dependents based on the Department's
52 Standard for Requirements. In such cases the parent of the AFDC children
53 shall be included in the AFDC assistance unit;

54
55 (5) The income of the parent of the AFDC children shall be applied first
56 to meet the needs of the assistant unit.

57
58 Section 8. (a) When a relative applies for AFDC in behalf of a child
59 who is living in such relative's home and the child's parents are maintaining a home,
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elsewhere, the Director of the Department shall determine whether the child is in fact deprived of parental care and support.

(b) When their parents are unwilling to accept the responsibility for the support of their children, a relative with whom a child is living shall be encouraged to cooperate with appropriate law enforcement officials charged with the responsibility for pursuing public remedies against the parents who are not contributing toward the support of their family; provided, that the failure of such relative to so cooperate with law enforcement officials shall have no effect on eligibility for assistance under this program.

Section 9. This regulation rescinds Administrative Orders 2.47 dated August 6, 1947, 2.47/a dated December 29, 1947 and 2.47/4 dated December 29, 1947.

Section 10. This regulation shall be effective 60 days following enactment except for Section 6 which shall be effective immediately upon enactment.



Regulation No. 70-30

July 9 1970
Enactment Date

Regulation

of the
District of Columbia

TITLE LICENSING AND BONDING OF PRIVATE DETECTIVES

Mrs. Margaret A. Haywood Presents the following regulation:

1 WHEREAS, the District of Columbia Council is authorized to make regulations
2 governing the conduct of the business of private detectives and fixing the amount of
3 bonds required of private detectives;

4
5 NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council;

6
7 Section 1. Definitions. As used in these regulations:

8
9 (a) "Chief of Police" means the Chief of the Metropolitan Police Department
10 of the District of Columbia, or his designated agent.

11
12 (b) "Commissioner" means the Commissioner of the District of Columbia,
13 or his designated agent.

14
15 (c) "Private detective" shall mean any person (whether he be self-employed
16 or employed by others), firm, or corporation which is engaged in the business of, or
17 advertises or represents himself, or itself, as being engaged in the business of detecting,
18 discovering, or revealing crime or criminals, or securing information for evidence relating
19 thereto, or discovering or revealing the identity, whereabouts, character, or actions of any
20 person or persons, thing or things; provided, that such definition shall not include persons
21 who are employed as uniformed guards or uniformed security personnel.

22 Section 2. License Application. Application for a license to engage in business
23 as a private detective shall be made to the Commissioner on a form prescribed by him and
24 shall be accompanied by the license fee required by law. Each person applying for a

RECORD OF COUNCIL VOTE																	
COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
HAHN	X					DAUGHERTY	X					ROBINSON	X				
TUCKER	X					HAYWOOD	X					VEAZEY	X				
ANDERSON	X					MOORE	X					YELDELL					X

X—Indicates Vote A. B.—Absent N. V. Not Voting R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on June 23, 1970

Adopted on second and final reading June 30, 1970

Presented to the Mayor-Commissioner June 30, 1970

Stephen C. Swain
Secretary of the City Council

Approved [Signature]
Acting Mayor-Commissioner

July 9, 1970
Date

Enacted W/O signature of the Mayor according to ten day limitation rule:

Date

Disapproved and returned to the City Council -----
Mayor-Commissioner

Date

Readopted -----
Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.

Stephen C. Swain
Secretary of the City Council

license shall submit to the Commissioner, under oath, such information as the Commissioner may require to assist him in determining whether the applicant is of good moral character and that the granting of such license will be in the public interest. Each individual applicant for a license as a private detective shall submit four identical, full-faced photographs of himself, one inch by one and one-half inches in size, taken not more than three months prior to date of application. Each corporate applicant for license as a private detective shall submit the required photographs of its president and vice-president.

Section 3. Fingerprinting. Each individual applicant for a license as a private detective shall have three sets of his fingerprints taken by the Chief of Police. Fingerprints so furnished which shall become a part of the application for the license of private detective, shall be submitted to the Federal Bureau of Investigation and to such other authorities as the Chief of Police may deem advisable, for comparison and record. Each corporate applicant for a license as a private detective shall make its president and vice-president available to the Chief of Police for fingerprinting.

Section 4. Approval of Chief of Police. No person shall be licensed as a private detective unless and until the Chief of Police certifies to the Commissioner that the Chief of Police approves of such license being issued.

Section 5. Effective Date and Duration of License. Every license granted hereunder shall be effective for one license year beginning on the first day of November of the year issued and continuing until the next succeeding October 31st; provided, that any license issued after the beginning of a license year shall date from the first day of the month in which the license is issued and shall end on the next succeeding October 31st.

Section 6. Bonds. Each applicant licensed as a private detective shall file in the office of the Commissioner, and shall keep in force throughout the duration of the license, a bond in the penal sum of \$5,000.00, running to the District of Columbia and extending to third-party recovery, with corporate surety authorized by the Department of Insurance of the Government of the District of Columbia to do business in the District of Columbia. Each such bond shall be conditioned as required by, and shall be subject to, the provisions of section 9(b) of the Act approved November 8, 1965 (79 Stat. 1309; D. C. Code, sec. 4-171a).

Section 7. Investigation of Applicants and Licensees. The Commissioner is authorized, in connection with his consideration of license applications, and from time to time during the license year, to require any applicant for a license and any licensee to make available to the Commissioner, during regular business hours, such information as the Commissioner considers necessary to determine or verify whether the applicant or licensee has violated or failed to comply with any provision of statute or regulation relating to the obtaining or retention of a license in accordance with these regulations or to the conduct of activities as a private detective. Such investigation by the Commissioner may include determination or verification of the identity of any person associated with the applicant or with any licensee in the private detective business, and the extent, if any, of such person's control, either directly or indirectly, of the applicant or over the business activities of the licensee. Failure to make such information available to the Commissioner or to furnish to him the information he is authorized to request by this section, or to furnish to the Commissioner, or to permit him to make one or more copies of, such records maintained by the applicant or licensee as the Commissioner may specify, shall be grounds for denial, suspension, or revocation of a license hereunder.

Section 8. Use of Other Name Prohibited. No licensed private detective shall hold himself out or engage in business as a private detective under any name other than the name appearing on his license, but nothing herein contained shall prevent the use of a trade name if such name is contained in the license application approved by the Commissioner.

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2 Section 9. Identification Cards. Each person licensed as a private
3 detective shall, while engaging in any dealings with any person in connection
4 with carrying on the business of a private detective, carry on his person an
5 identification card bearing his photograph and issued to him by the Commissioner.
6 Upon the request of any person with whom such private detective may deal or have
7 contact in connection with carrying on the business of a private detective, each
8 person required by this section to carry an identification card shall display such
9 card and shall furnish such requesting person a business card or other written
10 matter containing the private detective's full name and license number.

11 Section 10. Guards and Security Personnel.

12
13 (a) No person shall be employed as a uniformed guard or uniformed
14 security officer unless such person has first been certified by the Chief of Police
15 as being of good moral character. Applications for such certification shall be made
16 upon forms prescribed by the Commissioner and shall include three sets of finger-
17 prints to be taken by the Chief of Police and four identical full-faced photographs of the
18 applicant, one by one and one-half inches in size, taken not more than three months
19 prior to the date of application. The Chief of Police shall submit the fingerprints of
20 applicants taken by him to the Federal Bureau of Investigation and to such other
21 authorities as the Chief of Police may deem advisable, for comparison and record;
22 and shall make such other investigations of the applicant as the Chief determines
23 to be relevant. Upon a determination being made by the Chief of Police that an
24 applicant is of good moral character, he shall be issued an identification card bearing
25 his photograph by the Commissioner. Such identification card shall be carried by such
26 uniformed guard or uniformed security officer while engaged in his duties and shall be
27 exhibited to any person with whom such uniformed guard or uniformed security officer
28 may come in contact in the performance of his duties upon such person's request.
29 The Chief of Police is hereby authorized to make any investigations which the Chief
30 deems necessary to determine whether a certification by him of a uniformed guard's
31 or uniformed security officer's good moral character, should be revoked. If the Chief
32 of Police determines not to certify that an applicant is of good moral character, or to
33 revoke a certification to such effect previously made by him, he shall give to the
34 applicant or then certified uniformed guard or uniformed security officer notice which
35 shall: be in writing and signed by the Chief; state the ultimate facts constituting the
36 basis for the action proposed; and advise that the Chief's action may be appealed
37 as provided in these regulations, and of the time within which such appeal must be
38 filed. Such notice shall be served in the manner prescribed by Section 13. (b) of
39 these regulations and a party aggrieved thereby shall have a right of appeal from such
40 action in the manner prescribed by Section 14.

41
42 (b) Any person who is required to carry a weapon in connection with his
43 services as a uniformed guard or uniformed security officer shall, in lieu of complying
44 with the requirements of subsection (a) of this Section 10, be required to be commissioned
45 as a special policeman pursuant to the provisions of the Act approved March 3, 1899
46 (30 Stat. 1057; D.C. Code, § 4-115) and regulations which have been or may be
47 approved pursuant to such Act.

48
49 Section 11. Place of business. No private detective license shall be
50 issued to a person not a resident of the District of Columbia, unless such nonresident,
51 as a condition of such license appoints or employs as attorney-in-fact or general
52 agent who is a resident of the District of Columbia or maintains an office in said
53 District, and such nonresident licensee notifies the Commissioner of such appoint-
54 ment or employment. Such licensee shall likewise notify the Commissioner, within
55 five business days, of any change in the appointment or employment of such
56 attorney-in-fact or general agent. In all cases of a nonresident licensee, notice
57 of any action to be taken with respect to the license issued to such licensee may
58 be served upon the attorney-in-fact or general agent, appointed or employed by such
59 nonresident licensee.

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Section 12. Grounds for Denial, Suspension, or Revocation of Licenses.

2 The license of each private detective shall be subject to denial, suspension, or
3 revocation for violation of any section of these regulations which is applicable to
4 any such license or business or for violation of any of the terms of paragraph 41 of
5 the General License Law (D. C. Code, § 47-2341), and upon any grounds set forth
6 in either such regulations or law, including, without limitation, any of the following:
7

8 (1) Material misstatement in application for license.
9

10 (2) Failure or refusal to comply with any statute or regulation governing
11 the carrying on of the business of a private detective.
12

13 (3) Conviction of false pretenses, larceny after trust, embezzlement, or
14 any other offense involving, in the judgment of the Commissioner, fraudulent conduct,
15 arising out of or based on employment as a private detective.
16

17 (4) Willful or fraudulent circumvention of any statute or regulation
18 relating to the conduct of the business of private detective.
19

20 Section 13. Procedure for Denial, Suspension, or Revocation. (a) Whenever
21 the Commissioner proposes to deny, suspend, or revoke a license hereunder, he shall
22 give to the applicant or licensee notice which shall:
23

24 (1) Be in writing and be signed by the Commissioner.
25

26 (2) State the ultimate facts constituting each violation or other basis for
27 the action proposed.
28

29 (3) Indicate, where applicable, each provision of statute or regulation
30 violated or not complied with.
31

32 (4) State the action he proposes to take in the matter.
33

34 (5) Advise that his proposal to take such action may be appealed as
35 provided in these regulations, and of the time within which such appeal must be filed.
36

37 (6) Be served upon the applicant or licensee.
38

39 (b) Such notice shall be deemed to be properly served upon the person to whom
40 it is directed when it or a copy of it is: (1) served on him personally; or (2) left at
41 the address stated on the license, or on the application in the case of an applicant,
42 with a person over the age of 16 years then employed at, or a resident of such
43 address; or (3) mailed by certified mail, postage prepaid, to the address stated on
44 the license, or on the application in the case of an applicant, and not returned by
45 the postal authorities. If any notice mailed as authorized by the preceding sentence
46 be returned by the postal authorities by reason of refusal of the addressee to accept
47 delivery, it shall be deemed to have been served on the addressee as of the date of
48 such refusal.
49

50 Section 14. Appeals. Any person on whom a notice has been served pursuant
51 to the preceding section may file with the Board of Appeals and Review a written notice
52 of appeal. Such notice shall be filed within 20 calendar days from the date the notice
53 was served personally, or within 24 calendar days of the date the notice was served
54 other than personally, including the date it was mailed.
55

56 Section 15. Penalties. Any person who engages in business as a private
57 detective without having a license then in effect, or as a uniformed guard or uniformed
58 security officer without first being certified as provided in Section 10 (a) of these
59 regulations, or as an armed uniformed guard or armed uniformed security officer
60

without first being commissioned as provided in Section 10 (b) of these regulations, shall be punished by a fine of not more than \$300 or imprisonment for not more than 90 days.

Section 16. Transitional Provisions.

(a) Any person who is required to be licensed as a private detective in accordance with these regulations, and who is licensed as a private detective pursuant to paragraph 41 of the General License Law (D. C. Code § 47-2341) on the effective date of these regulations, shall be deemed to be licensed for the purposes of these regulations until such time as his application for a license hereunder has been finally denied so long as he makes application for a license hereunder within 30 days after the effective date of these regulations.

(b) Any person who is serving as a uniformed guard or uniformed security officer on the effective date of these regulations, whether armed or not, and who applies for certification pursuant to Section 10 (a) of these regulations or a commission as a special policeman pursuant to Section 10 (b) of these regulations within 30 days after the effective date of these regulations, shall be deemed to be certified as to good moral character pursuant to Section 10 (a), or commissioned as a special policeman pursuant to Section 10 (b), as the case may be, until such time as his application for such certification or commissioning has been finally denied.

Section 17. Severability of Sections. If any portion of these regulations is for any reason held invalid by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining provisions.

Section 18. Revisions and Repealer. The Police Regulations of the District of Columbia are amended by striking "PRIVATE DETECTIVES," in the title of Article 34, by striking "private detectives" and "41" in the body of such article, and by striking the references to "detectives" and "private detectives" in the index of such Regulations. Commissioners' Order No. 66-1620, dated October 20, 1966, is hereby repealed.

Section 19. Effective Date. This regulation shall take effect 60 days after enactment.

Regulation No. 70-31



Enactment Date _____

Regulation

of the
District of Columbia

TITLE REGULATION CONCERNING THE USE OF MARIJUANA

Dr. Henry S. Robinson, Jr. Presents the following regulation:

1 WHEREAS, the Public Safety Committee of the District of Columbia Council
 2 held hearings, January 16-17, 1970, on the problem of marijuana in the District
 3 of Columbia;
 4
 5 WHEREAS, the testimony offered at the hearings, as well as other
 6 available information, evidences a dramatic increase in the use of marijuana,
 7 especially among the young, throughout the community;
 8
 9 WHEREAS, medical findings uniformly support the conclusion that marijuana,
 10 although it may cause psychological dependency, is not a physiologically-addicting
 11 substance and does not cause the severe physiological damage occasioned by
 12 the use of heroin, morphine, and other narcotic drugs;
 13
 14 WHEREAS, the Council believes that the use of marijuana poses a lesser
 15 danger to the health and welfare of the community than does the use of addictive
 16 narcotic drugs;
 17
 18 WHEREAS, the Council believes that the establishment of the offense of
 19 using or being under the influence of marijuana, with lesser penalties therefor
 20 than have been provided by Congress for violations of the Narcotic Drug Act,
 21 would be in furtherance of the public health, safety and welfare;
 22
 23 NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council
 24 that:

RECORD OF COUNCIL VOTE																	
COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
HAHN	X					DAUGHERTY		X				ROBINSON	X				
TUCKER	X					HAYWOOD	X					VEAZEY		X			
ANDERSON	X					MOORE		X				YELDELL				X	

X—Indicates Vote A. B.—Absent N. V. Not Voting R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on June 23, 1970
 Adopted on second and final reading June 30, 1970
 Presented to the Mayor-Commissioner June 30, 1970 *Stephen C. Swain*
 Date Secretary of the City Council

Approved _____
 Mayor-Commissioner Date

Enacted W/O signature of the Mayor according to ten day limitation rule: _____
 Date

Disapproved and returned to the City Council *ACTING* _____
 Mayor-Commissioner Date July 10, 1970

Readopted _____
 Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.

 Secretary of the City Council

1 Section 1. The term "marijuana" means all parts of the plant cannabis
 2 sativa L., whether growing or not; the seeds thereof the resin extracted from
 3 any part of such plant, and every compound, manufacture, salt derivative,
 4 mixture, or preparation of such plant, its seeds or resin, but shall not include
 5 the mature stalks of such plant, fiber produced from such stalks, oil or cake
 6 made from the seeds of such plant, any other compound, manufacture, salt,
 7 derivative, mixture, or preparation of such mature stalks (except the resin
 8 extracted therefrom), fiber, oil, or cake, or the sterilized seed of such plant
 9 which is incapable of germination.

10
 11 Section 2. It shall be unlawful for any person to use or be under the
 12 influence of marijuana other than as permitted under Title 33 of the District
 13 of Columbia Code, under a penalty of not more than \$300 or by imprisonment
 14 for not exceeding 10 days, or by both such fine and imprisonment, for each
 15 and every such offense.

16
 17 Section 3. Prosecutions for violations of Section 2 hereof may be
 18 brought only upon the written approval of the United States Attorney for the
 19 District of Columbia.

20
 21 Section 4. Violations of this regulation are hereby classified as
 22 offenses for which no records shall be kept in accordance with the provisions
 23 of Section 302 of Chapter 159 of the Act of Congress approved June 29, 1953,
 24 67 Stat. 100 (D.C. Code § 4-134 a.).

25
 26 Section 5. This regulation shall take effect immediately upon
 27 enactment.

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GOVERNMENT OF THE DISTRICT OF COLUMBIA
EXECUTIVE OFFICE
WASHINGTON, D. C. 20004

WALTER E. WASHINGTON
MAYOR-COMMISSIONER

July 10, 1970

MEMORANDUM TO: Gilbert Hahn, Jr.
Chairman, District of Columbia
Council

FROM: Acting Mayor-Commissioner

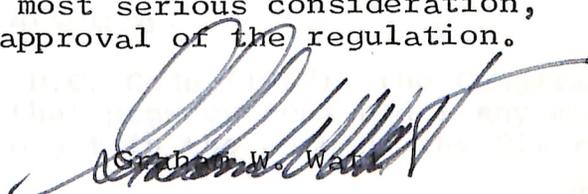
SUBJECT: Regulation relating to use of marijuana
(Regulation No. 70-31)

The subject regulation, adopted by the District of Columbia on June 30, 1970, was presented to me on that date.

Substantial legal questions have been raised with respect to Section 3 of the regulation. These questions are discussed in a memorandum to me from the Corporation Counsel, a copy of which is attached hereto.

Although the merits of the regulation's substantive provisions may be such as to warrant the enactment of this type of regulation, the fact that Section 3 raises legal implications cannot be ignored. The legal objections are sufficiently serious so that in my judgment it would be unwise to move forward with the regulation in its present form.

Accordingly, after the most serious consideration, I am compelled to withhold approval of the regulation.


Walter E. Washington

Government of the District of Columbia

OFFICE OF THE CORPORATION COUNSEL

DISTRICT BUILDING

WASHINGTON, D. C. 20004



IN REPLY REFER TO:

SA:GG:jc

JUL 9 1970

MEMORANDUM TO: Graham W. Watt
Acting Mayor

FROM: Hubert B. Pair #103
Acting Corporation Counsel, D.C.

IN RE: Regulation No. 70-31

Referred to this office for review was the above-referenced regulation passed by the District of Columbia Council on June 30, 1970, and submitted to you for approval and signing.

The regulation makes it unlawful, with certain exceptions, for any person in the District to use or be under the influence of marijuana. It also provides that records of violations of the regulation shall not be kept as part of the central records of the Police Department.

Included among the provisions of the regulation is the requirement, contained in Section 3, that prosecutions for a violation of the regulation may be brought only upon the written approval of the United States Attorney for the District.

Although the regulation raises many troublesome legal questions, particularly the question of pre-emption, my opposition to the regulation is directed specifically to Section 3 which requires, as a condition to the institution of any prosecution under the regulation, the written consent of the United States Attorney.

Under Section 23-101, D.C. Code (1967), the Congress has specifically provided that prosecutions under any municipal ordinance must be brought in the name of the District

of Columbia by the Corporation Counsel. The regulation is, of course, a municipal ordinance as distinguished from a penal statute in the nature of a police or municipal regulation.

The Corporation Counsel's objections to Section 3 were brought to the attention of the Council by memorandum which specifically discussed and strongly recommended that the provision of Section 3 be deleted from the regulation. The memorandum was read into the record by the Chairman of the Council in the course of Council debate prior to its final action on June 30, 1970, when it passed the measure by a 5-3 vote. Since passage of the regulation by the Council, members of my staff and I discussed the matter further with members of the Council in an effort to achieve an understanding that would result in amendment of the regulation eliminating the undesirable provision. To date these discussions have not been productive.

Section 3 of this regulation raises a most serious question as to the authority of the District of Columbia Council to control by regulation the prosecutorial authority vested in the Corporation Counsel by Congress. Certainly there is no authority in the Council to impose upon the United States Attorney a duty to take any affirmative action with respect to the enforcement of any law, most especially a municipal regulation. Since compliance with Section 3 is a condition precedent to any prosecution under this regulation and thus is substantially intertwined with the substantive portions of the regulation, the invalidity of Section 3 affects very fundamentally the entire regulation.

In light of these considerations, I am constrained to conclude that the regulation in its present form is legally objectionable and I therefore recommend that it not be approved.



GOVERNMENT OF THE DISTRICT OF COLUMBIA
EXECUTIVE OFFICE
WASHINGTON, D. C. 20004

WALTER E. WASHINGTON
MAYOR-COMMISSIONER

July 10, 1970

MEMORANDUM TO: Gilbert Hahn, Jr.
Chairman, District of Columbia
Council

FROM: Acting Mayor-Commissioner

SUBJECT: Regulation relating to use of marijuana
(Regulation No. 70-31)

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Accordingly, after the most serious consideration, I am compelled to withhold approval of the regulation.

Graham W. Watt

Government of the District of Columbia

OFFICE OF THE CORPORATION COUNSEL

DISTRICT BUILDING

WASHINGTON, D. C. 20004



IN REPLY REFER TO:

SA:GG:jc

JUL 9 1970

MEMORANDUM TO: Graham W. Watt
Acting Mayor

FROM: Hubert B. Pair *H.B.P.*
Acting Corporation Counsel, D.C.

IN RE: Regulation No. 70-31

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Section 3 of this regulation raises a most serious question as to the authority of the District of Columbia Council to control by regulation the prosecutorial authority vested in the Corporation Counsel by Congress. Certainly there is no authority in the Council to impose upon the United States Attorney a duty to take any affirmative action with respect to the enforcement of any law, most especially a municipal regulation. Since compliance with Section 3 is a condition precedent to any prosecution under this regulation and thus is substantially intertwined with the substantive portions of the regulation, the invalidity of Section 3 affects very fundamentally the entire regulation.

In light of these considerations, I am constrained to conclude that the regulation in its present form is legally objectionable and I therefore recommend that it not be approved.

ce, District of Columbia Government

ews release

District Building, Room 528

629-2577 - 2706

FOR IMMEDIATE RELEASE

July 10, 1970

Acting Mayor Graham W. Watt today disapproved the regulation concerning the use of marijuana adopted by the City Council on June 30, saying that the regulation contains a provision believed to be legally defective and making administration of the regulation unduly complex and confused.

The Acting Mayor said "I am making no judgment regarding the substantive provisions of the regulation and my disapproval is without prejudice and based solely upon legal considerations." Section 3 of the regulation would provide that prosecutions for violation may be brought by the city "only upon the written approval of the United States Attorney for the District of Columbia." This section raises a serious question as to the authority of the City Council to control by regulation the authority which the Congress has vested in the Corporation Counsel to prosecute violations of municipal ordinances. Compliance with Section 3 is a condition precedent to any prosecution and is of questioned validity. It

- 2 -

would also seek to impose unnecessary burdens upon the U. S. Attorney and thereby make administration of the regulation so complex as to perhaps be unworkable.

"The legal objections are sufficiently serious so that in my judgment it would be unwise to move forward with the regulation in its present form," the Acting Mayor advised the City Council in returning the regulation on the last day that the Mayor could act upon it.

(Attached is the Acting Mayor's memorandum to the Chairman of the District of Columbia Council and an opinion by the Acting Corporation Counsel relating to the action taken today.)

Regulation No. 70-32



July 9, 1970
Enactment Date

Regulation

of the
District of Columbia

TITLE REGULATION ESTABLISHING SPECIAL LICENSE PLATES FOR THE EXECUTIVE PROTECTIVE SERVICE

~~Reverend Jerry A. Moore~~ Presents the following regulation:

1 WHEREAS, the Director of the United States Secret Service has requested that
2 license plates be approved for motor vehicles assigned to the Executive Protective
3 Service for the purpose of identifying such official Federal Government vehicles; and
4

5 WHEREAS, Section 402(286) of Reorganization Plan No. 3 of 1967 transfers to
6 the District of Columbia Council the function of providing by regulation for the
7 issuance of identification tags.
8

9 NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council that:
10

11 Section 1. The Director of the Department of Motor Vehicles is
12 authorized to issue motor vehicle identification tags for use on official vehicles
13 of the Executive Protective Service. Such identification tags may contain such
14 markings as the Director, after obtaining the advice of appropriate officials of
15 the Executive Protective Service, deems appropriate.
16

17 Section 2. This regulation shall take effect immediately upon
18 enactment.
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RECORD OF COUNCIL VOTE

COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
HAHN	X					DAUGHERTY	X					ROBINSON	X				
TUCKER	X					HAYWOOD	X					VEAZEY	X				
ANDERSON	X					MOORE	X					YELDELL				X	

X—Indicates Vote A. B.—Absent N. V. Not Voting R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on June 23, 1970

Adopted on second and final reading June 30, 1970

Presented to the Mayor-Commissioner June 30, 1970 Date Stephen C. Swain
Secretary of the City Council

Approved [Signature] Acting Mayor-Commissioner July 9, 1970 Date

Enacted W/O signature of the Mayor according to ten day limitation rule: _____ Date

Disapproved and returned to the City Council _____ Mayor-Commissioner _____ Date

Readopted _____ Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.

Stephen C. Swain
Secretary of the City Council

Regulation No. 70-33



July 9, 1970
Enactment Date

Regulation

of the

District of Columbia

TITLE RADIATION

Dr. Henry S. Robinson Presents the following regulation:

1 WHEREAS, the District of Columbia Council finds that ionizing radiation
2 can cause irreparable and lethal damage to the human body, and such radiation if
3 unregulated is a danger to the public health; and
4

5 WHEREAS, the District of Columbia Council finds that current regulations
6 covering radiation producing devices are inadequate to properly protect the public
7 health; and
8

9 WHEREAS, by adoption of regulations governing those who deal with
10 radioactive materials (other than those materials which form a critical mass)
11 would enable the Department of Human Resources to negotiate with the Atomic
12 Energy Commission for a contract to assume that Agency's regulatory functions over
13 those materials, and that such assumption might be advantageous to the District to
14 insure unified and effective radiation regulatory enforcement.
15

16 NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council
17 that:
18

19 Section 1. Appendix 1 of this regulation is adopted as Title 8, Chapter 2,
20 Regulations of General Application, Part 10, Radiation Protection Regulations of the
21 District of Columbia, provided that Sections 8-2:1011 through 8-2:1031, Licensing
22 of User of Radioactive Material of Appendix 1, shall become effective only upon
23 the consummation of an agreement between the District of Columbia and the Atomic
24 Energy Commission for regulation of source material, byproduct material, and
special nuclear material in quantities not sufficient to form a critical mass under
Part 150 of the Commission's Regulations (10 C.F.R. Part 150).

RECORD OF COUNCIL VOTE

COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
HAHN	X					DAUGHERTY	X					ROBINSON	X				
TUCKER	X					HAYWOOD	X					VEAZEY	X				
ANDERSON	X					MOORE	X					YELDELL					X

X—Indicates Vote A. B.—Absent N. V. Not Voting R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on June 23, 1970

Adopted on second and final reading June 30, 1970

Presented to the Mayor-Commissioner June 30, 1970

Approved [Signature] Date July 10, 1970
Secretary of the City Council

Enacted W/O signature of the Mayor according to ten day limitation rule: _____ Date

Disapproved and returned to the City Council _____ Date
Mayor-Commissioner

Readopted _____ Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.
[Signature] Secretary of the City Council

1 Section 2. This regulation shall take effect immediately upon
2 enactment.
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TITLE 8. HEALTH REGULATIONS

CHAPTER 2. REGULATIONS OF GENERAL APPLICATION

Part 10. Radiation Protection Regulations

GENERAL PROVISIONS8-2:1001 Purpose and Scope.

(a) Purpose. It is the purpose of this Part to state such requirements as shall be applied in the use of all radiation, radiation machines, and radioactive materials to ensure the maximum protection of the public health and the maximum safety to all persons at, or in the vicinity of, the place of use, storage, or disposal thereof. This Part is intended to be consistent with the best use of radiation machines and radioactive materials, and to encourage the constructive uses of radiation.

(b) Scope. Except as otherwise specifically provided, this part applies to all persons who receive, possess, use, transfer, own, or acquire any sources of radiation: Provided, however, that nothing in this Part shall apply to any person to the extent such person is subject to regulation by the U.S. Atomic Energy Commission. Nothing in this Part shall be interpreted as limiting the intentional exposure of patients to radiation for the purpose of diagnosis or therapy. Regulation of source material, byproduct material, and special nuclear material in quantities not sufficient to form a critical mass is subject to the provisions of any agreement between the District and the U.S. Atomic Energy Commission and to Part 150 of the Commission's regulations (10 C.F.R. Part 150).

8-2:1002 Definitions.

As used in this Part:

AEC means the United States Atomic Energy Commission.

Agreement State means any State or the District of Columbia with which the United States Atomic Energy Commission has entered into effective agreement under section 274 b. of the Atomic Energy Act of 1954, as amended (42 U.S.C. sec. 2021(b)).

Airborne radioactive material means any radioactive material dispersed in the air in the form of dusts, fumes, mists, vapors, or gases.

Byproduct material means any radioactive material (except special nuclear material) yielded in or made radioactive by exposure to the radiation incident to the process of producing or utilizing special nuclear material.

Calendar quarter means not less than 12 consecutive weeks nor more than 14 consecutive weeks. Calendar quarters shall be so arranged that no day in any year is omitted from inclusion within a calendar quarter. No licensee or registrant shall change the method observed by him of determining calendar quarters for purposes of this Part, except at the beginning of a calendar year.

Department means the Department of Human Resources of the Government of the District of Columbia.

Director means the Director of the Department of Human Resources or his designated agent.

District means the District of Columbia.

Human use means the internal or external administration of radiation or radioactive material to human beings.

Individual means any human being.

License, except where otherwise specified, means a license issued pursuant to sec. 8-2:1011.

Occupational exposure means exposure of an individual to radiation (1) in a restricted area, or (2) in the course of employment in which the individual's duties involve exposure to radiation, except that "occupational exposure" shall not be deemed to include any exposure of an individual to radiation for the purpose of medical diagnosis or medical therapy of such individual.

Person means an individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, agency, a State or political subdivision or agency of a State, but such term shall not include the United States Atomic Energy Commission or other Federal agency.

Pharmacist means an individual licensed by the District of Columbia to compound and dispense drugs, prescriptions, and poisons.

Physician means an individual licensed by the District of Columbia to dispense drugs in the practice of medicine.

Radiation means gamma rays and X-rays, alpha and beta particles, high-speed electrons, neutrons, and other nuclear particles; but not sound or radio waves, lasers, or visible, infrared, or ultra-violet light.

Radiation machine means any device capable of producing radiation except devices which produce radiation only from radioactive material.

Radioactive material means any material, solid, liquid, or gas, which emits radiation spontaneously.

Research and development means (1) theoretical analysis, exploration, or experimentation, or (2) the extension of investigative findings and theories of a scientific or technical nature into practical application for experimental and demonstration purposes, including

the experimental production and testing of models, devices, equipment, materials, and processes. Research and development does not include the internal or external administration of radiation or radioactive material to human beings.

Restricted area means any area access to which is controlled by the licensee or registrant for purposes of protection of individuals from exposure to radiation or radioactive materials. "Restricted area" shall not include any areas used for residential quarters, although a separate room or rooms in a residential building may be set apart as a restricted area.

Sealed source means radioactive material that is permanently bonded or fixed in a capsule or matrix designed to prevent release and dispersal of the radioactive material under the most severe conditions which are likely to be encountered in normal use and handling.

Source material means: (1) uranium or thorium, or any combination thereof, in any physical or chemical form, or (2) ores which contain by weight one-twentieth of one percent (0.05 percent) or more of (i) uranium, (ii) thorium, or (iii) any combination thereof. Source material does not include special nuclear material.

Source of radiation means any radioactive material, or any device or equipment emitting or capable of producing radiation.

Special nuclear material in quantities not sufficient to form a critical mass means uranium enriched in the isotope U 235 in quantities not exceeding 350 grams of contained U 235; uranium 233 in quantities not exceeding 200 grams; plutonium in quantities not exceeding 200 grams; or any combination of them in accordance with the following formula: For each kind of special nuclear material, determine the ratio between the quantity of that special

nuclear material and the quantity specified above for the same kind of special nuclear material. The sum of such ratios for all of the kinds of special nuclear material in combination shall not exceed "1" (i.e., unity).

State means any one of the States and the District of Columbia.

Unrefined and unprocessed ore means ore in its natural form prior to any processing, such as grinding, roasting, beneficiating, or refining.

Unrestricted area means any area access to which is not controlled by the licensee or registrant for purposes of protection of individuals from exposure to radiation and radioactive materials; and any area used for residential quarters.

8-2:1003 Radiation Standards.

The Director shall, after notice and public hearing, ~~to~~ ✓ prescribe such standards for protection against sources of radiation and other requirements as may be reasonable and necessary to carry out the intent and purpose of this Part. Such standards and requirements shall, as far as is practicable, be reasonably compatible with and in any event shall not be less restrictive than standards established by the Atomic Energy Commission, the Federal Radiation Council, or the National Committee on Radiation Protection and Measurement. The Director may cause such standards to be codified in a form that he shall prescribe.

8-2:1004 Inspections.

The Director or his duly authorized representatives shall have the power to enter at all reasonable times upon any private or public property for the purpose of determining whether or not there is compliance with or violation of the provisions of this Part and the standards and requirements issued thereunder, and to inspect sources of radiation and the premises and facilities wherein such sources of radiation are stored, but entry into areas under the jurisdiction of the Federal Government shall be effected only with the concurrence of the Federal Government or its duly designated representative. Entry upon private property shall be in accordance with law.

8-2:1005 Records.

Each licensee and registrant under this Part shall keep records showing the receipt, transfer, and disposal of all sources of radiation, and such other records as the Director may, by order, require, and shall make available to the Director for inspection, upon reasonable notice, records maintained pursuant to these regulations.

8-2:1006 Tests.

Each licensee and registrant under this Part shall perform, upon instruction from the Director, or shall permit the Director to perform, such reasonable tests as the Director deems appropriate or necessary, including, but not limited to, tests of:

- (a) sources or radiation;
- (b) facilities wherein sources of radiation are used or stored;
- (c) radiation detection and monitoring instruments; and
- (d) other equipment and devices used in connection with utilization or storage of licensed or registered sources of radiation.

8-2:1007 Emergency Procedures, Impounding, and Stop Orders. (a) Whenever the Director finds that an emergency exists requiring immediate action to protect the public health and safety, the Director may, without notice or hearing, issue an order reciting the existence of such emergency and requiring that such action be taken as is necessary to meet the emergency.

(b) The Director is empowered, in the event of an emergency constituting a hazard to the health of employees of the public or others, to impound or order the impounding of sources of ionizing radiation, in the possession of any person who is not equipped to observe or fails to observe the provisions of this Part or any rules or regulations issued thereunder.

(c) If a machine, device, or equipment, or any part thereof is in a dangerous condition, or is not properly safeguarded, notice thereof shall be given by the Director to

any individual owning, operating, or possessing such machine, device, or equipment at which time use of such machine, device, or equipment shall cease. Further use of such machine, device, or equipment shall be forbidden until the notice is withdrawn by the Director, if he is satisfied that such machine, device, or equipment has been made safe or that proper safeguards have been instituted for operation or for other reasons found pursuant to a hearing as provided for in Section 8-21010(d).

8-2:1008 Variances.

The Director may, upon written application of any person affected by the rules and regulations in this Part, or of any standards issued pursuant to such regulations, permit variations from any provisions thereof, or excuse such person from the performance of any act required by this Part either in whole or in part upon a finding by the Director that the application of such provision or the full performance of such act would result in unnecessary hardship or practical difficulty: Provided, That a variance or exception shall be allowed only where and to the extent necessary to ameliorate such unnecessary hardship or practical difficulty, and only when compensating factors are present which give adequate protection to the public health and public welfare, and which do not impair the intent and purpose of this Part. The Director shall keep a properly indexed record of all variances and exceptions permitted from any rule or regulation or standard which shall be open to public inspection.

8-2:1009 Penalties.

Any person who fails to comply with any provision of these regulations, or of the standards issued by the Director, or who refuses, interferes with, or prevents any inspection authorized by these regulations, shall be punished by a fine of not more than \$300 or imprisonment not to exceed ninety days.

In the event of any violation of, or failure

to comply with, these regulations or standards, each and every day of such violation, or failure, shall constitute a separate offense and the penalties prescribed herein shall be applicable to each separate offense.

8-2:1010 Hearings.

(a) Each licensee or registrant, or applicant for licensing or registration, who is aggrieved by action of the Director the effect of which would be to refuse the issuance of a license or registration, or to modify, suspend, terminate, or revoke a license or registration, shall be afforded notice and an opportunity to be heard prior to such action by the Director.

(b) A request for a hearing to review adverse action proposed by the Director must be made in writing within 15 days following notification to the applicant, licensee, or registrant of the contemplated action and of his right to a hearing with respect to such action.

(c) Upon failure by an applicant, licensee, or registrant to request a timely hearing, or failure of such party to appear at a scheduled hearing and for which no continuance has been or is granted, the Director may without a hearing take the action contemplated in the notice.

(d) In any matter for denying, modifying, suspending, or revoking any license under this Part the procedure shall be in accordance with the District of Columbia Administrative Procedure Act.

(d) In the event that the Director shall issue a notice under Section 8-2:1007(c) to cease and desist from the use of any machine, device, or equipment by a licensee or registrant, the Director shall inform the licensee or registrant that an opportunity to be heard and to contest such notice shall be afforded within 30 days of issuance of said notice.

(e) In any matter for denying, modifying, suspending, or revoking any license, or hearing held concerned with the issuance of a notice to cease and desist the use of any machine, device, or equipment, the procedure shall be in accordance with the District of Columbia Administrative Procedures Act.

LICENSING OF USERS OF RADIOACTIVE MATERIAL

8-2:1011 No person shall receive, possess, use, transfer, own, or acquire radioactive material except as authorized in a specific or general license issued pursuant to this part or as otherwise provided in this part. All other sources of radiation, unless exempt from this part shall be registered with the Director in accordance with the requirements of section 8-2:1032.

EXEMPTIONS

8-2:1012 Exemptions-Source Material

- (a) Any person who receives, possesses, uses, or transfers source material in any chemical mixture, compound, solution, or alloy in which the source material is by weight less than 1/20 of 1 percent (0.05 percent) of the mixture, compound, solution, or alloy is exempt from this part.
- (b) Any person who receives, possesses, uses, or transfers unrefined and unprocessed ore containing source material is exempt from this part. Except as authorized in a specific license, such person shall not refine or process such ore.
- (c) A person is exempt from this part if such person receives, possesses, uses, or transfers:
 - (1) Any quantities of thorium contained in (A) incandescent gas mantles, (B) vacuum tubes, (C) welding rods, (D) electric lamps for illuminating purposes provided that each lamp does not contain more than 50 milligrams of thorium, (E) germicidal lamps, sunlamps, and lamps for outdoor or industrial lighting provided that each lamp does not contain more than 2 grams of thorium, or (F) rare earth metals and compounds, mixtures, and products containing not more than 0.25% by weight thorium, uranium, or any combination of these.
 - (2) Source material contained in the following products: (A) glazed ceramic tableware, provided that the glaze contains not more than 20 percent by weight source material; (B) glassware, glass enamel and glass enamel frit containing not more than 10 percent by weight source material; but not including commercially manufactured glass brick, pane glass, ceramic tile or other glass, glass enamel or ceramic used in construction;
 - (3) Photographic film, negatives, and prints containing uranium

- or thorium;
- (4) Any finished product or part fabricated of, or containing, tungsten or magnesium-thorium alloys: Provided, That the thorium content of the alloy does not exceed 4 percent by weight and that the exemption contained in this paragraph shall not be deemed to authorize the chemical, physical, or metallurgical treatment or processing of any such product or part;
 - (5) Uranium contained in counterweights installed in aircraft, rockets, projectiles, or missiles, or stored or handled in connection with installation or removal of such counterweights when: (A) the counterweights are manufactured in accordance with the specifications contained in a specific license or equivalent licensing document issued by the Director, the AEC, or any agreement state authorizing distribution by the licensee pursuant to this paragraph or equivalent provisions of the regulations of the AEC or any agreement state; (B) each counterweight has been impressed with the following legend clearly legible through any plating or other covering: "CAUTION-RADIOACTIVE MATERIAL - URANIUM"; and, (C) the plating or other covering has not been removed or penetrated.
 - (6) Uranium used as shielding constituting part of any shipping container which is conspicuously and legibly impressed with the legend "CAUTION - RADIOACTIVE SHIELDING - URANIUM" and which meets the specifications for containers for radioactive materials prescribed by Section 178.250, Specification 55, Part 178, of the regulations published by the U. S. Department of Transportation (49 C. F. R. 178.250).
 - (7) Thorium contained in finished optical lenses: Provided, That each lens does not contain more than 30 percent by weight of thorium; and that the exemption contained in this paragraph shall not be deemed to authorize either: (A) the shaping, grinding, or polishing of such lens or manufacturing process other than the assembly of such lens into optical systems and devices without any alteration of the lens; or, (B) the receipt, possession, use, or transfer of thorium contained in contact lenses, or in spectacles, or in eyepieces in binoculars or other optical instruments.
 - (8) Uranium contained in detector heads for use in fire detection units, provided that each detector head contains not more than 0.005 microcurie of uranium.
 - (9) Thorium contained in any finished aircraft engine part containing nickel-thoria alloy, provided that:

- (A) The thorium is dispersed in the nickel-thoria alloy in the form of finely divided thoria (thorium dioxide); and
 - (B) The thorium content in the nickel-thoria alloy does not exceed 4 percent by weight.
- (d) The exemptions in subsection (c) do not authorize the manufacture of any of the products described.

8-2:1013 Exemptions-Radioactive Materials.

(a) Exempt Concentrations.

- (1) Except as provided in paragraph (2), any person who receives, possesses, uses, transfers, owns, or acquires products or materials containing radioactive material in concentrations not in excess of those listed in standards issued by the Director, is exempt from this part.
- (2) No person may introduce radioactive material into a product or material knowing or having reason to believe that it will be transferred to persons exempt under paragraph (1) or under equivalent regulations of the AEC or any agreement state, except in accordance with a license issued pursuant to Section 8-2:1021 (h) or the general license provided in Sections 8-2:1017 and 8-2:1018.

(b) Certain items containing tritium, promethium 147 or radium.

Except for persons who apply tritium, promethium 147 or radium to, or persons who incorporate tritium, promethium 147 or radium into, the following products, a person is exempt from this Part to the extent that he receives, possesses, uses, transfers, owns or acquires the following products:

- (1) Timepieces or hands or dials containing radium or not more than the following specified quantities of radioactive material and not exceeding the following specified levels of radiation:
 - (A) 25 millicuries of tritium per timepiece;
 - (B) 5 millicuries of tritium per hand;
 - (C) 15 millicuries of tritium per dial (bezels when used shall be considered as part of the dial);
 - (D) 100 microcuries of promethium 147 per watch or 200 microcuries of promethium 147 per any other timepiece;
 - (E) 20 microcuries of promethium 147 per watch hand or 40 microcuries of promethium 147 per other timepiece hand;

- (F) 60 microcuries of promethium 147 per watch dial or 120 microcuries of promethium 147 per other timepiece dial (bezels when used shall be considered as part of the dial);
- (G) The levels of radiation from hands and dials containing radium or promethium 147 will not exceed, when measured through 50 milligrams per square centimeter of absorber:
 - (i) For wrist watches, 0.1 millirad per hour at 10 centimeters from any surface;
 - (ii) For pocket watches, 0.1 millirad per hour at 1 centimeter from any surface;
 - (iii) For any other timepiece, 0.2 millirad per hour at 10 centimeters from any surface.
- (2) Lock illuminators containing not more than 15 millicuries of tritium or not more than 2 millicuries of promethium 147 installed in automobile locks. The levels of radiation from each lock illuminator containing promethium 147 will not exceed 1 millirad per hour at 1 centimeter from any surface when measured through 50 milligrams per square centimeter of absorber.
- (3) Balances of precision containing not more than 1 millicurie of tritium per balance or not more than 0.5 millicurie of tritium per balance part.
- (4) Automobile shift quadrants containing not more than 25 millicuries of tritium.
- (5) Marine compasses containing not more than 750 millicuries of tritium gas and other marine navigational instruments containing not more than 250 millicuries of tritium gas.
- (6) Thermostat dials and pointers containing not more than 25 millicuries of tritium per thermostat.
- (7) Glow lamps containing not more than 10 microcuries of tritium per lamp.
- (8) Spark gap tubes containing not more than 30 microcuries of promethium 147. The levels of radiation from each spark gap tube containing promethium 147 will not exceed 0.5 millirad per hour at one centimeter from any surface when measured through 7 milligrams per square centimeter of absorber.

(c) Authority to transfer possession or control by the manufacturer, processor, or producer of any equipment, device, commodity, or other product containing source, byproduct or special nuclear material, intended for use by the general public shall not be granted under this Part.

(d) Resins containing scandium 46 and designed for sand consolidation in oil wells.

Any person who receives, possesses, uses, transfers, owns, or acquires synthetic plastic resins containing scandium 46 which are designed for sand consolidation in oil wells is exempt from these regulations. Such resins shall have been manufactured or imported in accordance with a specific license issued by the AEC, or shall have been manufactured in accordance with the specifications contained in a specific license or equivalent licensing document issued by the Director or any agreement state to the manufacturer of such resins pursuant to licensing requirements equivalent to those in Sections 32.16 and 32.17 of 10 CFR Part 32 of the regulations of the AEC. This exemption does not authorize the manufacture of any resins containing scandium 46.

8-2:1014 Exemptions-Carriers. Common and contract carriers operating within the District are exempt from this part to the extent that they transport or store sources of radiation in the regular course of their carriage for another or storage incident thereto.

8-2:1015 Exemptions-U.S. Atomic Energy Commission Contractors. Any Atomic Energy Commission contractor or subcontractor of the following categories operating within the District is exempt from this part to the extent that such contractor or subcontractor under his contract receives, possesses, uses, transfers, owns or acquires sources of radiation:

- (a) Prime contractors performing work for the AEC at U.S. Government-owned or controlled sites;
- (b) Prime contractors performing research in, or development, manufacture, storage, testing or transporations of, atomic weapons or components thereof;
- (c) Prime contractors using or operating nuclear reactors or other nuclear devices in a U.S. Government-owned vehicle or vessel; and,

- (d) Any other prime contractor or subcontractor when the Director and the AEC jointly determine (1) that, under the terms of the contract or subcontract, there is adequate assurance that the work thereunder can be accomplished without undue risk to the public health and safety and (2) that the exemption of such contractor or subcontractor is otherwise appropriate.

LICENSES

8-2:1016 Types of Licenses. Licenses for radioactive materials shall be general and specific. General licenses are effective without the filing of applications with the Department or the issuance of licensing documents to particular persons. Specific licenses are issued to named persons upon applications filed pursuant to this part.

8-2:1017 General Licenses - Source Material.

- (a) A general license is hereby granted for the use and transfer of not more than fifteen (15) pounds of source material at one time by persons in the following categories:
- (1) Pharmacists using the source material solely for the compounding of medicinals;
 - (2) Physicians using the source material for medicinal purposes;
 - (3) Persons receiving possession of source material from pharmacists and physicians in the form of medicinals or drugs;
 - (4) Commercial and industrial firms, and research, educational, and medical institutions for research, development, educational, or commercial purposes:

Provided, That no such person shall, pursuant to this general license, receive more than a total of 150 pounds of source material in any one calendar year.

- (b) Persons who receive, possess, use, or transfer source material pursuant to the general license issued in subsection (a) are exempt from such radiation standards as may be issued by the Director to the extent that such receipt, possession, use, or transfer is within the terms of such general license: Provided, That this exemption shall not be deemed to apply to any such person who is also in possession of source material under a specific license issued pursuant to this part.

- (c) A general license is hereby granted for the receipt of title to source material without regard to quantity. The general license under this paragraph does not authorize any person to receive, possess, use, or transfer source material.

8-2:1018 General Licenses - Radioactive Material Other than Source Material.

- (a) Scheduled Items and Generally Licensed: Quantities
A general license is hereby granted:
- (1) To transfer, receive, acquire, own, possess, and use radioactive material incorporated in a device or equipment which is listed under standards issued by the Director and has been manufactured pursuant to a specific license or equivalent licensing document, issued by the Director, the AEC, or any agreement state, and authorizing distribution under the general license of this paragraph or its equivalent; and,
 - (2) To transfer, receive, acquire, own, possess, and use quantities of radioactive material listed under standards issued by the Director, provided that no person shall at any one time possess or use, pursuant to the general licensing provisions of this paragraph, more than a total of ten such scheduled quantities.
- (b) Persons who transfer, receive, acquire, own, possess, or use scheduled items or quantities of radioactive material pursuant to the general licenses provided in subsection (a):
- (1) Shall not effect an increase in the radioactivity of said scheduled items or quantities by adding other radioactive material thereto, by

combining radioactive material from two or more such items quantities, or by altering them in any other manner so as to increase thereby the rate of radiation therefrom;

- (2) Shall not administer externally or internally, or direct the administration of, said scheduled items or quantities or any part thereof to a human being for any purpose, including, but not limited to, diagnostic, therapeutic, and research purposes;
 - (3) Shall not add, or direct the addition of, said scheduled items or quantities or any part thereof to any food, beverage, cosmetic, drug, or other product designed for ingestion or inhalation by, or application to, a human being; and,
 - (4) Shall not include said scheduled items or quantities or any part thereof in any device, instrument, or apparatus (including component parts and accessories thereto) intended for use in diagnosis, treatment, or prevention of disease in human beings or animals or otherwise intended to affect the structure or any function of the body of human beings or animals.
- (c) Certain Measuring, Gauging, or Controlling Devices.
- (1) A general license is hereby granted to own, receive, acquire, possess, and use radioactive material when contained in devices designed and manufactured for the purpose of detecting, measuring, gauging, or controlling thickness, density, level, interface location, radiation leakage, or qualitative or quantitative chemical composition, or for producing light or an ionized atmosphere, when such devices are manufactured in accordance with the specifications contained in a specific license or equivalent licensing document issued to the supplier pursuant to Section 8-2:1021(e) or its equivalent by the Director, the AEC, or any agreement state, and authorizing distribution under the general license of this paragraph or its equivalent: Provided That:
 - (A) Such devices are labeled in accordance with the provisions of the specific license or equivalent licensing document which authorizes the distribution of the devices;
 - (B) Such devices bear a label containing such information as may be required by the Director.

- (C) Such devices are installed on the premises of the general licensee by a person authorized to install such devices under a specific license or equivalent licensing document issued to the installer by the Director, the AEC, or any agreement state, if a label affixed to the device at the time of receipt states that installation by a specific licensee is required. The requirement of this paragraph does not apply while devices are held in storage in the original shipping container pending installation by a specific licensee.
- (2) Persons who own, receive, acquire, possess, or use a device pursuant to the general license contained in paragraph (1):
- (A) Shall not transfer, abandon, or dispose of the device except by transfer to a person duly authorized to receive such device by a specific license or equivalent licensing document issued by the Director, the AEC, or any agreement state, and shall furnish to the Director, within 30 days after any transfer, a report containing the name of the manufacturer of the device, the type of device, the manufacturer's serial number of the device, and the name and address of the person receiving the device;
- (B) Shall assure that all labels affixed to the device at the time of receipt and bearing the statement, "Removal of this label is prohibited" are maintained thereon and shall comply with all instructions contained in such labels;
- (C) Shall have the device tested for leakage of radioactive material and proper operation of the on-off mechanism and indicator, if any, at the time of installation of the device or replacement of the radioactive material on the premises of the general licensee and thereafter at no longer than six-month intervals or at such longer intervals not to exceed three years as are specified in the label required by subparagraph (c)(1)(A) of this section: Provided, That devices containing only krypton need not be tested for leakage, and devices containing only tritium need not be tested for any purpose;

- (D) Shall have the tests required by subparagraph (C) above and all other services involving the radioactive material, its shielding and containment, performed by the supplier or other person duly authorized by a specific license or equivalent licensing document issued by the Director, the AEC, or any agreement state, to manufacture, install, or service such devices;
- (E) Shall, within 30 days after the occurrence of a failure of or damage to the shielding of the radioactive material or the on-off mechanism or indicator or upon the detection of 0.005 microcurie or more of removable radioactive material, furnish to the Director a report containing the name of the manufacturer of the device, the type of device, the manufacturer's serial number of the device and a brief description of the event and the remedial action taken; and shall maintain records of all tests performed on the devices as required under this section, including the dates and results of the tests and the names of the persons conducting the tests;
- (F) Shall, upon the occurrence of a failure of or damage to, or any indication of a possible failure of or damage to, the shielding or containment of the radioactive material or the on-off mechanism or indicator, immediately suspend operation of the device until it has been repaired by a person holding a specific license or equivalent licensing document issued by the Director, the AEC, or any agreement state to receive the radioactive material contained in the device;

- (c) Shall within ten (10) days after the receipt of the device notify the Director of the type of device and the name and address of the supplier.
- (d) Luminous Safety Devices for Aircraft
- (1) A general license is hereby granted to own, receive, acquire, possess, and use tritium or promethium 147 contained in luminous safety devices for use in aircraft, provided:
 - (A) Each device contains not more than 10 curies of tritium or 300 millicuries of promethium 147; and,
 - (B) Each device has been manufactured, assembled or imported in accordance with a specific license issued by the AEC, or each device has been manufactured or assembled in accordance with the specifications contained in a specific license or equivalent licensing document issued by the Director or any agreement state to the manufacturer or assembler of such device pursuant to licensing requirements equivalent to those in Section 32.53 of 10 CFR Part 32.
 - (2) This general license does not authorize the manufacture, assembly or repair of luminous safety devices containing tritium or promethium 147.
- (e) Calibration and Reference Sources
- (1) A general license is hereby granted to those persons listed below to own, receive, acquire, possess, use, and transfer, in accordance with the provisions of paragraphs (3) and (4) of this subsection, americium 241 in the form of calibration or reference sources:
 - (A) Any person who holds a specific license issued by the Director which authorizes him to receive, possess, use, and transfer radioactive material; and,
 - (B) Any person who holds a specific license issued by the AEC which authorizes him to receive, possess, use, and transfer special nuclear material.
 - (2) A general license is hereby granted to receive, possess, use, and transfer plutonium in the form of calibration or reference sources in accordance with the provisions of paragraphs (3) and (4) of this subsection to any person who holds a specific license issued by the Director which authorizes him to receive, possess, use, and transfer radioactive material.

- (3) The general licenses in paragraphs (1) and (2) above apply only to calibration or reference sources which have been manufactured in accordance with the specifications contained in a specific license issued to the manufacturer or importer of the sources by the AEC pursuant to Section 32.57 of 10 C. F. R. Part 32 or Section 70.39 of 10 C. F. R. Part 70 or which have been manufactured in accordance with the specifications contained in a specific license or equivalent licensing document issued to the manufacturer by the Director or any agreement state pursuant to licensing requirements equivalent to those contained in Section 32.57(n) of 10 C. F. R. Part 32 or Section 70.39 of 10 C. F. R. Part 70.
- (4) Persons who own, receive, acquire, possess, use, and transfer one or more calibration or reference sources pursuant to these general licenses:
- (A) Shall not possess at any one time, at any one location of storage or use, more than 5 microcuries of americium 241 and 5 microcuries of plutonium in such sources;
 - (B) Shall not receive, possess, use, or transfer such source unless the source, or the storage container, bears a label containing such information as may be required by the Director.
 - (C) Shall not transfer, abandon, or dispose of such source except by transfer to a person authorized by a license from the Director, the AEC, or an agreement state to receive the source;
 - (D) Shall store such source, except when the source is being used, in a closed container adequately designed and constructed to contain americium 241 or plutonium which might otherwise escape during storage; and,
 - (E) Shall not use such source for any purpose other than the calibration of radiation detectors or the standardization of other sources.
- (5) These general licenses do not authorize the manufacture of calibration or reference sources containing americium 241 or plutonium.
- (f) Ownership of Radioactive Material. Subject to the provisions of this Part a general license is hereby issued to own radioactive material without regard to quantity. Notwithstanding any other provisions of this part, this general license does not authorize the manufacture, production, transfer, receipt, possession, or use of byproduct material.
- (g) Medical Diagnostic Uses.
- (1) A general license is hereby issued to any physician to receive, possess, transfer, or use for any of the following stated diagnostic uses, in accordance with the provisions

of paragraphs (2) and (3) of this subsection, the following radioactive materials in capsules, disposable syringes or other forms of prepackaged individual doses:

- (A) Iodine 131 as sodium iodide (NaI^{131}) for measurement of thyroid uptake;
 - (B) Iodine 131 as iodinated human serum albumin (IHSA) for determinations of blood plasma volume;
 - (C) Iodine 125 as iodinated human serum albumin (IHSA) for determinations of blood and blood plasma volume;
 - (D) Cobalt 57 for the measurement of intestinal absorption of cyanocobalamin;
 - (E) Cobalt 58 for the measurement of intestinal absorption of cyanocobalamin;
 - (F) Cobalt 60 for the measurement of intestinal absorption of cyanocobalamin;
 - (G) Chromium 51 as sodium radiochromate for determination of red blood cell volumes and studies of red blood cell survival time.
- (2) No physician shall receive, possess, use or transfer radioactive material pursuant to the general license established by paragraph (1) above except in accordance with the terms of a certificate issued by the Director. Application for such certificate shall be filed on a form prescribed by the Director, and shall contain such information as may be required by the Director. The physician shall within 30 days report in writing any changes in the information furnished on the form.
- (3) A physician who receives, possesses, or uses a pharmaceutical containing radioactive material pursuant to the general license established by paragraph (1) above shall comply with the following requirements:
- (A) He shall not possess at any one time, pursuant to the general license in paragraph (1), more than;
 - (i) 200 microcuries of iodine 131,
 - (ii) 200 microcuries of iodine 125
 - (iii) 5 microcuries of cobalt 57,
 - (iv) 5 microcuries of cobalt 58
 - (v) 5 microcuries of cobalt 60, and
 - (vi) 200 microcuries of chromium 51;

- (A) He shall store the pharmaceutical until administered in the original shipping container, or a container providing equivalent radiation protection;
- (B) He shall use the pharmaceutical only for the uses authorized by paragraph (1);
- (C) He shall not administer the pharmaceutical to a woman with confirmed pregnancy or to a person under 18 years of age;
- (D) He shall not transfer the radioactive material to a person who is not authorized to receive it pursuant to a license issued by the Director, the AEC, or any agreement state, or in any manner other than in the unopened, labeled shipping container as received from the supplier, except by administering it to a patient.

(h) Ice Detection Devices.

- (1) A general license is hereby granted to own, receive, acquire, possess, use, and transfer strontium 90 contained in ice detection devices provided each device contains not more than fifty microcuries of strontium 90 and each device has been manufactured or imported in accordance with a specific license issued by the AEC or each device has been manufactured in accordance with the specifications contained in a specific license or equivalent licensing document issued by the Director or any agreement state to the manufacturer of such device pursuant to licensing requirements equivalent to those in Section 32.61 of 10 CFR Part 32.
- (2) Persons who own, receive, acquire, possess, use, or transfer strontium 90 contained in ice detection devices pursuant to the general license in paragraph (1) -
 - (A) shall, upon occurrence of visually observable damage, such as a bend or crack or discoloration from overheating, to the device, discontinue use of the device until it has been inspected, tested for leakage and repaired by a person holding a specific license or equivalent licensing document from the AEC or an agreement state to manufacture or service such devices; or shall dispose of the device pursuant to the provisions of these regulations;
 - (B) shall assure that all labels affixed to the device at the time of receipt, and which bear a statement which prohibits removal of the labels, are maintained thereon.
- (3) This general license does not authorize the manufacture, assembly, disassembly or repair of strontium 90 in ice detection devices.

SPECIFIC LICENSES

8-2:1019 Filing of Application for Specific Licenses.

- (a) Applications for specific licenses shall be filed with the Director on a form prescribed by the Director, and containing such information as he may require.
- (b) The Director may at any time after the filing of the original application, and before the expiration of the license, require further statements in order to determine whether the application should be granted or denied or whether a license should be modified or revoked.
- (c) Each application shall be signed by the applicant or licensee or a person duly authorized to act for and on his behalf.
- (d) In his application, the applicant may incorporate by reference information contained in previous applications, statements, or reports filed with the Director provided such references are clear and specific.
- (e) An application may include a request for a license authorizing one or more purposes.
- (f) Applications and documents submitted to the Director may be made available for public inspection except that the Director may withhold any document or part thereof from public inspection if disclosure of its contents is not required in the public interest and would adversely affect the interest of a person concerned.

8-2:1020 General Requirements for the Issuance of Specific Licenses.

A license application will be approved if the Director determines that:

- (a) The applicant is qualified by reason of training and experience to use the material in question for the purpose requested in accordance with these regulations in such a manner as to minimize danger to public health and safety or property; and
- (b) The applicant's proposed equipment, facilities, and procedures are adequate to minimize danger to public health and safety or property; and
- (c) The issuance of the license will not be inimical to the health and safety of the public; and
- (d) The applicant has satisfied the applicable special requirements for each specific license requested pursuant to section 8-2:1021.

8-2:1021 Special Requirements for Issuance of Specific Licenses for Radioactive Materials.

- (a) Human use of Radioactive Materials in Institutions. A specific license for human use of radioactive material in institutions will be issued only if:
- (1) The applicant has appointed and submitted to the Director the names of the members of a medical radiation safety committee of at least three members to evaluate all proposals for research, diagnostic, and therapeutic use of radioisotopes within that institution. Membership of the committee shall include physicians expert in internal medicine, hematology, therapeutic radiology, and a person experienced in assay of radioisotopes and protection against radiation; and
 - (2) The applicant possesses adequate facilities for the clinical care of patients; and
 - (3) The physician designated on the application as the individual user has substantial experience in the handling and administration of radioisotopes and, where applicable, the clinical management of radioactive patients; and,
 - (4) If the application is for the license to use unspecified quantities or multiple types of radioactive material, the applicant's staff has substantial experience in the use of radioactive materials for a variety of human uses.
- (b) Licensing of Individual Physicians for Human Use of Radioactive Materials.

A specific license for the human use of radioactive materials will be issued to an individual physician only if:

- (1) The applicant has access to a hospital possessing adequate facilities to hospitalize and monitor the applicant's radioactive patients whenever it is advisable; and
 - (2) The applicant has extensive experience in the handling and administration of radioisotopes and, where applicable, the clinical management of radioactive patients.
- (c) Groups of diagnostic uses. An application for a specific license pursuant to subsections (a) or (b) for any diagnostic use of radioactive material in humans as specified in standards issued by the Director will be approved for all of the diagnostic uses within such standards if:
- (1) The applicant satisfies the requirements of subsections (a) or (b);
 - (2) The applicant or the physician designated in the application as the individual user has adequate clinical experience in the performance of diagnostic procedures specified in the appropriate standards; and
 - (3) The applicant's proposed radiation detection instrumentation is adequate for conducting the diagnostic procedures specified in the appropriate standards.
- (d) Human Use of Sealed Sources. A specific license for human use of sealed sources will be issued only if the applicant, or if the application is made by an institution, the individual user (1) has specialized training in the therapeutic use of the sealed source considered (teletherapy unit, beta applicator, etc.) or has experience equivalent to such training, and (2) is a physician.
- (e) Multiple Quantities or Types of Radioactive Material for Use in Research and Development. A specific license for multiple quantities or types of radioactive material for use in research and development will be issued only if:
- (1) The applicant's staff has substantial experience in the use of a variety of radioisotopes for a variety of research and development uses; and,

- (2) The applicant has established a radiation safety committee (composed of such persons as a radiological safety officer, a representative of the business office, and one or more persons trained or experienced in the safe use of radioactive materials) which will review and approve, in advance of purchase of radioisotopes, proposals for such use; and,
- (3) The applicant has appointed a radiological safety officer who will advise and assist on radiological safety problems.

(f) Distribution of Devices to Persons Generally Licensed Under Section 8-2:1018 (c). A specific license to distribute certain devices of the types enumerated in Section 8-2:1018 (c) to persons generally licensed under such section will be issued only if:

- (1) The applicant submits sufficient information relating to the design, manufacture, prototype testing, quality control procedures, labeling, proposed uses, and potential hazards of the device to provide reasonable assurance that:
 - (A) The radioactive material contained in the device will not be lost;
 - (B) No individual will receive a radiation exposure to a major portion of his body in excess of 0.5 rem in a year under ordinary circumstances of use;
 - (C) The device can be safely operated by individuals not having training in radiological protection; and,
 - (D) The radioactive material within the device will not be accessible to unauthorized individuals.
- (2) In describing the label or labels and contents thereon to be affixed to the device, the applicant should separately indicate those instructions and precautions which are necessary to assure safe operation of the device. Such instructions and precautions must be contained on labels bearing the statement, "Removal of this label is prohibited".
- (3) In the event the applicant desires that the device be tested for proper operation of the on-off mechanism and indicator, if any, and for leakage of radioactive material, subsequent to the initial tests required by section 8-2:1018 (c) (2) (C),

at intervals longer than six months but not exceeding three years, he shall include in his application sufficient information to demonstrate that such longer interval is justified by performance characteristics of the device or similar devices, and by design features which have a significant bearing on the probability or consequences of leakage of radioactive material from the device. In determining the acceptable interval for test of leakage of radioactive material, the Director will consider information on particulars which include, but are not necessarily limited to:

- (A) Primary containment (source capsule);
- (B) Protection of primary containment;
- (C) Method of sealing containment;
- (D) Containment construction materials;
- (E) Form of contained radioactive material;
- (F) Maximum temperature withstood during prototype tests;
- (G) Maximum pressure withstood during prototype tests;
- (H) Maximum quantity of contained radioactive material;
- (I) Radiotoxicity of contained radioactive material; and,
- (J) Operating experience with identical devices or similarly designed and constructed devices.

(g) Use of Sealed Sources in Industrial Radiography. A specific license for use of sealed sources in industrial radiography (i.e., the examination of the structure of materials by nondestructive methods utilizing sealed sources of radioactive material) will be issued if:

- (1) The applicant has an adequate program for training radiographers and radiographers' assistants and submits to the Director a schedule or description of such program which specifies the:
 - (A) Initial training;
 - (B) Periodic training;
 - (C) On-the-job training;
 - (D) Means to be used by the licensee to determine the radiographer's knowledge and understanding of and ability to comply with regulations and licensing requirements, and the operating and emergency procedures of the applicant;
 - (E) Means to be used by the licensee to determine the radiographer's assistant's knowledge and understanding of and ability to comply with the operating and emergency procedures of the applicant;

- (2) The applicant has established and submits to the Director operating and emergency procedures which comply with standards issued by Director; and
 - (3) The applicant has an adequate internal inspection system, or other management control, to assure that license provisions, regulations, and the applicant's operating and emergency procedures are followed by radiographers and radiographers' assistants; and,
 - (4) The applicant submits to the Director a description of his overall organizational structure pertaining to the industrial radiography program, including specified delegations of authority and responsibility for operation of the program; and ,
 - (5) The applicant who desires to conduct his own leak tests has established adequate procedures to be followed in leak testing sealed sources for possible leakage and contamination and submits to the Director a description of such procedures including:
 - (A) Instrumentation to be used;
 - (B) Method of performing tests, e.g., points on equipment to be smeared and method of taking smear; and
 - (C) Pertinent experience of the person who will perform the test.
- (h) Multiple Quantities or Types of Radioactive Material for Use in Processing. A specific license for multiple quantities or types of radioactive material for use in processing for distribution to other authorized persons will be issued only if:
- (1) The applicant's staff has substantial experience in the use of a variety of radioisotopes for processing and distribution; and
 - (2) The applicant has appointed a radiological safety officer who will advise and assist on radiological safety problems.
- (i) Licensing the Introduction of Radioactive Material into Products in Exempt Concentrations. A specific license authorizing the introduction of radioactive material into a product or material owned by or in the possession of the licensee or another to be transferred to persons exempt under section 8-2:1013 (a) (1) will be issued only if:
- (1) The applicant submits a description of the product or material into which the radioactive material will be introduced, intended use of the radioactive material and the product or material into which it is introduced, method of introduction, initial concentration of the radioactive material in the product or material, control methods to assure that no more than the specified concentration

- is introduced into the product or material, estimated time interval between introduction and transfer of the product or material, and estimated concentration of the radioactive material in the product or material at the time of transfer; and
- (2) The applicant provides reasonable assurance that the concentrations of radioactive material at the time of transfer will not exceed the concentrations specified in standards issued by the Director, that reconcentration of the radioactive material in concentrations exceeding those in such standards is not likely, that use of lower concentrations is not feasible, and that the product or material is not likely to be incorporated in any food, beverage, cosmetic, drug or other commodity or product designed for ingestion or inhalation by, or application to, a human being.
 - (3) Each person licensed under this subsection shall file an annual report with the Director describing the type and quantity of each product or material into which radioactive material has been introduced during the reporting period, name and address of the person who owns or possesses the product or material into which radioactive material has been introduced, the type and quantity of radioactive material introduced into each such product or material, and the initial concentrations of radioactive material in the product or material at time of transfer of the radioactive material by the licensee. The report shall be submitted within 30 days after the end of each calendar year in which the licensee introduces radioactive material into a product or material pursuant to a license granted under this subsection.

(j)

Manufacture and Distribution of Radioactive Materials for Medical Use Under General License. A specific license authorizing the distribution of radioactive material for use by physicians under the general license in section 8-2:1018 (g) will be issued only if:

- (1) The applicant submits evidence that the radioactive material is to be manufactured, labeled, and packaged in accordance with a new drug application which the Commissioner of Food and Drugs, Food and Drug Administration, has approved, or in accordance with a license for a biologic product issued by the Secretary, Department of Health, Education, and Welfare; and,
- (2) There is affixed to the container or there appears in the leaflet or brochure which accompanies the package of radioactive material a label or statement containing such information as the Director may require.

8-2:1022 Issuance of Specific Licenses.

- (a) Upon a determination that an application meets the requirements of these regulations, the Director will issue a specific license authorizing the proposed activity in such form and containing such conditions and limitations as are deemed appropriate or necessary.
- (b) The Director may incorporate in any license at the time of issuance, or thereafter by appropriate rule or order, such additional requirements and conditions with respect to the licensee's receipt, possession, use, and transfer of radioactive material subject to this part as are deemed appropriate or necessary in order to:
 - (1) Minimize danger to public health and safety or property;
 - (2) Require such reports and the keeping of such records, and to provide for such inspections of activities under the license as may be appropriate or necessary; and,
 - (3) Prevent loss or theft of material subject to this part.

8-2:1023 Specific Terms and Conditions of Licenses.

- (a) Each license issued pursuant to this part shall be subject to all rules, regulations, orders, and standards of the Department.
- (b) Each person licensed by the Director pursuant to this Part shall confine his use and possession of the material licensed to the locations and purposes authorized in the license.
- (c) Each licensee authorized under Section 8-2:1021 (e) to distribute certain devices to generally licensed persons:
 - (1) Shall report to the Director all transfers of such devices to persons generally licensed under Section 8-2:1018 (c). Such report shall identify each general licensee by name and address, the type of device transferred, and the quantity and type of radioactive material contained in the device. The report shall be submitted within 30 days after the end of each calendar quarter in which such a device is transferred to generally licensed persons; and,
 - (2) Shall furnish to each general licensee in the District to whom he transfers such device a copy of the general license contained in Section 8-2:1018 (c).

8-2:1024 Renewal of License.

- (a) Applications for renewal of specific licenses shall be filed in accordance with Section 8-2:1019.
- (b) In any case in which a licensee, not less than thirty (30) days prior to expiration of his existing license, has filed an application in proper form for renewal or for a new license authorizing the same activities, such existing license shall not expire until the application has been finally determined by the Director.

8-2:1025 Amendment of Licenses at Request of Licensee. Applications for amendment of a license shall be filed in accordance with Section 8-2:1019 and shall specify the respects in which the licensee desires his license to be amended and the grounds for such amendment.

8-2:1026 Action on Applications to Renew or Amend. In considering an application by a licensee to renew or amend his license, the Director will apply the criteria set forth in Sections 8-2:1020 and 8-2:1021 as applicable.

8-2:1027 Inalienability of Licenses. No license issued or granted under this Part and no right to possess or utilize radioactive material granted by any license issued pursuant to this Part shall be transferred, assigned, or in any manner disposed of, either voluntarily or involuntarily, directly or indirectly, through transfer of control of any license to any person unless the Director shall, after securing full information find that the transfer is in accordance with these regulations and shall thereto consent in writing.

8-2:1028 Persons Possessing a License for Source, Byproduct, or Special Nuclear Material in Quantities Not Sufficient to Form a Critical Mass on Effective Date of These Regulations. Any person who, on the effective date of these regulations, possesses a general or specific license for source, byproduct, or special nuclear material in quantities not sufficient to form a critical mass, issued by the AEC, shall be deemed to possess a like license issued under this part, such license to expire either ninety (90) days after receipt from the Director of a notice of expiration of such license, or on the date of expiration specified in the Atomic Energy Commission license, whichever is earlier.

8-2:1029 Persons Possessing Radioactive Material Other Than Agreement Material on Effective Date of These Regulations. Any person

who, on the effective date of these regulations, possesses naturally occurring or accelerator-produced radioactive material for which a specific license is required by this Part shall be deemed to possess such a license issued under this Part. Such license shall expire ninety (90) days after the effective date of these regulations: Provided, That if within the ninety (90) days the person possessing such material files an application in proper form for a license, such existing license shall not expire until the application has been finally determined by the Director.

8-2:1030 Transfer of Material.

- (a) No licensee shall transfer radioactive material except as authorized pursuant to this section.
- (b) With the advance approval of the receiver, any licensee may transfer radioactive material:
 - (1) To the Department;
 - (2) To the Atomic Energy Commission;
 - (3) To any person exempt from the regulations in this part to the extent permitted under such exemption;
 - (4) To any person authorized to receive such material under terms of a general license or its equivalent, or a specific license or equivalent licensing document, issued by the Director, the AEC, or any agreement state, or to any person otherwise authorized to receive such material by the Federal Government or any agency thereof, the Director, or any agreement state; or,
 - (5) As otherwise authorized by the Director in writing.

8-2:1031 Modification, Revocation, and Termination of Licenses.

- (a) The terms and conditions of all licenses shall be subject to amendment, revision, or modification or the license may be suspended or revoked by reason of amendments to these regulations, or by requirements and orders issued by the Director.
- (b) Any license may be revoked, suspended, or modified, in whole or in part, for any material false statement in the application or any statement of fact required under these regulations or because of conditions revealed by such application or statement of fact or any report, record, or inspection or other means which would warrant the Director

refusing to grant a license on an original application, or for violation of, or failure to observe any of the terms and conditions of the license, or of these regulations, or order of the Director.

- (c) Except in cases of willfulness or those in which the public health, interest, or safety requires otherwise, no license shall be modified, suspended, or revoked unless, prior to the institution of proceedings therefor, facts or conduct which may warrant such action shall have been called to the attention of the licensee in writing and the licensee shall have been accorded an opportunity to demonstrate or achieve compliance with all lawful requirements.
- (d) The Director may terminate a specific license upon the written request of the licensee.

8-2:1032 Registration of Radiation Machines

(a) Registration. The owner or person having possession of any radiation machine, except those specifically exempted, shall register such machine with the Director.

(b) Requirements and Procedures.

(1) Registration shall be on forms furnished by the Director, and shall contain such information as the Director may require. The applicant shall designate an individual who will be responsible for radiation protection for the machine. Such individual shall:

(A) Be qualified by training and experience concerning all hazards and precautions involved in operating the machine for which he is responsible;

(B) Recommend a detailed program of radiation safety for effective compliance with the applicable requirements of these regulations;

(C) Give instructions concerning hazards and safety practices to individuals who may be exposed to radiation from the machine; and,

(D) Make surveys and carry out other procedures as required by these regulations.

(2) When, in the opinion of the Director, the individual designated to be responsible for radiation safety does not have qualifications sufficient to insure safety of the machine for which he is responsible, the Director may order the registrant to designate another individual who meets such qualifications.

(3) The Director shall issue a Notice of Registration to those applicants who have submitted the information required in paragraph (1). The Notice shall state the period of registration and shall be retained by the registrant for the stated period.

(4) Any person who, on the effective date of these regulations has previously registered his machine with the Director and has a signed copy of such registration, shall be deemed to possess a Notice of Registration issued under this section. Such Notice shall be valid for a period of thirty (30) days after receipt of notice of expiration from the Director. Within this period an application for a new registration shall be submitted by the owner or responsible user. If application for a new registration is received by the Director within the thirty day period, a valid registration shall continue in force until a final determination is made by the Director. A Notice of Registration issued after the effective date of these regulations shall be valid for a period not exceeding two (2) years.

- (5) The owner or person having possession of any registered radiation machine shall re-register such machine with the Director every two years. The application for re-registration shall be submitted at least thirty (30) days prior to the expiration of the registrant's current Notice of Registration.
- (6) In any case in which a registrant, not less than thirty (30) days prior to expiration of his existing registration, has filed an application in proper form for renewal or amendment of his registration, such existing registration shall be valid until the application has been finally determined by the Director.
- (7) The registrant shall notify the Director within thirty (30) days of any change which renders the information furnished by him no longer accurate. A change in the ownership, possession, or address where the machine is located, shall terminate the registration.
- (8) No person, in any advertisement, shall refer to the fact that a radiation machine is registered with the Director and no person shall state or imply that any activity under such registration has been approved by the Director.

(c) Exemptions. The following machines and equipment are exempt from this part:

- (1) Domestic television receivers. Receivers manufactured after the effective date of these regulations and sold in the District which comply with the applicable Federal Requirements of 42 C.F.R. 78.210, "Performance Standard for Television Receivers".
- (2) Other electrical equipment that produces radiation incidental to its operation for other purposes, providing the dose rate to the whole body at the point of nearest approach to such equipment when any external shielding is removed does not exceed 0.5 rem per year. The production testing or factory servicing of such equipment shall not be exempt.
- (3) Radiation-producing machines while in transit or storage incident thereto.

8-2:1033 Licensing of Suppliers of Medical and Dental X-Ray Equipment

(a) Licensing. No person shall make, sell, lease repair, transfer, lend, or install medical or dental x-ray equipment in the District unless authorized to do so by a license issued by the Director. Application to become a licensed supplier shall be filed on forms prescribed by the Director and shall contain such information as the Director may require.

(b) Definitions.

- (1) Licensed Supplier - a person who has been licensed by the Director to make, sell lease repair, lend, transfer or install medical or dental x-ray equipment for use in the District.

(2) Medical or dental x-ray equipment - any electronic device which produces x-rays by electrical means for the intentional exposure of humans.

(c) Requirements.

(1) Any person licensed to supply medical or dental x-ray equipment in the District shall notify the Director on forms provided by the Director within 15 days following the sale, lease agreement, or decision to make available such equipment, or at least 10 days prior to the installation of such equipment, whichever occurs sooner.

(2) No medical or dental x-ray equipment shall be supplied in the District which when properly placed in operation and properly used, does not meet the standards prescribed by the Director.

(3) Plans or blueprints of any medical or dental x-ray installation which is to receive x-ray equipment supplied by a licensed supplier must be approved by the Director prior to installation of equipment. The Director may require such information be furnished to him as he deems necessary to determine compliance with the requirements of these regulations.

~~the Director.~~

(d) Termination of Licenses. Licenses to supply medical and dental x-ray equipment in the District may be terminated for any of the following reasons:

(1) Failure to provide advance notification to the Director of the installation of medical or dental x-ray equipment sold, leased, loaned, transferred or installed in the District.

(2) Information on the application is determined to be incorrect, or no longer current, and the licensee fails to submit an amended application containing the corrected information within 30 days after such change takes place.

(3) Expiration of a temporary license.

(4) Repeated failure to supply medical or dental x-ray equipment which meets the standards established by the Director.

(e) Temporary License. A temporary license may be granted by the Director for a specified period, not to exceed one year, for those suppliers of x-ray equipment who wish to make a limited sale, lease, loan, transfer, or installation of medical or dental x-ray equipment, and who do not normally supply such equipment for profit.

8-2:1034 Reciprocity.

(a) Any person who possesses a specific license or equivalent licensing document issued by the AEC or any agreement state, may conduct the activities authorized in such licensing document within the District for a period not in excess of twenty days in any period of twelve consecutive months without obtaining a specific license from the Director, provided:

- (1) The licensing document does not limit the activity authorized by such document to specified installations or locations;
- (2) The out-of-state licensee notifies the Director in writing at least two (2) days prior to engaging in such activity. Such notification shall indicate the location, period, and type of proposed possession and use within the District, and shall be accompanied by a copy of the pertinent licensing document. If, for a specific case, the two-day period would impose an undue hardship on the out-of-state licensee, he may, upon application to the Director, obtain permission to proceed sooner;
- (3) The out-of-state licensee complies with all applicable regulations in this Part and with all the terms and conditions of his licensing document, except any such terms and conditions which may be inconsistent with this Part; and
- (4) The out-of-state licensee supplies such other information as the Director may request.

(b) To the extent authorized by sections 8-2:1012, 8-2:1013, and 8-2:1018, a person may transfer, receive, acquire, own, possess, and use any equipment, device, commodity, or other product containing radioactive material which has been manufactured, processed, or produced in accordance with a specific license or equivalent licensing document issued by the AEC or any agreement state.

(c) Notwithstanding the provisions of subsection (a), any person who holds a specific license or equivalent licensing document issued by the AEC or an agreement state authorizing the holder to manufacture, install, or service a device described in Section 8-2:1018(c)(1) within areas subject to the jurisdiction of the licensing body is hereby granted a general license to install and service such device in the District provided:

- (1) Such person files a report with the Director within thirty (30) days after the end of each calendar quarter in which any device is transferred to or installed in the District. Each such report shall identify each general licensee by name and address, the type of device transferred, and the quantity and type of radioactive material contained in the device;
- (2) The device has been manufactured, labeled, installed, and serviced in accordance with applicable provisions of the specific license or equivalent licensing document issued to such person by the AEC or an agreement state;

- (3) Such person shall assure that any labels required to be affixed to the device under regulations of the authority which licensed manufacture of the device bear a statement that "Removal of this label is prohibited"; and,
- (4) The holder of the specific license or equivalent licensing document shall furnish to each general licensee to whom he transfers such device or on whose premises he installs such device a copy of the general license contained in Section 8-2:1018(c).

(d) The Director may withdraw, limit, or qualify his acceptance of any specific license or equivalent licensing document issued by another agency, or any product distributed pursuant to such licensing document, upon determining that such action is necessary in order to prevent undue hazard to public health and safety or property.

8-2:1035 Intrastate Transportation of Radioactive Materials.

No licensee shall transport any radioactive material outside of the confines of his plant or other authorized location of use, or deliver any radioactive material to a carrier for transportation, unless the licensee complies with all requirements, appropriate to the mode of transportation, relating to the packaging of the radioactive material and to the marking and labeling of the package and transporting vehicle, of the rules and regulations published by the U.S. Department of Transportation (46 C.F.R. Part 146, 49 C.F.R. Parts 173-179 and 14 C.F.R. Part 103) to the same extent as if the transportation were subject to the rules and regulations of that agency.

8-2:1036 Independence of Sections.

Each section of this Part, and every part of each section, is declared independent of every other, and the holding of any section, or part thereof, to be void or ineffective for any reason shall not be deemed to affect any other section, or part thereof.

Regulation No. 70-34



Enactment Date July 16, 1970

Regulation

of the
District of Columbia

TITLE REGULATION REVISING TAXICAB LIABILITY INSURANCE RATES

Mr. Philip I. Daugherty Presents the following regulation:

1 WHEREAS, the District of Columbia Council is authorized to make rules
2 and regulations governing the writing of liability insurance for passenger motor
3 vehicles for hire; and

4 WHEREAS, there is need to revise current rates or premiums affecting
5 insurance on vehicles for hire in the District of Columbia; and

6 WHEREAS, the Superintendent of Insurance has recommended that the
7 rates for such liability insurance be revised, and the Council believes that
8 such recommended revisions are reasonable;

9 NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council
10 that:

11 Section 1. Rule 4 of the Rules and Regulations pertaining to insurance
12 on motor vehicles for hire in the District of Columbia, adopted by the Superintendent
13 of Insurance as of July 23, 1967, is hereby amended to read as follows:

14 "4. The following rates or premiums shall be used by all companies:

15 TAXICAB RISKS
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RECORD OF COUNCIL VOTE																	
COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
HAHN				X		DAUGHERTY				X		ROBINSON	X				
TUCKER	X					HAYWOOD	X					VEAZEY	X				
ANDERSON	X					MOORE	X					YELDELL				X	

X—Indicates Vote A. B.—Absent N. V. Not Voting R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on June 30, 1970

Adopted on second and final reading July 7, 1970

Presented to the Mayor-Commissioner July 7, 1970
Date

Stephen C. Swain
Secretary of the City Council

Approved Robert Washington July 16, 1970
Mayor-Commissioner Date

Enacted W/O signature of the Mayor according to ten day limitation rule: _____
Date

Disapproved and returned to the City Council _____
Mayor-Commissioner Date

Readopted _____
Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.
Stephen C. Swain
Secretary of the City Council

Statutory Coverage and Minimum Limits of Liability

1		
2		
3	Bodily Injury	\$10,000 each person
4		
5		\$20,000 each accident
6		
7	Property Damage	\$ 5,000 each accident
8		

Rate or Premiums

	<u>Bodily</u>	<u>Property</u>	<u>Total</u>
	<u>Injury</u>	<u>Damage</u>	
14			
15	Fifty-two weeks or		
16	yearly premium	\$220.74	\$97.76
17			\$318.50
18			
19	Two weeks' premium	8.49	3.76
20			12.25

Two weeks premium for extraterritorial excess limits \$0.55, Maryland, \$15,000/30,000/5,000 excess over \$10,000/20,000/5,000, and Virginia \$5,000/10,000 excess over \$10,000/20,000; provided, that for an additional two weeks' premium of \$0.20 the extraterritorial coverage in Virginia may be increased to \$20,000/30,000. "

Section 2. This regulation shall take effect immediately upon enactment.

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Regulation No. 70-35



July 16, 1970
Enactment Date

Regulation of the District of Columbia

TITLE REGULATION TO AMEND PART I OF THE MOTOR VEHICLE REGULATIONS OF THE DISTRICT OF COLUMBIA TO INCLUDE SCHOOL BUSES AND SCHOOL BUS DRIVERS.

Mr. Joseph P. Yeldell Presents the following regulation:

1 WHEREAS, the safety of school children being transported to and from schools on
2 the public roadways of the District of Columbia is of paramount concern to the Govern-
3 ment of the District of Columbia; and

4
5 WHEREAS, any school bus regulations must take into account overall motor
6 vehicle safety and congestion factors as well as the primary factor of the safety of the
7 children; and

8
9 WHEREAS, the District of Columbia Council has obtained the advice and comments
10 of the departments and agencies concerned with school bus safety in the District of
11 Columbia; and

12
13 WHEREAS, the District of Columbia Council is authorized to establish rules and
14 and regulations to carry out certain provisions of the District of Columbia Traffic Act
15 of 1925, as amended, and to promulgate regulations for the protection of lives and
16 property.

17 NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council that:

18
19
20 Section 1. Part I of the Traffic and Motor Vehicle Regulations of the District
21 of Columbia is amended as follows:

22
23 (1) Section 2 is amended by inserting immediately after
24 the definition of "Safety zone or loading platforms," the
following:

RECORD OF COUNCIL VOTE																	
COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
HAHN				X		DAUGHERTY				X		ROBINSON	X				
TUCKER	X					HAYWOOD	X					VEAZEY	X				
ANDERSON	X					MOORE	X					YELDELL				X	

X—Indicates Vote A. B.—Absent N. V. Not Voting R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on June 30, 1970

Adopted on second and final reading July 7, 1970

Presented to the Mayor-Commissioner July 7, 1970
Date

Stephen C. Swamin
Secretary of the City Council

Approved *Walter Washington*
Mayor-Commissioner

July 16, 1970
Date

Enacted W/O signature of the Mayor according to ten day limitation rule:

Date

Disapproved and returned to the City Council

Mayor-Commissioner

Date

Readopted

Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.

Stephen C. Swamin
Secretary of the City Council

2 of 3

1 "School bus. - Any motor vehicle designed to carry 8
2 or more passengers and regularly used to transport children
3 to or from school or in connection with school activities, but
4 not including buses operated by common carriers which trans-
5 port school children incidental to their transportation of other
6 passengers."

7
8 (2) By inserting immediately after section 50, the following:

9
10 "Sec. 50.1. Operation of Vehicle Approaching School
11 Bus.

12
13 "The driver of a vehicle approaching from any direction
14 any school bus on which the white stroboscopic light
15 specified in section 131.2 is flashing, shall prepare to stop
16 such vehicle; shall bring the vehicle to a complete stop not
17 less than 15 feet distant from the school bus when there is
18 in operation on said school bus the alternately flashing red
19 lights specified in section 131.2; and shall not proceed until
20 the visual red and white signals are no longer actuated; pro-
21 vided that the foregoing provisions shall not be complied with
22 by a driver approaching a school bus from the opposite direc-
23 tion on a street with a median strip divider."

24
25 (3) By inserting immediately after section 76, the following:

26
27 "Sec. 76.1. Loading and Unloading School Bus.

28
29 "When stopping to load and unload school children along
30 the roadway, the school bus driver shall pull as far to the
31 right as is safe, at a place on the roadway where there is 300
32 feet or more of clear sight distance to the front and rear, and
33 stop only for such time as is actually necessary to take on or
34 discharge pupils. Before making a stop, the school bus
35 driver shall actuate the flashing white stroboscopic light not
36 less than 300 feet distant from such stop, and allow it to
37 remain flashing until the bus resumes motion after making a
38 stop. At each stop to pick up or discharge one or more
39 school children, the school bus driver shall actuate the flash-
40 ing red light during such time as the bus is stopped for such
41 purpose, and shall turn off the light when the bus resumes
42 motion."

43
44 (4) By inserting immediately after section 131.1, the following:

45
46 "Sec. 131.2. Visual Signals on School Buses.

47
48 "Every school bus registered in the District of Columbia
49 shall be equipped with red flashing and white stroboscopic
50 flashing signal lamps. The red lamps shall be mounted as
51 high and as widely spaced laterally as practicable, and shall
52 be capable of displaying to the front two alternately flashing
53 red lights located at the same level and to the rear two alter-
54 nately flashing red lights located at the same level. These red
55 lights shall have sufficient intensity to be visible when flash-
56 ing at 500 feet in normal sunlight. The white stroboscopic
57 light shall be mounted on the roof at a location between the
58 center and the back of the bus, and left of the longitudinal axis
59 of the bus."
60

_3_of_3_

(5) By inserting immediately after section 151.2, the following:

"Sec. 151.3. School bus identification.

"(a) Every school bus registered in the District of Columbia shall bear the words "SCHOOL BUS" in black letters at least 8 inches high on both front and rear of the body or on signs attached thereto. Lettering shall be placed as high as possible without impairment of its visibility. Lettering shall conform to "Series B" of Standard Alphabets for Highway Signs promulgated by the U.S. Department of Transportation as in effect on September 1, 1970;

"(b) The words "STOP ON RED SIGNAL" shall be painted on the rear of the bus in black letters at least 8 inches high. The word "Stop" by itself shall not be used;

"(c) Only signs and lettering approved by the Director of Motor Vehicles and limited to the name of the owner or operator of the bus and any number necessary for identification shall appear on the sides of said bus; provided that private school bus may have insignia and other designations on the sides of their buses;

"(d) The school bus body, including hood, cowl and fenders, shall be painted national school bus chrome, according to specifications available from the General Services Administration (Federal Standard No. 595) as in effect on September 1, 1970, rear bumper, lettering and body trim, if used, shall be black enamel."

(6) By inserting immediately after section 152, the following:

"Sec. 152.1. Inspection of School Buses.

"All school buses registered in the District of Columbia shall be inspected for safe operating condition and for compliance with these regulations semi-annually by the Department of Motor Vehicles."

(7) By inserting immediately after section 157, the following:

"Sec. 157.1. School Bus Operator Permit.

No holder of a District drivers' permit shall operate a school bus unless he has received from the Director of Motor Vehicles a special school bus operator's permit which shall be valid for one year. No such permit shall be issued until the applicant has satisfied the Director that he is physically, mentally and morally qualified therefore. Applicants shall, among other requirements, be not less than 21 years of age. If an applicant has been rejected by the Director of the Department of Motor Vehicles for moral reasons and is, nevertheless, acceptable to the Director of the school for which he will be driving, such driver shall not be rejected for moral reasons."

Section 2. The amendments made by this regulation shall become effective on September 1, 1970, except the provisions relating to the installation of a ^{P-110} white stroboscopic light which shall become effective on January 1, 1971.

Regulation No. 70-36



Enactment Date July 7, 1970

Regulation of the District of Columbia

TITLE REGULATION TO REVISE THE STANDARD FOR REQUIREMENTS FOR PUBLIC ASSISTANCE RECIPIENTS

Dr. Henry S. Robinson Presents the following regulation:

1 WHEREAS, Department of Health, Education, and Welfare Program
2 Regulation 20-7 specifies as a requirement for State plans that by July 1, 1969,
3 the States' standard for assistance for the Aid to Families with Dependent
4 Children programs will have been adjusted to reflect fully changes in living
5 costs since such standards were established and further provides that, in the
6 event the State is not able to meet need in full under the adjusted standard, the
7 State may make ratable reductions; and

8
9 WHEREAS, the Standard for Requirements established by Regulation
10 No. 69-57, effective January 1, 1970 is based upon the cost of living of
11 September, 1967; and

12
13 WHEREAS, the Department of Health, Education, and Welfare has advised
14 the District of Columbia that compliance with Federal regulations requires the
15 updating of the amounts used to determine the needs of individuals to reflect increases
16 in the cost of living; and

17
18 WHEREAS, the February, 1970, cost of living data is available for
19 computing the basic requirements of individuals and families receiving public
20 assistance; and

21
22 WHEREAS, pursuant to paragraphs 83 and 84 of Section 402 of Reorganization
23 Plan No. 3 of 1967, the District of Columbia Council is authorized to establish rules
24 and regulations to carry out the provisions of the District of Columbia Public Assistance
Act of 1962, and to approve regulations under which shall be determined the amount of
public assistance which any person shall receive.

RECORD OF COUNCIL VOTE																		
COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	
HAHN				X		DAUGHERTY				X		ROBINSON	X					
TUCKER	X					HAYWOOD	X					VEAZEY	X					
ANDERSON	X					MOORE	X					YELDELL					X	

X—Indicates Vote A. B.—Absent N. V. Not Voting R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on _____

Adopted on second and final reading July 7, 1970

Presented to the Mayor-Commissioner July 7, 1970
Date

Stephen C. Swamin
Secretary of the City Council

Approved _____
Mayor-Commissioner

July 7, 1970
Date

Enacted W/O signature of the Mayor according to ten day limitation rule: _____

Date

Disapproved and returned to the City Council _____
Mayor-Commissioner

Date

Readopted _____
Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.

Stephen C. Swamin
Secretary of the City Council

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NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council

that:

Section 1. Section 1 of Regulation No. 69-57 is amended to read as follows:

"The Director of the Department of Human Resources shall determine the basic requirements of individuals and families receiving public assistance based upon the February, 1970 cost of living. The Director shall compute public assistance grants at a percentage of the cost of living of February, 1970, commensurate with available funds."

Section 2. The amendment made by this regulation shall be effective August 1, 1970.

Regulation No. 70-37



October 15 1970
Enactment Date

Regulation

of the

District of Columbia

TITLE NURSING HOME ADMINISTRATORS REGULATION

Dr. Henry S. Robinson, Jr. Presents the following regulation:

1 WHEREAS, the practice of nursing home administration affects the public
2 health and safety and requires regulation in the public interest, and

3
4 WHEREAS, the public interest requires that only qualified nursing home
5 administrators be permitted to practice in the District of Columbia, and

6
7 WHEREAS, pursuant to the requirements of the Social Security Act, the
8 District of Columbia is obligated to adopt a program for the licensing of adminis-
9 trators of nursing homes, and

10
11 WHEREAS, the District of Columbia Council wishes to provide for the
12 examination, licensure, registration, and regulation of persons practicing nursing
13 home administration in the District of Columbia.

14
15 NOW, THEREFORE, BE IT ENACTED BY the District of Columbia Council
16 that:

17
18 PART I. SCOPE AND DEFINITIONS

19
20 Section 1. Definitions. As used in these Regulations, unless the context
21 requires a different meaning, the following terms shall be defined as follows:

22
23 "Commission": the Commission on Licensure to Practice the Healing Art in
24 the District of Columbia or its authorized agent or agents.

"Commissioner": the Commissioner of the District of Columbia or his

RECORD OF COUNCIL VOTE																		
COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	
HAHN	X					DAUGHERTY				X		ROBINSON					X	
TUCKER	X					HAYWOOD	X					VEAZEY	X					
ANDERSON	X					MOORE	X					YELDELL	X					

X—Indicates Vote A. B.—Absent N. V. Not Voting R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on September 15, 1970

Adopted on second and final reading October 6, 1970

Presented to the Mayor-Commissioner October 6, 1970

David H. Schwartz
Acting Secretary of the City Council

Approved [Signature]
Mayor-Commissioner

Oct. 15, 1970
Date

Enacted W/O signature of the Mayor according to ten day limitation rule:

Date

Disapproved and returned to the City Council _____
Mayor-Commissioner

Date

Readopted _____
Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.

David H. Schwartz
Secretary of the City Council

authorized agent or agents.

"Council": the District of Columbia Council.

"Director": the Director of the Department of Economic Development or his authorized agent or agents.

"District": the District of Columbia.

"Department": the Department of Economic Development.

"He" and derivatives thereof: shall also be construed to include "she" and derivatives thereof.

"License": a certificate of licensure which allows the holder thereof to practice as a nursing home administrator in the District.

"Nursing Home": any building or part thereof, except hospitals or asylums licensed under the Act of Congress approved April 20, 1908, used as, maintained as, advertised, or held out for the care, treatment, or lodging, for a consideration, of five or more convalescents not related by blood or marriage within the third degree of consanguinity to the licensee of such business.

"Nursing Home Administrator": any person responsible for planning, organizing, directing, and controlling the operation of a nursing home, or who in fact performs such functions, whether or not such functions are shared by one or more other persons.

"Nursing Home Administrator-in-Training": a person registered as such under and pursuant to the provisions of these Regulations.

"Person": any natural person.

"Practice of Nursing Home Administration": the planning, organizing, directing, and control of the operation of a nursing home.

"Provisional License": a certificate of temporary licensure which allows the holder thereof to practice as a provisional nursing home administrator in the District.

"Provisional Nursing Home Administrator": a person who has been licensed as such pursuant to these Regulations.

"Registration": a certificate which certifies that the holder thereof is registered pursuant to these Regulations as a nursing home administrator-in-training and is allowed to practice nursing home administration in a nursing home licensed in the District under the full-time supervision of a nursing home administrator licensed in the District.

Section 2. Unlawful acts. From and after thirty (30) days following the effective date of these regulations,

(a) no nursing home in the District may operate, unless it is under the supervision of a full-time administrator who holds a currently valid license, or provisional license, issued pursuant to these Regulations.

(b) no person shall practice or offer to practice nursing home administration in the District, or use any title, sign, card, or device to indicate that he is a nursing home administrator, unless such person is the holder of a currently valid license or provisional license issued pursuant to these Regulations: Provided, that a nursing home administrator-in-training registered pursuant to these Regulations

3 of 11

may practice nursing home administration in the District under the full-time supervision of a nursing home administrator licensed in the District.

Section 3. Exemption. Nothing in these Regulations is intended to require any member of the Board of Directors of a nursing home or the owner of a nursing home to be licensed as a nursing home administrator, unless such person is in charge of a nursing home in the District.

PART II. QUALIFICATIONS FOR LICENSURE

Section 1. For a license by examination. To be eligible for a license by examination to practice as a nursing home administrator in the District, an applicant must furnish satisfactory proof to the Commission that he has the following qualifications:

- (a) He is at least 21 years of age.
- (b) He is a citizen of the United States or has duly declared his intention of becoming a citizen of the United States.
- (c) He is of good moral character.
- (d) He possesses the minimum educational requirements in effect on the date of filing his application, as set forth below:

(1) during the period between the effective date of these Regulations and December 31, 1974, the minimum educational requirements shall be graduation from an accredited high school or the equivalent thereof as determined by the District of Columbia Board of Education, plus participation in such courses or program of study in the area of nursing home administration as the Commission may require.

(2) during the period between January 1, 1975 and December 31, 1979, the minimum educational requirements shall be the successful completion of two years of college level study after secondary school study in an accredited institution of higher learning, plus participation in such courses or program of study in the area of nursing home administration as the Commission may require.

(3) from and after January 1, 1980, the minimum educational requirements shall be the successful completion of a course of study which resulted in the awarding of a baccalaureate degree from an accredited institution of higher learning, plus participation in such courses or program of study in the area of nursing home administration as the Commission may require.

Provided, that upon submission of evidence thereof satisfactory to the Commission, four years of practical experience in nursing home administration or in a related health administration area may be substituted for each year of post-high school education required by paragraphs 2 or 3 of this subsection.

(e) He has passed such examination as the Commission may require to establish competency as a nursing home administrator.

(f) He has been registered as a nursing home administrator-in-training in accordance with these Regulations and, in this capacity, has worked one year in a nursing home licensed in the District, under the full-time supervision of a nursing home administrator licensed in the District. Provided, that the provisions of this subsection shall not apply to an applicant who (1) has been duly licensed as a provisional nursing home administrator in accordance with these Regulations; or (2) has successfully completed a course of study for a masters degree in nursing home administration or a related health care field and has been awarded such degree from an accredited institution of higher learning; or (3) has served as a nursing home administrator for twelve (12) months immediately preceding the effective date of these Regulations.

(g) He has paid all required fees.

3 Section 2. For a provisional license. To be eligible for a provisional
4 license to practice as a provisional nursing home administrator in the District, an
5 applicant must furnish satisfactory proof to the Commission that he has the
6 following qualifications:

7 (a) He is at least 21 years of age.

8 (b) He is a citizen of the United States or has duly declared his intention
9 of becoming a citizen of the United States.

10 (c) He is of good moral character.

11 (d) He has served as a nursing home administrator for all of the calendar
12 year immediately preceding the effective date of these Regulations (January 1, 1969 -
13 December 31, 1969).

14 (e) He has paid all required fees.

15 Section 3. For a license by endorsement. To be eligible for a license by
16 endorsement to practice as a nursing home administrator in the District, an applicant
17 must furnish satisfactory proof to the Commission that he has the following
18 qualifications:

19 (a) He has been duly licensed, registered, or certified as a nursing home
20 administrator, by examination, in another state or territory of the United States
21 wherein the requirements for licensure are substantially the same as those in effect
22 in the District.

23 (b) He is currently holding a license, registration, or certificate in good
24 standing as a nursing home administrator in another state or territory of the United
25 States.

26 (c) He meets the qualifications specified in subsection (a), (b), (c), (d),
27 and (g) of Part II, Section 1 of these Regulations.

28 PART III. APPLICATION FOR LICENSURE

29 Section 1. Filing of application. Every applicant for licensure pursuant to
30 these regulations shall duly file with the Director an application on a form prescribed
31 by the Commission and provided by the Director. All required documents must
32 accompany the application at time of filing.

33 Section 2. Photographs of applicant required. Every application must be
34 accompanied by two recent photographs of the applicant, measuring approximately
35 one inch by one-and-a-half inches.

36 Section 3. Application not duly made. The Commission shall review and
37 take action on all duly made applications. However, the applicant shall have the
38 burden of proving that he meets the qualifications required for obtaining the licensure
39 sought. The Commission may not presume qualifications not shown on the appli-
40 cation. The Commission may refuse to act on an application and may require
41 the applicant to submit additional information, if the application contains incomplete,
42 evasive, or insufficiently supported assertions where supporting evidence is required.

43 Section 4. False statements, disqualifications. The Commission may, after
44 notice and opportunity for hearing, disqualify the application of an applicant, if
45 the applicant has (a) knowingly made or allowed to be made on his behalf, either
46 to the Commission or to any officer or employee of the Department any false or mis-
47 leading statements in connection with his application; or (b) attempted improperly
48 to influence any member of the Commission or any officer or employee of the

3 Department in the discharge of his duties relating to such application. At the
4 discretion of the Commission, any applicant whose application has been so dis-
5 qualified, may reapply for the licensure desired.

6 Section 5. Application for license by examination. Every applicant for a
7 license by examination shall file his application not later than sixty days prior
8 to the date of the examination for which he desires to sit. The Director shall
9 notify each applicant of the Commission's action with respect to his eligibility
10 to take the examination. At least ten days prior to the examination, the Director
11 shall notify each eligible applicant of the time and place of examination.

12 PART IV. EXAMINATIONS

13
14 Section 1. Examination, frequency, place. The Commission shall conduct
15 in the District at least one examination each year. The Commission may, however,
16 schedule such additional examinations as it determines to be necessary. The
17 Commission shall fix the time and place for each examination.

18
19 Section 2. Commission to prescribe examination. The Commission shall
20 determine the subjects on which applicants are to be examined, and the scope,
21 content, and format of the examination, which in any examination shall be the
22 same for all applicants: Provided, that such examinations shall include exami-
23 nation of the applicant to demonstrate his proficiency in the rules and regulations
24 of health and safety.

25
26 Section 3. Examination procedures. The examination shall be administered
27 to applicants in accordance with the examination procedures established by the
28 Commission.

29
30 Section 4. Infraction of examination procedures. At the discretion of the
31 examiner in charge, any applicant may be excluded from the examination for
32 violating the examination procedures. An applicant who is deemed guilty of dis-
33 honesty during an examination, may be excluded by the Commission from future
34 examinations.

35
36 Section 5. Scoring of examination. The passing score shall be set and
37 made available to all applicants by the Commission prior to the examination.
38 The Commission shall approve the score of each candidate and notify the Director
39 of the results.

40
41 Section 6. Notification of examination results. The Director shall notify
42 each applicant of the examination results as determined by the Commission.

43
44 Section 7. Second and subsequent examinations. Any person who fails
45 his first examination may reapply and sit for subsequent examinations. Provided,
46 that an applicant who has failed three examinations shall be permitted to take
47 a fourth examination only after presenting satisfactory proof to the Commission
48 that he has, since failing his third examination, received such additional training
49 in the area of nursing home administration as the Commission may require.

50 51 PART V. CERTIFICATION OF LICENSURE

52
53 Section 1. Provisional license. Upon approval by the Commission, a
54 provisional license shall be issued to an applicant who meets the qualifications
55 set forth in Section 2 of Part II of these Regulations. Such provisional license
56 shall terminate after two years or at midnight, June 30, 1972, whichever is earlier,
57 and shall be cancelled and be of no legal force or effect thereafter: Provided,
58 that if prior to the expiration of such provisional license, the provisional nursing
59 home administrator concerned shall have passed a qualifying examination as re-
60 quired by the Commission and paid all required fees, a nursing home administrator

license by examination, shall be issued to him. No provisional license nor extension thereof shall be issued after June 30, 1972.

Section 2. Nursing home administrator-in-training registration. An applicant who does not meet the requirements for a nursing home administrator license provided for in Part II, Section 1, subsection (f) of these Regulations, but does qualify in all other ways for such a license, shall, upon approval by the Commission, be granted a registration as a nursing home administrator-in-training.

Section 3. Certification to be issued. Every applicant approved for licensure under the pursuant to these Regulations shall be issued an appropriate certification of such licensure. The Commission shall certify the name of each approved applicant to the Director.

Section 4. Director to prepare and issue certification. The Director shall prepare and issue a license, provisional license, or registration, as the case may be, for each duly qualified applicant certified to him by the Commission.

PART VI. ISSUANCE OF RENEWALS

Section 1. Annual renewal required. Every license issued pursuant to these regulations must be renewed on or before the 30th day of June of each year. Approximately sixty days prior to such date each year, the Director shall mail a renewal application to the last known address of each person holding a license in good-standing.

Section 2. Filing of renewal application. Every person holding a license in good-standing shall file with the Director, on or before the 30th day of June of each year, a completed renewal application accompanied by the annual renewal fee.

Section 3. Issuance of annual renewal. Each year, upon receipt of a properly completed renewal application and the correct renewal fee, and upon verifying the absence of any reason for withholding renewal, the Director shall issue a license renewal for the period beginning July 1 of that year and ending June 30th of the following year.

Section 4. Penalty for late-filing. A late-filing fee shall be added to the annual renewal fee in order to restore to good-standing the license of any person who fails to file a renewal application and pay the required renewal fee on or before June 30th of any year: Provided, that the provisions of this Section shall not apply to the holder of a license who is in inactive status in accordance with Part VI., Section 5 of these Regulations.

Section 5. Inactive status. Any person holding a license but not engaged in the practice of his profession as a nursing home administrator in the District, may apply to the Director, in writing, for inactive status. Upon being so notified, the Director shall place the name of such person on the non-practicing list. While remaining in an inactive status, such person shall not be subject to the payment of any annual renewal fee and he shall not engage in the practice of his profession as a nursing home administrator in the District.

Section 6. Restoration to active status. Any person on the non-practicing list may restore his license to active status by making written request for such a change in status and filing with the Director a properly completed renewal application and the annual renewal fee for the current license year. Provided, that a person who permitted his license to lapse prior to requesting inactive status, shall be further subject to payment of the late-filing fee required by Part VI, Section 4 of these Regulations.

PART VII. DENIAL SUSPENSION OR REVOCATION PROVISIONS

2
3 Section 1. Grounds for denial, suspension, or revocation of license,
4 provisional license, or registration. The Commission may refuse to issue a
5 license, or may suspend or revoke any license, provisional license, or regis-
6 tration for any of the grounds listed below, to wit: any case in which the
7 applicant, the licensee, or the registrant, as the case may be --

8
9 (a) has engaged in fraud or deceit or has misrepresented any fact in
10 procuring or attempting to procure any license, provisional license, or regis-
11 tration provided for by these Regulations;

12
13 (b) has engaged in such conduct as to demonstrate lack of good
14 moral character;

15
16 (c) has willfully or repeatedly violated any provision of these
17 Regulations; or any Regulations relative to the licensing of a Nursing Home;

18
19 (d) has willfully or repeatedly acted in a manner inconsistent with
20 the health, welfare, and safety of the patients of the nursing home in which he is
21 practicing nursing home administration;

22
23 (e) is mentally incompetent;

24
25 (f) is an intemperate consumer of intoxicating liquors or is addicted
26 to the use of habit-forming drugs;

27
28 (g) has aided or abetted any person in the violation of any provision
29 of these Regulations.

30
31 Section 2. Investigation of grounds. The Commission may, upon its own
32 motion, and shall, upon the sworn complaint in writing of any person setting
33 forth charges which, if proved, would constitute grounds for an adverse action
34 as hereinabove set forth, request the Director to investigate the actions of any
35 person who is an applicant for or holder of a license, provisional license, or
36 registration provided for in these Regulations.

37
38 Section 3. Opportunity for a hearing. Every applicant for or holder of a
39 license, provisional license, or registration, except applicants for reinstatement
40 after revocation, shall be afforded notice and an opportunity to be heard prior
41 to any action of the Commission, the effect of which would be:

42
43 (a) to deny permission to take examination for a license, for which the
44 applicant has correctly filed and whose application has been accepted;

45 (b) to deny licensure after examination for any cause other than
46 failure to pass an examination;

47 (c) to deny a license by endorsement to an applicant who meets the
48 qualifications set forth in Part II, Section 3 of these Regulations;

49 (d) to deny a provisional license to an applicant who meets the
50 qualifications set forth in Part II, Section 2 of these Regulations;

51 (e) to deny a registration to an applicant who qualifies in accordance
52 with Part V, Section 2 of these Regulations;

53 (f) to suspend a license, provisional license, or registration;

54 (g) to revoke a license, provisional license, or registration.

55
56 Section 4. Notice of contemplated action. Request for hearing and
57 notice of hearing.

58
59 (a) When the commission contemplates taking any action of the type
60 specified in subsections (a), (b), (c), (d), or (e) of Part VII, Section 3 of these

8 of 11

Regulations, it shall give to the applicant a written notice containing a statement:

2
3 (1) that the applicant has failed to satisfy the Commission as to his
4 qualification to sit for examination or to be approved for licensure, as the case may be;

5
6 (2) indicating in what respect the applicant has failed to satisfy the
7 Commission; and

8
9 (3) that the applicant may secure a hearing before the Commission by
10 depositing in the mail within twenty days after service of said notice, a certified
11 letter addressed to the Commission and containing a request for a hearing.

12
13 (b) When the Commission contemplates taking any action of the type
14 specified in subsections (f) or (g) of Part VII, Section 3 of these Regulations, it
15 shall give the person concerned a written notice containing a statement:

16
17 (1) that the Commission has sufficient evidence, and setting forth
18 the same, which, if not rebutted or explained, justifies the Commission in taking
19 the contemplated action; and

20
21 (2) that unless the person concerned, within twenty days after
22 service of said notice, deposits in the mail a certified letter addressed to the
23 Commission and containing a request for a hearing, the Commission will take
24 the contemplated action.

25
26 Section 5. Procedure when a person fails to request a hearing. If the
27 person concerned does not mail a request for a hearing within the time and in the
28 manner required by Part VII, Section 4 of these Regulations, the Commission may,
29 without a hearing, take the action contemplated in the notice. The Commission
30 shall, in writing, inform the person concerned, the Corporation Counsel and the
31 Director of the Commission's action.

32
33 Section 6. Notice of hearing. If the person concerned requests a hearing
34 pursuant to Part VII, Section 4 of these Regulations, the Commission shall, within
35 twenty days following the receipt of a request, notify the person concerned of the
36 time and place of hearing, which hearing shall be held by the Commission not
37 more than thirty days nor less than twenty days following the date of service of
38 such notice.

39
40 Section 7. Method of serving notice of contemplated action and notice of
41 hearing. Any notice required by Part VII, Section 4 or Section 6 of these Regulations,
42 may be served either personally by an employee of the Department or by certified
43 mail, return receipt requested, directed to the person concerned at his last known
44 address as shown by the records of the Department. If notice is served personally,
45 it shall be deemed to have been served at the time when delivery is made to the
46 person concerned. When notice is served by certified mail, it shall be deemed to
47 have been served on the date borne upon the return receipt showing delivery of the
48 notice to the person concerned or refusal of the person concerned to receive notice.
49 In the event that the person concerned is no longer at the last known address as
50 shown by the records of the Department and no forwarding address is available, the
51 notice shall be deemed to have been served on the date the return receipt bearing
52 such notification is received by the Department.

53
54 Section 8. Procedure when a person fails to appear for a requested hearing.
55 If a person who requested a hearing does not appear and no continuance has been
56 or is granted, the Commission may hear the evidence of such witnesses as may
57 have appeared, and the Commission may proceed to consider the matter and render
58 a decision on the basis of evidence before it, in the manner required by Part VII,
59 Section 9 of these Regulations.

60

2 Section 9. Majority of Commission to hear and decide. At each hearing,
3 at least a majority of the members of the Commission shall be present to hear the
4 evidence and render a decision.

5 Section 10. Rights of person entitled to hearing. A person entitled to a
6 hearing shall have the right:

- 7 (a) to be represented by counsel;
8 (b) to present all relevant evidence by means of witnesses and
9 books, papers, and documents; and
10 (c) to examine all opposing witnesses on any matter relevant to
11 the issues.
12

13
14 Section 11. Powers of the Commission in holding hearings. In connection
15 with any hearing held, the Commission shall have the power:

- 16 (a) to request that counsel from the Office of the Corporation
17 counsel be appointed to represent the District in any case before the Commission;
18 (b) to take testimony;
19 (c) to examine witnesses; and
20 (d) to direct continuance of any case.
21

22
23 Section 12. Evidence. In all proceedings held by the Commission, the
24 Commission shall receive and consider any evidence or testimony. However, the
25 Commission may exclude incompetent, irrelevant, immaterial, or unduly repetitious
26 evidence or testimony.
27

28
29 Section 13. Burden of proof

30 (a) In any Commission proceeding resulting from the Commission's
31 contemplated action to deny licensure, the applicant shall have the burden of
32 satisfying the Commission of his qualifications.
33

34 (b) In any Commission proceeding resulting from the Commission's
35 contemplated action to suspend or revoke a license, provisional license, or
36 registration, the District Government shall have the duty of producing evidence
37 to establish that a prima facie case exists for taking the contemplated action, and
38 when such evidence is produced, then such person shall have the burden thereafter
39 of going forward with the evidence.
40

41
42 Section 14. Transcript of proceedings. In all hearings conducted by the
43 Commission, a complete record shall be made of all evidence presented during
44 the course of a hearing.
45

46 Section 15. Manner and time of rendering decision. The members of the
47 Commission who conduct the hearing shall render their decision, in writing, as
48 soon as practicable, but not later than ninety days after the date the hearing is
49 completed.
50

51 Section 16. Content of decision. The decision of the Commission shall
52 contain:

- 53 (a) findings of fact made by the Commission;
54 (b) application by the Commission of these Regulations to the facts
55 as found by the Commission; and
56 (c) the decision of the Commission based upon (a) and (b) of this
57 Section.
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Section 17. Service of written decision. Within five days after the decision is rendered, the Commission shall serve upon the person concerned, or his attorney of record, a copy of the written decision either personally or by certified mail. If sent by certified mail, it shall be deemed to have been served on the date contained on the return receipt.

Section 18. Reopening Proceedings. Where, because of accident, sickness, or other good cause, a person fails to receive a hearing or fails to appear for a hearing which he has requested, the person may, within thirty days from the date of the decision of the Commission, apply to the Commission to reopen the proceedings; and the Commission, upon finding such cause sufficient, shall immediately fix a time and place for hearing and give such person, the Corporation Counsel, and the Director, notice thereof, as required by these Regulations. The Commission may also reopen a proceeding for any other cause sufficient to it, provided no appeal is pending before a court or has been decided by a court.

Section 19. Reconsideration or reinstatement. Upon the application, after one year, of any person who has been denied licensure or who has had a license, provisional license, or registration revoked by the Commission, the Commission may, upon showing of cause satisfactory to it, reinstate the license, provisional license, or registration or issue a new one.

PART VIII. MISCELLANEOUS REGULATIONS

Section 1. Commission's training authority and responsibility.

(a) If the Commission approves the issuance of any provisional license pursuant to these regulations, the Commission shall make every effort to insure that between the effective date of these regulations and July 1, 1972 a program for training and instruction will be available in the District, designed to enable all provisional nursing home administrators to attain the qualifications necessary for licensure as a nursing home administrator.

(b) If the Commission determines, at any time, that programs of training and instruction conducted within the District are not sufficient in number or content to enable persons to meet the requirements for courses or a program of study in the area of nursing home administration as established by the Commission pursuant to these Regulations, the Commission may institute and conduct, or arrange with others to conduct, one or more such programs, and shall make provisions for their accessibility to residents of the District. The Commission may approve programs conducted within and without the District as sufficient to meet education and training requirements established pursuant to these Regulations. For purposes of this subsection, the Commissioner shall have the authority to receive and disburse Federal funds received pursuant to Section 1908(e)(1) of the Social Security Act.

Section 2. Commission's authority to delegate

(a) The Commission may, in its discretion, appoint a Board of Examiners for Nursing Home Administrators and may delegate to such Board any of the authority vested in the Commission by these Regulations.

(b) The Commission may, in its discretion, designate the Director to serve as its agent for the purpose of administering any of the provisions of these Regulations.

Section 3. Commission's authority to appoint advisors. The Commission may, in its discretion, appoint a Nursing Home Administrator Advisory Committee to provide advice and recommendations on such matters as the Commission shall, from time to time specify.

11 of 11

5 Section 4. Notification of severance of connection. Upon the resignation
6 or severance of connection of a nursing home administrator or provisional nursing
7 home administrator with the nursing home, or upon the expiration of the occupational
8 license of the nursing home administrator or provisional nursing home administrator,
9 it shall become the obligation of the nursing home immediately to inform the
10 Director, in writing, thereof, including the name of the licensed administrator
11 replacement.

12 Section 5. Notification of change of name or address required. Each
13 holder of a license, provisional license, or registration shall, within five days
14 after any change of name, residence or business address, notify the Director
15 in writing, of such change.

16 Section 6. Fees to be collected for services rendered. The Commissioner
17 shall fix, and may adjust from time to time, the fees which shall be collected
18 for rendering the following services in connection with administering the
19 licensing program established by these Regulations:

- 20 (a) for reviewing or processing an application for licensure;
21 (b) for services attendant to the preparation and administration of
22 examinations and re-examinations;
23 (c) for issuing licenses and renewals thereof;
24 (d) for issuing provisional licenses;
25 (e) for issuing registrations;
26 (f) for issuing duplicates of licenses, provisional licenses, or
27 registrations, and renewals of licenses;
28 (g) for mailing a renewal application a second time if no timely
29 notification of change of name or address has been made;
30 (h) for late-filing of renewal application; and
31 (i) for any other services required to be rendered in connection with
32 administration of the licensing program established by these Regulations.
33

34 Section 7. Enforcement. Any person, firm, association, corporation, or
35 partnership violating any provision of these Regulations shall, upon conviction
36 thereof, shall be punished by a fine not exceeding \$300, or by imprisonment
37 for a term not exceeding 10 days, or by both such fine and such imprisonment.
38 In the event that such person is the holder of a license, provisional license,
39 or registration provided for by these Regulations, such license, provisional
40 license, or registration may, in addition, be suspended or revoked.
41

42 Section 8. Severability provision. If any clause, sentence, paragraph,
43 or section of these Regulations shall, for any reason, be adjudged by any court
44 of competent jurisdiction to be unconstitutional or invalid, such judgment shall
45 not affect, repeal or invalidate the remainder hereof.
46

47 Section 9. Effective date. These Regulations shall become immediately
48 effective upon enactment.
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Regulation No. 70-38



September 22, 1970
Enactment Date

Regulation

of the
District of Columbia

TITLE EXEMPTION OF CERTAIN LOANS AND MORTGAGES FROM THE USURY LAW OF THE DISTRICT OF COLUMBIA
Vice Chairman Sterling Tucker
----- Presents the following regulation:

1 WHEREAS, chapter 33 of title 28 of the District of Columbia Code provides
2 that interest on loans made in the District shall not exceed eight percent per
3 annum; and
4

5 WHEREAS, the District of Columbia Council is authorized by Section 2 of the
6 Act approved August 28, 1970 (Public Law 91-385) to exempt from the provisions
7 of such chapter 33 mortgages and loans insured or guaranteed under the National
8 Housing Act or chapter 37 of title 38 of the United States Code, if the interest
9 rate on the mortgages and loans is subject to regulation by an officer or agency
10 of the Federal Government; and
11

12 WHEREAS, Section 3(a) of the Act approved May 7, 1968 (Public Law 90-301)
13 authorizes the Secretary of Housing and Urban Development to establish the
14 maximum interest rates for certain mortgage insurance programs authorized by
15 the National Housing Act, and the Secretary, pursuant to such authority, has
16 fixed at eight and one-half percent the maximum rate of interest on mortgages
17 insured under such programs on and after January 5, 1970 (35 F.R. 179; 24 CFR,
18 Chapter II); and
19

20 WHEREAS, Section 1803 (c)(1) of chapter 37 of title 38 of the United States
21 Code authorizes the Administrator of Veteran's Affairs to establish the maximum
22 interest rate on loans guaranteed or insured under that chapter and the Administrator,
23 pursuant to such authority, has fixed at eight and one-half percent the maximum
24 rate of interest on real estate loans made on and after January 5, 1970 (35 F.R.181;

RECORD OF COUNCIL VOTE																	
COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
HAHN	X					DAUGHERTY				X		ROBINSON	X				
TUCKER	X					HAYWOOD				X		VEAZEY	X				
ANDERSON	X					MOORE	X					YELDELL					X

X—Indicates Vote A. B.—Absent N. V. Not Voting R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on September 15, 1970.

Adopted on second and final reading September 22, 1970

Presented to the Mayor-Commissioner September 22, 1970

Approved [Signature]
Mayor-Commissioner

[Signature]
Secretary of the City Council

September 22, 1970
Date

Enacted W/O signature of the Mayor according to ten day limitation rule: _____

Date

Disapproved and returned to the City Council _____

Mayor-Commissioner

Date

Readopted _____
Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.

[Signature]
Secretary of the City Council

1 38 CFR § 36.4311 (a)); and
2

3 WHEREAS, the Council has determined that if the urgent housing needs of the
4 people be met, the present state of the mortgage market in the District requires
5 that mortgage and loans insured or guaranteed under the National Housing Act
6 or chapter 37 of title 38 of the United States Code not be subject to the interest
7 rate limitations of chapter 33 of title 28 of the District of Columbia Code.
8

9 NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council that:
10

11 Section 1. Mortgages and loans insured or guaranteed under the National
12 Housing Act or chapter 37 of title 38 of the United States Code, the Interest rates
13 of which are subject to regulation by an officer or agency of the Federal Government,
14 are exempt from the provisions of chapter 33 of title 28 of the District of Columbia
15 Code.
16

17 Section 2. The Housing and Urban Development Committee of the District
18 of Columbia Council shall review the effect of the exemption provided in Section
19 1 to assess the extent to which such exemption results in a greater availability of
20 mortgage financing for low and moderate income families and to gauge the impact
21 of such exemption on such families. The Committee shall report its findings and
22 shall make a recommendation as to whether such exemption should be extended
23 and as to legislation to remedy the shortage of mortgage financing, should that
24 continue to be the case, no later than August 1, 1971.
25

26 Section 3. This Regulation shall take effect immediately upon enactment.
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Regulation No. 70 39



October 6, 1970
Enactment Date

Regulation

of the
District of Columbia

TITLE AMENDMENT TO AMENDMENTS TO HOUSING REGULATIONS OF THE DISTRICT OF COLUMBIA

Mr. Sterling Tucker Presents the following regulation:

BE IT ENACTED by the District of Columbia Council that:

Section 1. Section 2901 of the Housing Regulations of the District of Columbia is hereby amended to read as follows:

"Section 2901. Statement of Policy Regarding Civil Enforcement of Regulations

2901.1. The maintenance of leased or rental habitations in violation of these Regulations, where such violations constitute a danger to the health, welfare, or safety of the occupants, is hereby declared to be a nuisance.

2901.2. It is further declared that the abatement of such nuisances by criminal prosecution or by compulsory repair, condemnation and demolition alone has been and continues to be inadequate.

2901.3. It is further declared that such nuisances additionally cause specific, immediate, irreparable and continuing harm to the occupants of these habitations.

2901.4. It is further declared that such nuisances damage the quality of life and the mental development and well-being of the occupants as well

RECORD OF COUNCIL VOTE

COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
HAHN	X					DAUGHERTY				X		ROBINSON					X
TUCKER	X					HAYWOOD	X					VEAZEY	X				
ANDERSON	X					MOORE	X					YELDELL	X				

X—Indicates Vote A. B.—Absent N. V. Not Voting R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on September 15, 1970

Adopted on second and final reading October 6, 1970

Presented to the Mayor-Commissioner October 6, 1970

David H. Schwartz
Acting Secretary of the City Council

Approved [Signature]
Mayor-Commissioner

Oct. 15, 1970
Date

Enacted W/O signature of the Mayor according to ten day limitation rule:

Date

Disapproved and returned to the City Council

Mayor-Commissioner

Date

Readopted

Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.

David H. Schwartz
Secretary of the City Council

as their physical health and personal property, and thus such harm cannot be fully compensated for by an action for damages, rescission or equitable set-off for the reduction in rental value of the premises.

2901.5. It is the intention of this Section to declare expressly a public policy in favor of speedy abatement of such nuisances, if necessary, by preliminary and permanent injunction issued by Courts of competent jurisdiction."

Section 2. This amendment shall take effect immediately upon enactment.

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Regulation No. 70-40



October 30, 1970
Enactment Date

Regulation

of the
District of Columbia

TITLE: - Water Safety

Councilman Philip J. Daugherty Presents the following regulation:

1 WHEREAS, the District of Columbia Council finds the need to regulate
2 canoe safety in the harbors and waterfronts of the District of Columbia.

3
4 NOW, THEREFORE, BE IT ENACTED, by the District of Columbia Council that:

5
6 Section 1. Section 4 of Article 29 of the Police Regulations of the District
7 of Columbia is amended by adding the following:

8
9 " (d) No person engaged or employed in the business of
10 renting canoes in the District of Columbia shall rent any canoe
11 without first instructing the person or persons hiring the canoe
12 in its operation and in the use of the life preservers with which
13 it is equipped. Such instruction may be either oral or written,
14 and shall include, but need not be limited to, instructions sub-
15 stantially equivalent to those issued by the Commissioner pur-
16 suant to subsection (e) of this section.

17
18 (e) The Commissioner or his designated agent is authorized
19 from time to time to prescribe standards for canoe safety instructions.
20 The standards to be prescribed by the Commissioner may include,
21 but need not be limited to, the need for warning persons hiring
22 canoes to avoid standing up in them while under way; an explanation
23 of the basic canoe strokes; an explanation of the rules of the road
24 for vessels; the meaning of channel marker buoys; and distress
signals for small boats."

Section 2. This regulation shall take effect on and after May 1, 1971.

RECORD OF COUNCIL VOTE																	
COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
HAHN	X					DAUGHERTY				X		ROBINSON	X				
TUCKER	X					HAYWOOD				X		VEAZEY	X				
ANDERSON	X					MOORE	X					YELDELL	X				

X—Indicates Vote A. B.—Absent N. V. Not Voting R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on October 6, 1970

Adopted on second and final reading October 22, 1970

Presented to the Mayor-Commissioner October 23, 1970
Date

David H. Schwartz
Acting Secretary of the City Council

Approved *Malta Washington*
Mayor-Commissioner

October 30, 1970
Date

Enacted W/O signature of the Mayor according to ten day limitation rule:

_____ Date

Disapproved and returned to the City Council _____

Mayor-Commissioner

_____ Date

Readopted _____
Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.

David H. Schwartz
Secretary of the City Council

Regulation No. 70-41



December 31, 1970
Enactment Date

Regulation

of the

District of Columbia

TITLE Regulation Providing for Reinstatement Fee to be Charged Motorists
Whose Operators' Permits, Registrations or Nonresidents' Operating
Privileges Have Been Suspended or Revoked
Councilman Jerry A. Moore, Jr. Presents the following regulation:

1 WHEREAS, the Congress of the United States in the District of
2 Columbia Revenue Act of 1969 (P.L. 91-106, approved October 31, 1969)
3 has amended Section 6(a) of the District of Columbia Traffic Act, 1925
4 (Sec. 40-603(a), D. C. Code, 1967 Ed.) and Section 3(a) of the Motor
5 Vehicle Safety Responsibility Act of the District of Columbia (Sec. 40-419(a),
6 D. C. Code, 1967 Ed.) to permit the assessment of a fee not to exceed Ten
7 Dollars (\$10.00) for the reinstatement of the privileges of persons whose
8 privileges have been suspended or revoked by the Department of Motor Vehicles;
9 and

10
11 WHEREAS, the Council is vested with the authority to make regulations
12 under Section 3 of the Motor Vehicle Safety Responsibility Act (D. C. Code,
13 Sec. 40-419) and Section 6(a) of the District of Columbia Traffic Act, 1925
14 (D. C. Code, Sec. 40-603(a)).

15
16 NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council
17 that:

18
19 Section 1. Whenever a license, registration, or nonresident's operating
20 privilege is suspended or revoked under the provisions of the District of Columbia
21 Traffic Act, 1925, or under the Motor Vehicle Safety Responsibility Act of the
22 District of Columbia, or under both such Acts, no such license, registration, or
23 nonresident's operating privilege shall be reinstated, nor shall any new license
24 or registration be issued, unless the licensee, registrant, or nonresident, in

RECORD OF COUNCIL VOTE																	
COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
HAHN	X					DAUGHERTY				X		ROBINSON	X				
TUCKER				X		HAYWOOD	X					VEAZEY					X
ANDERSON	X					MOORE	X										

X—Indicates Vote A. B.—Absent N. V. Not Voting R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on November 17, 1970

Adopted on second and final reading December 22, 1970

Presented to the Mayor-Commissioner December 23, 1970 David H. Schwartz
Secretary of the City Council

Approved [Signature] 12/31/70
Mayor-Commissioner Date

Enacted W/O signature of the Mayor according to ten day limitation rule: _____
Date

Disapproved and returned to the City Council _____
Mayor-Commissioner Date

Readopted _____
Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.
David H. Schwartz
Secretary of the City Council

1 addition to complying with all other provisions of the Acts mentioned above,
2 pays a fee of Ten Dollars (\$10.00) in addition to any other fees which may
3 be required by law.
4

5 Section 2. This regulation shall take effect immediately upon
6 enactment.
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Regulation No. 70-42



December 31 1970
Enactment Date

Regulation

of the
District of Columbia

TITLE REGULATION AMENDING THE D. C. HEALTH REGULATIONS RELATING TO DAIRY FARM STANDARDS

DR. HENRY S. ROBINSON, JR. Presents the following regulation:

1 WHEREAS, the Public Health Service has revised its standards regarding
2 the production, handling, and transportation of raw milk and cream for pasteurization; and
3

4
5 WHEREAS, conformity with the provisions of the Public Health Service 1965
6 Grade A Pasteurized Milk Ordinance is required for continued participation in the
7 Cooperative Interstate Milk Shippers Program; and

8
9 WHEREAS, Reorganization Plan #3 of 1967 transferred to the District of
10 Columbia Council the authority to adopt all reasonable rules and regulations necessary
11 to protect the milk and cream supply in the District, such regulations to be
12 consistent with D. C. Code Sections 33-301 to 33-319;

13
14 NOW, THEREFORE BE IT ENACTED by the District of Columbia Council that:

15
16 Section 1. Subsection (b) of Section 8-6:303 of the District of Columbia
17 Health Regulations, relating to the notice of suspension of dairy farm permits, is
18 amended to read as follows.

19
20 "(b) Notice of Suspension. Whenever any dairy farm permit may
21 be subject to suspension, the Director shall first serve upon the
22 holder a written notice of intent to suspend his permit, specifying
23 with particularity the violations in question and affording the holder
24 such reasonable opportunity to correct the violations as may be
agreed to by the parties, or in the absence of agreement, fixed by the
Director, before making any order of suspension effective: Provided,

RECORD OF COUNCIL VOTE																	
COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
HAHN	X					DAUGHERTY				X		ROBINSON	X				
TUCKER	X					HAYWOOD	X					VEAZEY					X
ANDERSON	X					MOORE	X										

X—Indicates Vote A. B.—Absent N. V.—Not Voting R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on December 1, 1970

Adopted on second and final reading December 22, 1970

Presented to the Mayor-Commissioner December 23, 1970

Approved [Signature] Mayor-Commissioner
Secretary of the City Council [Signature]
12/31/70 Date

Enacted W/O signature of the Mayor according to ten day limitation rule: _____ Date

Disapproved and returned to the City Council _____ Mayor-Commissioner _____ Date

Readopted _____ Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.
[Signature] Secretary of the City Council

--2 of 4--

1 that no written notice shall be required where the milk or milk
2 product involved constitutes, or appears to constitute, an immi-
3 nent hazard to the public health, or where the milk or milk product
4 has been adulterated or is in otherwise unsatisfactory condition."
5

6 Section 2. Section 8-6:305 of the Health Regulations, relating to bacterial
7 quality of raw milk for pasteurization, is amended to read as follows:
8

9 "8-6:305 QUALITY OF RAW MILK FOR PASTEURIZATION
10

11 "(a) Minimum number of samples in a certain period and
12 methods of examination. Bacterial counts, somatic cell counts,
13 antibiotic tests and cooling temperature checks shall be performed
14 on raw milk from each producer at least four times, at substantially
15 regular intervals, during any consecutive six months. Samples shall
16 be analyzed in the departmental laboratory, in a laboratory inspected
17 and approved by the Director or in laboratories approved for such
18 tests by Federal and State agencies in accordance with the Grade A
19 Pasteurized Milk Ordinance--1965 Recommendations of the United
20 States Public Health Service, and Evaluation of Milk Laboratories,
21 1965 (Public Health Service). All sampling procedures and required
22 laboratory examinations shall be in substantial compliance with the
23 12th edition of Standard Methods for the Examination of Dairy Products
24 of the American Public Health Association, and the 10th edition of
25 Official Methods of Analyses of the Association of Official Analytical
26 Chemists. Samples shall be screened for somatic cell counts by one
27 of the approved methods. A confirmatory count using a direct
28 microscopic or electronic somatic cell counting technique shall
29 be conducted on each sample in the violative range and the result
30 of this count shall be the official result. Examinations may include
31 such other chemical and physical determinations as the Director
32 may deem necessary for the determination of adulteration.
33

34 "(b) Standards for raw milk. All Grade A raw milk for pasteuri-
35 zation shall conform with the sanitation requirements of this Part
36 and with the following bacteriological and chemical standards:
37

38 "Bacterial limits

39
40 "Individual producer milk not to exceed 100,000 per milliliter.
41

42 "Somatic cell count

43
44 "Not to exceed 1,500,000 per milliliter.
45

46 "Antibiotics

47
48 "No detectable antibiotic residues.
49

50 "(c) Warning of excessive bacterial or somatic cell count on
51 raw milk for pasteurization; suspension of dairy farm permit or
52 temporarily restored permit. Whenever a bacteria or somatic cell
53 count exceeds the standards for raw milk for pasteurization, the
54 Director shall warn the holder of the dairy farm permit of such
55 condition. Whenever two of the last four consecutive bacteria or
56 somatic cell counts exceed the standards for raw milk for pasteuri-
57 zation, the Director shall in writing notify the holder of the dairy
58 farm permit or temporarily restored dairy farm permit that his permit
59 is in jeopardy, that an additional sample shall be examined within
60 not less than three nor more than fourteen days from the date of the

1 of the notice, and that if the additional sample shows a cell
2 count in excess of the standards for raw milk for pasteurization,
3 his permit will be suspended without further written notice.
4 Whenever three of the last five consecutive bacteria or somatic
5 cell counts exceed the standards for raw milk for pasteurization,
6 the Director shall suspend the dairy farm permit, or temporarily
7 restored dairy farm permit, as the case may be."

8
9 " (d) Conversion of suspended permit to a temporarily restored
10 permit. Whenever any permit, other than a temporarily restored
11 permit, is suspended as required by the preceding subsection, it
12 may, upon application, be restored on a temporary basis if a
13 subsequent sample, collected not less than three days subsequent
14 to the last examined sample, has a bacteria or somatic cell count
15 determined by a method described in subsection (a) to be not in
16 excess of the standard set forth herein, and, in addition, a
17 favorable inspection report has been made indicating that the
18 operation is satisfactory, the facilities are adequate and the
19 animals are in good health. If, upon such application, samples
20 are not available because of suspension of permit to operate or
21 for other reasons, the Director may temporarily restore such sus-
22 pended permit upon satisfying himself by inspection of the facilities
23 and the operating methods that the conditions responsible for the
24 violation have been corrected.

25
26 " (e) Full restoration of a temporarily restored permit.
27 Whenever any permit, other than a temporarily restored permit,
28 has been suspended as required by subsection (c) above and the
29 permit has been temporarily restored, it shall not be fully restored
30 until a sufficient number of samples, collected at not less than
31 three-day intervals, have bacterial or somatic cell counts not in
32 excess of the standards set forth herein, as determined by a method
33 described in subsection (a) above, so that in the last four consecu-
34 tive samples not more than one sample exceeds the standard and,
35 in addition, a favorable inspection report has been made indicating
36 that the operation is satisfactory to the Director.

37
38 " (f) Conversion of a suspended temporarily restored permit to
39 an original full permit. Whenever any temporarily restored permit
40 is suspended as required by subsection (c) above, upon application
41 the original permit may be restored in full only if five consecutive
42 samples, each collected not less than three days subsequent to
43 the last examined sample, have bacterial or somatic cell counts
44 not exceeding the standards set forth herein, as determined by a
45 method described in subsection (a), and, in addition, the Director
46 has satisfied himself by inspection of the milking cows, of the
47 facilities, and of the operating methods that the condition
48 responsible for the violation has been corrected."

49
50 Section 3. Paragraph (2) of subsection (b) of section 8-6:324 of the
51 District of Columbia Health Regulations, relating to rigid and nonrigid pipeline
52 systems, is amended to read as follows:

53
54 "(2) RIGID AND NONRIGID PIPELINE SYSTEMS

55
56 "All cleaned-in-place milk pipeline systems hereafter
57 installed shall be constructed and installed in conformity
58 with 3A Accepted Practices for the Design, Fabrication and
59 Installation of Milk and Milk Handling Equipment, effective
60 February 3, 1969, formulated by the International Association

1 of Milk, Food, and Environmental Sanitarians, Inc., the
 2 United States Public Health Service, and the Dairy Industry
 3 Committee, a copy of which is available for inspection in
 4 the Office of the Director of the Health Services Administration.
 5 Detailed plans for cleaned-in-place pipeline systems shall
 6 be subject to the written approval of the Director prior to
 7 installation. No alteration or addition shall be made to any
 8 milk pipeline system without prior written approval by the
 9 Director. Where other than rigid piping is to be used in
 10 pipeline milking systems, the conductor piping and its method
 11 of use shall be subject to the prior written approval of the
 12 Director."

13 Section 4. This Regulation shall be effective immediately upon enactment.
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Regulation No. 70-43



December 23, 1970
Enactment Date

Regulation

of the
District of Columbia

TITLE HOLIDAY FOR DISTRICT EMPLOYEES ON DECEMBER 24, 1970

Chairman Gilbert Hahn, Jr. Presents the following regulation:

1 WHEREAS, on December 21, 1970, the President issued an order
2 that declared a one-half day holiday on Thursday, December 24, 1970, for federal
3 employees, and

4
5 WHEREAS, the District of Columbia Council was transferred the
6 rulemaking authority for holidays for District Employees under Title I, Section 260
7 of the District of Columbia Code, and

8
9 WHEREAS, the District of Columbia Council finds that it must act
10 expeditiously in order to allow District Employees also to have this holiday and,
11 therefore, finds that in the interest of the public welfare it must act under Section 6
12 of the District of Columbia Administrative Procedure Act which allows emergency
13 rules to be promulgated without prior notice.

14
15 NOW, THEREFORE, BE IT ENACTED BY the District of Columbia Council
16 that:

17
18 Section 1. The Commissioner of the District of Columbia is hereby
19 authorized to issue those orders he deems necessary to declare a half-day
20 holiday for District of Columbia employees on December 24, 1970.

21
22 Section 2. This regulation shall take effect immediately upon enactment.
23
24

RECORD OF COUNCIL VOTE																	
COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.	COUNCILMAN	AYE	NAY	N.V.	A.B.	R.A.
HAHN	X					DAUGHERTY				X		Robinson	X				
TUCKER	X					HAYWOOD	X					Veazey				X	
ANDERSON	X					MOORE	X										

X—Indicates Vote A. B.—Absent N. V. Not Voting R. A.—Readopted

Submitted on first reading at a meeting of the District of Columbia City Council on _____

Adopted on second and final reading December 22, 1970

Presented to the Mayor-Commissioner December 23, 1970

David H. Schwartz
Secretary of the City Council

Approved *[Signature]*
Mayor-Commissioner

12/23/70
Date

Enacted W/O signature of the Mayor according to ten day limitation rule:

_____ Date

Disapproved and returned to the City Council _____
Mayor-Commissioner

_____ Date

Readopted _____
Date

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.

David H. Schwartz
Secretary of the City Council