

Regulation Number	Appointed District of Columbia Council Statutes-at-Large Index Regulations 1971	Page
71-1	Regulation to Modify Existing Policies for the Provision of Day Care Services	1
71-2	Regulation to Establish Policies Governing Resources of Persons Applying for Receiving Public Assistance	4
71-3	Regulation to Amend Part 1 of the Traffic and Motor Vehicle Regulations of the District of Columbia Related to School Buses and School Bus Drivers	7
71-4	Amendment to ABC Regulations Concerning Credit Plans: Crime and Disaster Losses	11
71-5	Regulation Governing the Conduct of Moving Personal Property Within or from the District of Columbia	13
71-6	Amendment to Regulations Pertaining to the District Income and Franchise Tax Act of 1947	18
71-7	Insurance: Regulation Governing Method of Accounting for Premiums and Expenses and Governing Use of Inflation Factors	29
71-8	Insurance: Regulation Prohibiting Geographic Discrimination	30
71-9	Insurance: Regulation Requiring Insurance Questions on Operator's License Examinations	32
71-10	Insurance: Regulation Requiring Disclosure of Rates of District of Columbia Automobile Insurance Plan	33
71-11	Insurance: Regulations Governing Consideration of Net Investment Income on Unearned Premium Reserves and Loss Reserves (expired by Mayor)	35
71-12	Insurance: Regulation Governing Specification of Reasons for Denial of Surety Bonds	37
71-13	Insurance: Regulation Prohibiting Arbitrary Cancellation of Insurance Policies in the District of Columbia	39
71-14	Regulation Governing the Practice of Certified Public Accountants in the District of Columbia	44

Regulation Number	Appointed District of Columbia Council Statutes-at-Large Index Regulations 1971	Page
71-15	Regulation to Alter the Design of the Uniform of the Metropolitan Police Department	58
71-16	Regulation Concerning the Transportation of Explosives within the District of Columbia	60
71-17	Regulation of Accrued Statutory Benefits and Lump-Sum Payments, Public Welfare	61
71-18	Retail Consumer Credit Regulation	64
71-19	Regulation Closing P Street, N.W.	78
71-20	Regulation Concerning Uniforms to be Worn by Special Policemen and by Unarmed Uniformed Guards and Security Officers	79
71-21	Solid Waste Regulation	81
71-22	Police Regulations Related to Carnivals and Fairs	91
71-23	Regulation Concerning Vaccination of Dogs Against Rabies	93
71-24	Regulation On Income Supplementation, Public Welfare	96
71-25	Regulation Prohibiting Left Hand Turns into Parking Lots and Garages	101
71-26	District of Columbia Bicycle Code	103
71-27	Regulation Governing the Provision of Contraceptive, Services and Devices to Minors	112
71-28	Regulation Prohibiting Water Contact Sports In District of Columbia Waters	114
71-29	Regulation Prescribing Guidelines for Care and Protection of Dependent Children	118
71-30	Regulation Concerning Proprietary Schools in the District of Columbia	128
71-31	Regulation to Amend Regulations Pertaining to the D.C. Income and Franchise Tax Act of 1947	136
71-32	Regulation Establishing a Special License Plate for The Honorable Walter E. Fautroy	138
71-33	Private Environmental Litter Containers Regulations	141
71-34	Regulation Relating to Suspensions or Revocation of a Hacker's License	145

Regulation No. 71-1



January 14, 1971
Enactment Date

Regulation

of the
District of Columbia

TITLE REGULATION TO MODIFY EXISTING POLICIES FOR THE PROVISION OF DAY CARE SERVICES BY THE DEPARTMENT OF HUMAN RESOURCES.

DR. HENRY S. ROBINSON, JR. Presents the following regulation:

1 WHEREAS, Regulation No. 69-9, approved by the Council on January 28, 1969,
2 established policies for the provision of day care services by the Department of
3 Public Welfare (now the Social Services Administration, Department of Human
4 Resources); and

5 WHEREAS, the regulation precludes the Department from assuming the full
6 cost of day care for children of TAFUP (Temporary Assistance for Families with
7 Unemployed Parents) mothers whose day care plan breaks down within 30 days
8 after their referral to the WIN program; and

9
10 WHEREAS, the training program at WTOC (Work and Training Opportunity
11 Centers) is no longer operational and thus provisions for day care of children of
12 WTOC trainees are no longer relevant; and

13
14 WHEREAS, the regulation precludes direct payments to In-Home Caretakers
15 who are members of the mother's household; and

16
17 WHEREAS, a major purpose of the day care program is to prevent neglect and
18 provide protection for children of single parent heads of household who are in
19 training to become economically independent or who are working to sustain such
20 independence; and

21
22 WHEREAS, the day care fee scale, by which weekly payments from parents
23 are determined, has not been revised to reflect the effect of the increased cost of
24 living on the parents' ability to pay since November, 1965; 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					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 22, 1970

Adopted on second and final reading January 5, 1971

Presented to the Mayor-Commissioner January 5, 1971
Date

David H. Schwartz
Secretary of the City Council

Approved Walter Washington
Mayor-Commissioner

1/14/71
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

2 of 3

1 WHEREAS, the Public Welfare Advisory Committee on Day Care has
2 completed an extensive study of the current fee scale and, on the basis of such
3 study, has recommended a liberalization of the income fee scale as hereinafter
4 reflected; and

5
6 WHEREAS, pursuant to paragraphs 82 and 83 of Section 402 of Reorgani-
7 zation Plan No. 3 of 1967, the District of Columbia Council is authorized to
8 establish rules and regulations to carry out provisions of the District of Columbia
9 Public Assistance Act of 1962, and to establish rules for receiving and temporarily
10 caring for children.

11
12 NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council
13 that:

14 Section 1. Regulation No. 69-9 is amended as follows:

15 1. Section 2 of such regulation is amended -

- 16 a. by striking out in subsection (c) "30 days", and
17
18 b. by deleting subsection (d), and redesignating subsection
19 (e) through (j) as subsections (d) through (i), respectively.

20
21
22 2. Section 3 of such regulation is amended -

- 23 a. by deleting subsection (c), and redesignating subsection
24 (d) through (i) as subsections (c) through (h) respectively;
25
26 b. by amending redesignated subsection (h) to read as follows:

27
28
29 "(h) Children of a working single parent (in single parent
30 households) who is the head of a household who is not
31 otherwise known to the Department of Human Resources
32 and whose adjusted gross income does not exceed \$7,000
33 per year.

34
35 c. by adding a new subsection (i) thereto as follows:

36
37
38 "(i) That category of children of working parents in a
39 single family household who are not otherwise known to
40 the Department, whose adjusted gross income does not
41 exceed \$7,000 per year, and who, in the judgment of the
42 Department of Human Resources, are most likely to become
43 applicants for, or recipients of financial assistance within
44 five years because of the size of the family's income, the
45 number of children in the family and the inability of the
46 family to remain together because of the absence of day
47 care services.

48
49 3. Section 4 of such regulation is amended to read as follows:

- 50
51 a. The Day Care Fee Scale (weekly) to be paid by parents,
52 based on an adjusted gross family income per year and
53 applying to Before-School Care, After-School Care, and
54 Full Day Care, is set forth as follows:

DAY CARE FEE SCALE FOR PARENTS

*GROSS ANNUAL INCOME	**FEES PER NUMBER OF CHILDREN		
	1 Child	2 Children	3 or more Children
UP TO - \$3400	NO FEE	NO FEE	NO FEE
3401 3800	\$1.00	\$1.50	\$2.00
3801 4200	2.00	2.50	3.00
4201 4600	3.00	3.50	4.00
4601 5000	4.00	4.50	5.00
5001 5400	5.00	5.50	6.00
5401 5800	6.00	6.50	7.00
5801 6200	8.00	8.50	9.00
6201 6600	10.00	11.00	11.50
6601 7000	12.00	13.50	14.00

*Gross annual income is to be adjusted only when the family includes a child under 18 or a child of any age who is attending high school and for whom the mother is financially responsible. The amount of deduction is \$600 per such child who is not receiving day care services.

**Fees are based on net income, arrived at after a 15% reduction of gross income to allow for the cost of income taxes, social security, health, insurance, and other deductions authorized by law.

b. Gross family income eligibility limitation: \$7,000.

c. Single parent families with gross income in excess of \$7,000 a year are not eligible for day care subsidization."

4. Section 11 of such regulation is amended by striking out in subsection (c)", unless the caretaker is a member of the mother's household."

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

Regulation No. 71-2



January 14, 1971
Enactment Date

Regulation

of the
District of Columbia

TITLE REGULATION TO ESTABLISH POLICIES GOVERNING RESOURCES OF PERSONS APPLYING FOR OR RECEIVING PUBLIC ASSISTANCE

DR. HENRY S. ROBINSON, JR. Presents the following regulation:

1 WHEREAS, Title I, IV, X, and XIV of the Social Security Act provide that all
2 income and resources in excess of any amounts which can legally be disregarded
3 shall be considered in determining the need of any individual claiming aid and
4 assistance under the programs established by such Act; and

5 WHEREAS, Social and Rehabilitation Service Program Regulation 20-7 of the
6 Department of Health, Education, and Welfare, requires that State plans implement
7 the provisions of the Social Security Act with respect to resources; 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 rules
11 and regulations to carry out the provisions of the District of Columbia Public Assistance
12 Act of 1962, and to approve regulations defining the assistance which any person shall
13 receive.
14

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

16
17 Section 1. The Director of the Department of Human Resources (hereinafter
18 referred to as the "Director") shall, in establishing the need of an individual for
19 assistance, take into consideration all income and resources of such individual in
20 excess of any amounts which may, under the provisions of the Social Security Act,
21 be legally disregarded.
22

23
24 Section 2a. An applicant for, or recipient of, assistance is the primary source
of information needed to establish initial and continuing eligibility for assistance,
and shall be responsible either to furnish the Department of Human Resources (herein-

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 22, 1970

Adopted on second and final reading January 5, 1971

Presented to the Mayor-Commissioner January 5, 1971

David H. Schwartz
Secretary of the City Council

Approved Henry S. Robinson, Jr.
Mayor-Commissioner

1/14/71
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

2 after referred to as the "Department") with reasonable verification of his income or
3 resources or to authorize the Department to obtain such information; Provided, that
4 the Department shall be required to obtain specific authorization from an applicant
5 or recipient of each inquiry which it proposes to make.

6 (b). Any person who refuses to furnish or to authorize the Depart-
7 ment to obtain information regarding his income and other actual or potential resources,
8 shall become ineligible for assistance if by reason of such refusal his need cannot
9 be established: Provided, that, in accordance with the intent of District of Columbia
10 Regulation No. 70-29, enacted July 9, 1970, an applicant or recipient shall not be
11 required, as a condition of eligibility, to name the putative father of her children;
12 Provided, further, that an applicant or recipient shall not be denied assistance by
13 reason of a refusal to furnish necessary information or to authorize it to be obtained
14 if such applicant's or recipient's refusal results from mental incompetency. An
15 applicant or recipient who appears to have refused to furnish necessary information
16 or to authorize it to be obtained by reason of such applicant's or recipient's mental
17 incompetency shall be referred to the Medical Review Team for a determination of
18 competency.

19
20 Section 3. All income and other resources shall be identifiable as to nature,
21 amount, and time of receipt, and must be actually available to the applicant or
22 recipient for his current use. Unpredictable and inconsequential gifts or earnings
23 shall not be considered resources.

24
25 Section 4a. Earned income includes income or resources in cash or in kind
26 earned by an individual through the receipt of wages, salaries, commissions, or
27 profit from activities in which he is self-employed.

28
29 (b). Only the net income from wages and salaries after deductions
30 or withholdings required by law have been made, shall be considered as a resource.
31 Voluntary deductions authorized by an individual for his future benefit shall not be
32 excluded from gross income. In lieu of deducting the expenses of earning such
33 income, the Department shall follow the special grant requirements of Section 2(a)
34 (4) of Regulation No. 69-57, enacted December 31, 1969.

35
36 Section 5a. Resources in kind are basic necessities such as food, clothing
37 or shelter, which an individual obtains without charge or in return for his services.

38
39 1. In taking into consideration such resources in determining need,
40 the money value shall not exceed the allowance in the Standard for Requirements for
41 the item provided.

42
43 2. Home produce of an applicant or recipient, utilized by him and
44 his household for their own consumption, shall not be considered in determining
45 need and the amount of payment.

46
47 (b). An individual shall not be required to accept an offer of a free
48 home.

49
50 Section 6a. An automobile owned and paid for, or being purchased, by a
51 person applying for, or receiving, public assistance may be retained: Provided,
52 that if an automobile has a retail value of more than \$1500 (said retail value to
53 be determined by the Department on the basis of the condition of the automobile
54 and the then current manual of automobile values published monthly by the National
55 Automobile Dealers Association), the Department may require the applicant or
56 recipient to sell that automobile. The applicant or recipient may then purchase an
57 automobile costing not more than \$1500, with the excess cash, if any, being treated
58 as a resource. If the applicant or recipient elects not to purchase another automobile,
59 the cash realized from the sale of the automobile which he was required to sell
60 shall first be applied as a cash reserve up to the maximum cash reserve allowed, P-110

1 with the excess cash, if any, being treated as a reserve.

2
3 (b). Notwithstanding the provisions of Section 6a an applicant
4 for public assistance who requests assistance by reason of an emergency for
5 not more than sixty days shall be entitled to retain whatever automobile is
6 then owned or being paid for by him.

7
8 Section 7. All actions of the Board of Public Welfare or Administrative
9 Orders implementing such actions in conflict with this regulation are herewith
10 rescinded.

11
12 Section 8. This regulation shall take effect immediately upon enactment.
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60

Regulation No. 71-3



January 14, 1971
Enactment Date

Regulation

of the
District of Columbia

TITLE: REGULATION TO AMEND PART I OF THE TRAFFIC AND MOTOR VEHICLE REGULATIONS OF THE DISTRICT OF COLUMBIA RELATING TO SCHOOL BUSES AND SCHOOL BUS DRIVERS
Mr. Stanley L. Anderson Presents the following regulation:

1 WHEREAS, the safety of school children being transported to and from schools on the
2 public roadways of the District of Columbia is of paramount concern to the Government of
3 the District of Columbia; and

4
5 WHEREAS, the District of Columbia Council believes that the public interest requires
6 certain amendments to be made to Regulation 70-35, enacted July 16, 1970, which esta-
7 blished a school bus safety program in the District of Columbia; and

8
9 WHEREAS, the District of Columbia Council is authorized to establish rules and regu-
10 lations to carry out certain provisions of the District of Columbia Traffic Act of 1925, as
11 amended, and to promulgate regulations for the protection of lives and property.

12
13 NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council that:

14
15 Section 1. Part I of the Traffic and Motor Vehicle Regulations of the District of Colum-
16 bia is amended as follows:

17
18 (1) Section 2 is amended by deleting the provision immediately after the defini-
19 tion of "Safety Zone or loading platforms" and inserting in lieu thereof, the following:

20
21 "School Bus. - Any motor vehicle designed to carry 8 or more passen-
22 gers which is regularly used by or on behalf of a school to transport children to or from
23 school or in connection with school activities; provided that such definition shall not
24 include buses operated by common carriers which are not used primarily for the transportation

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 22, 1970

Adopted on second and final reading January 5, 1971

Presented to the Mayor-Commissioner January 5, 1971

David H. Schwartz
Secretary of the City Council

Approved *Pheter Washington*
Mayor-Commissioner

1/14/71
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

2 of 4

1 of school children and vehicles owned by the United States Government."

2
3 (2) Section 50.1 is hereby amended to read as follows:

4 "Sec.50.1 Operation of Vehicle Approaching School Bus.

5
6 "The driver of a vehicle approaching a school bus from any direction
7 shall bring the vehicle to a stop not less than 15 feet distant from the school bus when
8 there are in operation on said school bus the alternately flashing red lights specified in
9 section 131.2; and shall not proceed until the visual red signals are no longer actuated;
10 Provided, that the foregoing provisions shall not be complied with by a driver approaching
11 a school bus from the opposite direction on a street with a median strip divider."

12
13
14 (3) Section 76.1 is hereby amended to read as follows:

15 "Sec.76.1. Loading, Unloading, and Operation of a School Bus.

16
17 "When stopping to load and unload school children along the roadway,
18 the driver of a school bus shall pull as far to the right as is safe, at a place on the road-
19 way where there is 300 feet or more of clear sight distance to the front and rear, and stop
20 only for such time as is actually necessary to take on or discharge pupils. Before making
21 a stop to pick up or discharge school children, the school bus driver shall actuate the
22 alternately flashing red lights not less than 50 feet distant from such stop, and allow
23 them to remain flashing until the bus resumes motion after making a stop. At each such
24 stop to pick up or discharge one or more school children, the school bus driver shall not
25 open the door of the vehicle until he has ascertained the traffic has halted as provided in
26 Section 50.1. Every child shall be seated while the school bus is in motion."

27
28
29 (4) Section 131.2 is amended to read as follows:

30 "Sec.131.2. Visual Signals on School Buses.

31
32 "Every school bus registered in the District of Columbia shall be
33 equipped with red flashing signal lamps. The lamps shall be mounted as high and as
34 widely spaced laterally as practicable, and shall be capable of displaying to the front
35 two alternately flashing red lights located at the same level and to the rear two alternately
36 flashing red lights located at the same level. In the case of school buses designed to
37 carry 15 or fewer passengers, the lamps shall be mounted on the roof; provided, that any
38 such school bus which on the day before the effective date of these regulations is in com-
39 pliance with the existing requirements of Section 131.2 shall not be required to change
40 the location of such lamps. These red lights shall have sufficient intensity to be visible
41 when flashing at 500 feet in normal sunlight."

42
43
44 (5) Section 151.3 is amended to read as follows:

45 "Sec.151.3. School bus identification.

46
47 "(a) Every school bus registered in the District of Columbia shall:

48
49 "(1) Bear the words 'SCHOOL BUS' in black letters at least
50 8 inches high on both front and rear of the body or on signs attached thereto; provided,
51 that such lettering shall be at least 4 inches high in the case of school buses designed
52 to carry 15 or fewer passengers. Lettering shall be placed as high as possible without
53 impairment of its visibility. Lettering shall conform to 'Series B' of Standard Alphabets
54 for Highway Signs promulgated by the U.S. Department of Transportation as in effect on
55 September 1, 1970.

56
57
58 "(2) Have the words 'STOP ON RED SIGNAL' painted on the
59 rear of the bus or on signs attached thereto in black letters at least 8 inches high,
60 provided, that such lettering shall be at least 4 inches high in the case of school

1 buses designed to carry 15 or fewer passengers. The word 'Stop' by itself shall not be
2 used.

3
4 " (3) Bear only signs and lettering approved by the Director
5 of Motor Vehicles and limited to the name of the owner or operator of the bus and any
6 number necessary for identification on the sides of the bus.

7
8 " (4) Be painted national school bus chrome, including body,
9 hood, cowl, and fenders, according to specifications available from the General Services
10 Administration (Federal Standard No. 595) as in effect on September 1, 1970; rear bumper,
11 lettering and body trim, if used, shall be black enamel."

12
13 (6) Section 157.1 is hereby amended to read as follows:

14
15 "Sec. 157.1. School Bus Operator Permit.

16
17 " (a) No person shall operate a school bus within the District of
18 Columbia for the purpose of picking up or discharging students therein unless such person
19 has been licensed as a school bus driver by the Department of Motor Vehicles of the
20 District of Columbia in accordance with the following procedures, or unless he has been
21 licensed as a school bus driver by the jurisdiction in which the school bus is registered;
22 provided, that drivers of buses operated by or on behalf of schools located within the
23 District of Columbia shall be licensed as school bus drivers by the Department of Motor
24 Vehicles of the District of Columbia notwithstanding the fact that they may also be
25 licensed as school bus drivers by another jurisdiction.

26
27 " (b) The Director of the Department of Motor Vehicles shall issue
28 school bus drivers licenses to those applicants at least 21 years of age as to whom he is
29 satisfied that they are physically, mentally, and morally qualified therefore. Such per-
30 mits shall be valid for a period of one year, expiring on the last day of August of each
31 calendar year. If an applicant for a school bus driver's license is rejected by the Direc-
32 tor for moral reasons and is, nevertheless, acceptable to the Director of the school for
33 which he will be driving, such driver shall not be rejected for moral reasons.

34
35 " (c) The Director of the Department of Motor Vehicles shall adopt
36 such reasonable regulations and administrative procedures as may be necessary to
37 effectuate the provisions of this Section 157.1.

38
39 " (d) (i) The Director may refuse to issue or renew, or may suspend
40 or revoke a license issued under this section, subject to the provisions of subsection
41 157.1(a), in any case where he finds the applicant or licensee has violated or failed to
42 comply with any of the provisions of this section or any regulations adopted by the
43 Director pursuant thereto, or whenever the Director shall find that the person to whom
44 it was issued is no longer physically, mentally, or morally qualified to hold such license.

45
46 (ii) Upon suspending, revoking or refusing to issue or renew
47 a license, the Director shall immediately notify the applicant or licensee stating the
48 reasons for such action and affording the applicant or licensee reasonable opportunity for
49 a hearing.

50
51 (iii) Any order of suspension or revocation shall be effective
52 on the date of its being mailed by registered mail, return receipt requested, to the last
53 known address of the licensee on file in the Department, and if such notice shall be
54 returned for reasons other than refusal, then the effective date thereof shall be the date
55 on which personal service thereof is made on the licensee or his attorney.

56
57 (iv) A suspended or revoked license shall be returned
58 immediately to the Director by the licensee.

59
60

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60

(v) The holder of a school bus license shall immediately surrender such license to the Director upon the suspension or revocation of such holder's operator's permit or nonresident's operating privilege.

"(e) Each school bus operator's license shall consist of a numbered identification card bearing a photograph of the licensee and such other matter as the Director shall deem desirable, which shall be displayed prominently in any vehicle being operated as a school bus by the licensee, and a special school bus permit which shall contain a number, information identifying the owner thereof, and such other matter as the Director shall deem desirable. Such permit shall be in possession of the licensee at all times when operating a vehicle as a school bus, and shall be presented on demand by any police officer."

Section 2. This Regulation shall take effect thirty days after enactment.

Regulation No. 71-4



February 11, 1971
Enactment Date

Regulation

of the

District of Columbia

TITLE ABC CREDIT PLANS: CRIME AND DISASTER LOSSES

Mr. Philip J. Daugherty Presents the following regulation:

1 WHEREAS, the District of Columbia City Council finds that liquor dealers
2 who have suffered severe loss through crime or other disaster should be able
3 to apply to the Alcoholic Beverage Control Board for exemption from the credit
4 provisions of Section 2-128 of the ABC Regulations of the District of Columbia;
5 and

6
7 WHEREAS, Section 401(215) of Reorganization Plan No. 3 of 1967 transferred
8 to the District of Columbia Council the function of making rules and regulations
9 for the Alcoholic Beverage Control Board.

10
11 NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council
12 that:

13
14 Section 1. Section 2-128(g) which is incorporated by reference in
15 Title 3 of the District Rules and Regulations, Alcoholic Beverage
16 Control Board, is hereby amended by deleting therefrom the first
17 sentence thereof, and substituting in lieu thereof, the following:

18
19 "Any retailer whose business has suffered
20 major damage or loss due to arson, burglary
21 or other major disaster, shall, upon approval
22 of a payment plan by the Alcoholic Beverage
23 Control Board, be relieved of the provisions
24 of subsection (a), (b), and (c) thereof
relative to credit extended to him prior to said
disastrous occurrence."

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 January 19, 1971

Adopted on second and final reading February 2, 1971

Presented to the Mayor-Commissioner February 2, 1971
Date

David H. Schwartz
Secretary of the City Council

Approved *Maeter Washington* February 11, 1971
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 Section 2. This Regulation shall take effect immediately upon
2 enactment.

- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28
- 29
- 30
- 31
- 32
- 33
- 34
- 35
- 36
- 37
- 38
- 39
- 40
- 41
- 42
- 43
- 44
- 45
- 46
- 47
- 48
- 49
- 50
- 51
- 52
- 53
- 54
- 55
- 56
- 57
- 58
- 59
- 60

Regulation No. 71-5



February 25, 1971
Enactment Date

Regulation

of the
District of Columbia

TITLE REGULATION OF THE BUSINESS OF TRANSPORTING HOUSEHOLD GOODS

Councilman Philip I. Daugherty... Presents the following regulation:

1 WHEREAS, the Government Operations Committee of the District of
2 Columbia Council has investigated the business of transporting household
3 goods within the Metropolitan, Washington, D. C. area; and
4

5 WHEREAS, evidence obtained from such hearings demonstrates the
6 existence of a number of abusive practices which the Council believes can be
7 sharply curtailed through proper regulation and supervision; and
8

9 WHEREAS, the Council is authorized to make regulations for the
10 protection of persons and property in the District of Columbia.
11

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

PART I. DEFINITIONS

14 Section 1.101. As used in these regulations, unless the context requires
15 a different meaning:

- 16 (a) "Commissioner" means the "Commissioner" of the
17 District of Columbia, or his designated agent.
- 18 (b) "District" means the District of Columbia.
- 19 (c) "Household Goods" means furniture, appliances,
20 personal effects, and other property used or to be
21 used in a dwelling.
22
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 February 9, 1971

Adopted on second and final reading February 16, 1971

Presented to the Mayor-Commissioner February 16, 1971
Date

David H. Schwartz
Secretary of the City Council

Approved *Halter Washington*
Mayor-Commissioner

February 25, 1971
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 (d) "Household Goods Contractor" or "Contractor"
 2 means any person (except the Federal Government,
 3 any political subdivision thereof, or the District
 4 of Columbia) who owns a business which transports
 5 household goods for a consideration.
 6
 7 (e) "Moving Contract" means an agreement for the
 8 performance of transportation of household goods.
 9
 10 (f) "Owner" means any person or his agent, who enters
 11 into a contract for the transportation of household
 12 goods owned by such person.
 13
 14 (g) "Person" means an individual, partnership, corporation,
 15 or other legal entity.
 16
 17 (h) "Registrant" means a person registered with the
 18 Commissioner pursuant to these regulations.
 19
 20 (i) The "Transportation of Household Goods" means the
 21 act of moving the location of household goods from a
 22 dwelling or a place of storage within the District to a
 23 dwelling or to a place of storage within the District or
 24 within the Washington, D. C. Commercial Zone.
 25
 26 (j) The "Washington, D. C. Commercial Zone" means that
 27 area adjacent to and commercially a part of Washington,
 28 D. C. , as defined and limited in Section 1048.4 of the
 29 Code of Federal Regulations.
 30

31 PART II. REGISTRATION

32
 33 Section 2.101. Registration Required. No household goods contractor
 34 shall engage in the business of the transportation of household goods unless he is
 35 registered with the Commissioner as provided in this regulation.
 36

37 Section 2.102. Registration Form. (a) Every person required to be registered
 38 pursuant to Section 2.101 shall furnish to the Commissioner the registration
 39 information required on a form prescribed by the Commissioner. Such form shall
 40 require that the Commissioner be provided with the following information:
 41

- 42 (i) The household goods contractor's name, principal
 43 business address, and home address in the case of
 44 an individual. If the contractor is a corporation or
 45 partnership, then the names and home addresses of
 46 all partners (or the president, vice-president and
 47 secretary of the corporation) shall be furnished; and
 48
 49 (ii) The name under which the business is being (or will be)
 50 conducted.
 51

52 If any information contained in a registrant's registration form becomes
 53 inaccurate, the registrant shall furnish the accurate information to the Commissioner
 54 within twenty calendar days thereafter.
 55

- 56 (b) No person whose registration has been suspended pursuant to
 57 Section 6.102(c) shall be re-registered other than in accordance with
 58 the terms of the order of suspension, and no corporation or partner-
 59 ship shall be registered if there is then outstanding an order of
 60 suspension of the registration of any individual who is an officer of
 the corporation, or a partner in the partnership.

1 Section 2.103. Validation of Registration. After a registration form has been
 2 submitted to him, the Commissioner shall return a duplicate copy thereof to the
 3 registrant which shall be validated by the Commissioner to evidence such
 4 registrant's registration pursuant to this regulation. Such validated form shall
 5 contain a registration number to be furnished by the Commissioner. Every registrant
 6 shall maintain such validated duplicate copy of the registration form at the
 7 registrant's main business location (or home, in the event the registrant has no
 8 business address) and shall display such registration form or a copy thereof to any
 9 actual or potential customer, or the Commissioner, upon being requested so to do.
 10 Every motor vehicle used by a household goods contractor shall have the contractor's
 11 registration number prominently displayed thereon.

12
 13 PART III. CONTRACTS FOR THE TRANSPORTATION OF HOUSEHOLD GOODS

14
 15 Section 3.101. Contracts. Except for transactions in which the total
 16 consideration actually to be paid by an owner is less than \$50, no household goods
 17 contractor shall begin the transportation of household goods for an owner until after
 18 the understanding between such owner and the contractor with respect to such work
 19 has been incorporated into a written contract complying with the provisions of
 20 Section 3.102, which contract shall be signed by both parties. The owner shall be
 21 furnished with an originally signed copy of the contract.

22
 23 Section 3.102. Form of Contract. Each contract required hereunder shall
 24 contain:

- 25
 26 (a) The name, address and telephone number of the contractor;
 27
 28 (b) A statement of: (i) each service to be performed for which
 29 charges will be made; (ii) the amount of each such charge
 30 or the manner in which it shall be computed; and (iii) the
 31 manner and time of payment;
 32
 33 (c) The approximate date(s) on which the moving required by
 34 the contract is to start and will be completed;
 35
 36 (d) The original location and the destination of the household
 37 goods to be transported;
 38
 39 (e) The name, address and telephone number of the place of
 40 storage, if any, and the hours during which the stored
 41 goods can be inspected by the owner; and
 42
 43 (f) A statement as to whether the contractor maintains insurance
 44 coverage for the benefit of his customers, insuring against
 45 loss of or damage to the customers' household goods while
 46 in the contractors' custody, and, if so, the types and
 47 financial limitations of such insurance coverage.
 48

49 Section 3.103. Waiver of Regulations Prohibited. No contractor shall include
 50 in any moving contract required hereunder any provision waiving or purporting to
 51 waive any provision of this regulation. Any provision so included shall be void and
 52 of no effect.
 53

54 Section 3.104. Receipt. No contractor shall accept any payment for the trans-
 55 portation of household goods without promptly delivering to the owner a receipt for
 56 such payment, except for payments made by the owner's personal check.
 57

58 Section 3.105. Releases. No release of liability given by an owner to a
 59 household goods contractor in connection with the transportation of household goods
 60 shall be effective until forty-eight hours have elapsed following completion of
 delivery

1 and the owner has not, during such period, rescinded such release by written
 2 notification to the contractor postmarked prior to the expiration of such forty-
 3 eight hour period.

4
 5 PART IV. ESTIMATES

6
 7 Section 4.101. Estimates. If, there being no written contract required
 8 under Section 3.101, a household goods contractor furnishes an owner with an
 9 estimate of the charges for the transportation of household goods, and the
 10 actual charges sought to be collected exceed such estimate by more than
 11 ten percent thereof, the contractor shall deliver the household goods to the
 12 owner upon the payment of the amount of the estimate plus ten percent thereof.
 13 The owner shall have a period of fifteen days following delivery in which to
 14 pay the balance.

15
 16 PART V. EQUIPMENT AND STORAGE

17
 18 Section 5.101. Equipment and Storage. All vehicles used by a house-
 19 hold goods contractor in connection with the transportation of household goods
 20 shall be equipped to protect the goods from damage by the weather and other
 21 foreseeable causes. If a contractor stores household goods in connection with
 22 the transportation of household goods, the place of storage shall provide
 23 protection for the goods against damage by the weather and other foreseeable
 24 causes.

25
 26 PART VI. DE-REGISTRATION

27
 28 Section 6.101. Procedure for De-registration.

- 29
 30 (a) Upon at least three complaints being made to the
 31 Commissioner during any twenty-four month period by
 32 at least three separate customers of a registrant's
 33 failure to abide by the provisions of this regulation, or
 34 upon a registrant's conviction of a violation of this
 35 regulation or of any other criminal offense involving
 36 fraudulent conduct in connection with the transportation
 37 of household goods, the Commissioner may give notice
 38 to the registrant of the Commissioner's intent to hold a
 39 hearing to determine whether such registrant's
 40 registration hereunder should be suspended.
- 41
 42 (b) The notice to be given by the Commissioner shall:
- 43
 44 (1) state the time (which shall not be sooner
 45 than 30 days from the date of the notice)
 46 and place for the hearing and the basis
 47 upon which the Commissioner proposes to
 48 suspend the registrant's registration and, if
 49 such hearing is to be held upon the basis of
 50 customers' complaints, the notice shall be
 51 accompanied by copies of such complaints;
- 52
 53 (2) (i) be served upon the registrant personally; or
- 54
 55 (ii) be left at the last business address (or home
 56 address, if there be no business address) of
 57 which the Commissioner has been given notice
 58 by the registrant with a person eighteen years of
 59 age or older who works or resides there; or
- 60
 (iii) mailed by certified mail return receipt requested
 to the last business address (or home address if
 there be no business address) of which the
 Commissioner has been given notice by the
 registrant.

1 (c) The Commissioner shall conduct the hearing in accordance
 2 with the provisions of Section 10 of the District of Columbia
 3 Administrative Procedure Act (1 D.C. Code, § 1510). If on
 4 the basis of the evidence the Commissioner is satisfied that
 5 the registrant has intentionally and regularly been conducting
 6 his business in violation of this regulation, he may issue an
 7 order suspending such registrant's registration for such time
 8 and under such circumstances as the Commissioner deems
 9 proper, including, but not limited to a permanent suspension
 10 of such registration.

11
 12 (d) The Commissioner is authorized to promulgate such procedural
 13 rules as may be necessary to govern the conduct of the hearings
 14 required under the foregoing provisions of this Section 6.101.
 15

16 PART VII. PENALTIES

17
 18 Section 7.101. Penalties. Any person who violates any provision of this
 19 regulation shall, upon conviction, be punished by a fine not more than \$300, or
 20 imprisonment for not more than ten days, or both such fine and such imprisonment,
 21 for each and every separate violation.
 22

23 PART VIII. MISCELLANEOUS PROVISIONS

24
 25 Section 8.101. Severability of Sections. If any provision of this regulation is
 26 for any reason held invalid by any court of competent jurisdiction, such provision
 27 shall be deemed a separate, distinct and independent provision, and its invalidity
 28 shall not affect the validity of the remaining provisions.
 29

30 Section 8.102. Effective Date. This regulation shall be effective sixty days
 31 following enactment.
 32
 33
 34
 35
 36
 37
 38
 39
 40
 41
 42
 43
 44
 45
 46
 47
 48
 49
 50
 51
 52
 53
 54
 55
 56
 57
 58
 59
 60

Regulation No. 71-6



February 25, 1971
Enactment Date

Regulation

of the
District of Columbia

TITLE AMENDMENT TO REGULATIONS PERTAINING TO THE DISTRICT INCOME AND FRANCHISE TAX ACT OF 1947

Chairman Gilbert Hahn, Jr. Presents the following regulation:

1 WHEREAS, Pursuant to Title IV of Public Law 91-297, approved June 30,
2 1970, the rates of tax imposed on the taxable income of residents taxable under the
3 District of Columbia Income and Franchise Tax Act of 1947, were amended for tax-
4 able years beginning after December 31, 1969, and

5
6 WHEREAS, The aforementioned amendments of the rates of individual income
7 tax require revision of the regulations promulgated under the Income and Franchise
8 Tax Act of 1947, in respect of the optional method of computing individual income
9 tax and the manner of determining amounts of tax to be withheld, and

10
11 WHEREAS, In addition to the foregoing, certain technical revisions of the
12 Income and Franchise Tax Regulations are desirable,

13
14 NOW, THEREFORE, be it enacted by the District of Columbia Council that

15
16 the regulations pertaining to District of Columbia income and franchise
17 taxes promulgated under authority of the District of Columbia Income and Franchise
18 Tax Act of 1947, are amended as follows:

19
20 Section 1. Section 1.2 of said regulations [16 DCRR 300.1] is amended
21 by adding at the end thereof the following new paragraph:

22
23 "Whenever the words 'Assessor', 'Collector of Taxes', 'Finance Officer'
24 or 'District of Columbia Treasurer' appear in these regulations, such words shall
be deemed to mean 'Commissioner'."

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 February 2, 1971

Adopted on second and final reading February 16, 1971

Presented to the Mayor-Commissioner February 16, 1971

David H. Schwartz
Secretary of the City Council

Approved *Neeta Washington*
Mayor-Commissioner

February 25, 1971
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 Section 2. That part of said regulations entitled "Definitions" [16 DCRR
2 Part 301] is amended by adding the following new section:

3
4 "Sec. 1.4-(cc). "Commissioner." The word "Commissioner,"
5 as used in these regulations, means the Commissioner of the District
6 of Columbia, his delegate, or his designated agent."
7

8 Section 3. For taxable years beginning after December 31, 1969, the optional
9 tax table appearing as Appendix "A" to said regulations [16 DCRR Appendix A] is
10 amended to read as follows:

11 "Appendix A
12 OPTIONAL TAX TABLE
13

14 (Effective for taxable years beginning after December 31, 1969)
15 Your tax may be found in the table below* under the optional method of
16 computing tax if (1) you are reporting on a cash basis for the full calendar
17 year; (2) you are not claiming credit for taxes paid to another jurisdiction
18 on any part of your income; (3) your adjusted gross income for the calendar
19 year is \$5,000 or less; (4) your income is derived solely from salaries,
20 wages, dividends and interest; and (5) your spouse, if filing a separate
21 return, also uses the Optional Tax Table or takes 10% standard deduction
22 in lieu of itemizing deductions.
23

24 Section 4. Section 12.7 (a) (4) - (D) of said regulations [16 DCRR 310.8] is
25 amended to read as follows:

26
27 "Sec. 12.7 (a) (4) - (D). Annual Report of Withholding-
28 Duplicate copies of all withholding statements, Form D-2 or approved
29 substitute withholding statements, must be sent to the District by each
30 employer with the Form D-1 that is due on the last day of January or with
31 his final return if submitted before the end of the calendar year.
32

33 "Form D-1 must be accompanied by a list in the form of an
34 adding machine tape, or a written itemization setting forth the items of
35 tax withheld at source as shown by the withholding statements (Form D-2).
36 If an employer's total payroll consists of a number of separate units or
37 establishments, the duplicate forms D-2 may be assembled accordingly and
38 a separate list or tape submitted for each unit. In such case, a summary
39 list or tape should be submitted, the total of which must agree with the
40 corresponding entry made on Form D-1. Where the number of the duplicate
41 statements is large, they may be forwarded in packages of convenient size.
42 When this is done, the packages should be identified with the name of the
43 employer and consecutively numbered. The number of packages should be
44 indicated immediately after the employer's name on Form D-1. In cases of
45 this kind, Form D-1 and the remittance should be filed in the usual manner,
46 accompanied by a brief statement that Forms D-2 are in separate packages."
47

48 Section 5. Section 12.8 (b)-(C) of said regulations [16 DCRR 310.13] is amended
49 to read as follows:

50
51 "Sec. 12.8 (b)-(C). Methods of Withholding Tax-
52 The tax shall be computed in accordance with one of the following methods
53 on the wages paid within each period to any employee, as defined in the Act.
54
55

56
57 * "Table below" refers to the table attached hereto as Appendix I.
58
59
60

"Method (a) - Based Upon a Percentage of Wages Paid

Every employer electing to use this method shall deduct and withhold on the basis of the payroll period, the number of exemptions claimed by the employee in accordance with the appropriate Percentage Withholding Table shown in Appendix 'B' to these Regulations.

"Method (b) - Based Upon the Use of Withholding Tax Tables

Every employer electing to use one of the tables shown in Appendix 'B' to these Regulations shall deduct and withhold on the basis of the number of withholding exemptions claimed by the employee on the withholding exemption certificate filed by him with the employer. "

"Method (c) - Based Upon a Percentage of Federal Income Tax Withheld

Employers may elect to withhold on the basis of a fixed percentage of the amount of Federal income tax withheld by the employer as determined for Federal income tax purposes under provisions of Section 3402 of the Internal Revenue Code of 1954, or comparable provisions in effect at the time with respect to the withholding of Federal income tax. In the case of a single person the percentage shall be twenty-two and in the case of a married person the percentage shall be twenty-five. If Federal income tax is not required to be withheld, D.C. income tax shall be withheld at the rate of two percent of all wages paid. "

Section 6. For taxable years beginning after December 31, 1969, the methods for withholding of tax included as Appendix "B" to said regulations [16DCRR Appendix B] are amended to read as follows:

Section 7. Section 12.8 (e) (2) of said regulations [16 DCRR 310.22] is amended to read as follows:

"Sec. 12.8 (e) (2). Withholding Exemption Certificate - Requirement for Filing - Every employee is required to file with his employer a withholding exemption certificate on Form D-4 on or before the date of commencement of employment. "

Section 8. Section 12.8 (g) (1) of said regulations [16 DCRR 310.27] is amended by deleting the phrase "withholding identification number" in the second paragraph and inserting in lieu thereof "business tax registration number. "

Section 9. Section 12.8 (i) (7) of said regulations [16 DCRR 310.35] is amended to read as follows:

"Sec. 12.8 (i) (7). Extension of Time for Filing Declaration of Estimated Individual Income Tax - No extension of time will be granted for filing a declaration of estimated tax and for paying any amount shown on such declaration to be due unless on or before the date that such declaration is required to be filed or payment of tax is required to be made an application for such extension is filed with the District. Every such application shall state the reason why an extension of time is desired by the taxpayer. Except for taxpayers who are abroad, no extension for filing declarations may be granted for more than six months. "

Section 9. Section 12.8 (j) of said regulations [16 DCRR 310.36] is repealed.

1 Section 10. The foregoing amendments of the regulations promulgated under
2 the District of Columbia Income and Franchise Tax Act of 1947 shall take effect
3 upon the date of this enactment.

4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60

Appendix I

If adjusted gross income is--		And the total amount of exemption is--							
At least	But less than	\$1,000	\$1,500	\$2,000	\$2,500	\$3,000	\$3,500	\$4,000	\$4,500 or more
Your tax is--									
\$ 0	\$1,125	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
1,125	1,225	1.00	0	0	0	0	0	0	0
1,225	1,325	3.00	0	0	0	0	0	0	0
1,325	1,425	5.00	0	0	0	0	0	0	0
1,425	1,525	6.50	0	0	0	0	0	0	0
1,525	1,625	8.50	0	0	0	0	0	0	0
1,625	1,725	10.00	0	0	0	0	0	0	0
1,725	1,825	12.00	2.00	0	0	0	0	0	0
1,825	1,925	14.00	4.00	0	0	0	0	0	0
1,925	2,025	15.50	5.50	0	0	0	0	0	0
2,025	2,125	17.50	7.50	0	0	0	0	0	0
2,125	2,225	19.00	9.00	0	0	0	0	0	0
2,225	2,325	21.50	11.00	1.00	0	0	0	0	0
2,325	2,425	24.00	13.00	3.00	0	0	0	0	0
2,425	2,525	27.00	14.50	4.50	0	0	0	0	0
2,525	2,625	29.50	16.50	6.50	0	0	0	0	0
2,625	2,725	32.00	18.00	8.00	0	0	0	0	0
2,725	2,825	35.00	20.00	10.00	0	0	0	0	0
2,825	2,925	38.00	23.00	12.00	2.00	0	0	0	0
2,925	3,025	40.00	25.00	14.00	4.00	0	0	0	0
3,025	3,125	43.00	28.00	15.50	5.50	0	0	0	0
3,125	3,225	46.00	31.00	17.00	7.00	0	0	0	0
3,225	3,325	48.50	33.50	19.00	9.00	0	0	0	0
3,325	3,425	51.50	36.00	21.00	11.00	1.00	0	0	0
3,425	3,525	55.00	39.00	24.00	12.50	2.50	0	0	0
3,525	3,625	58.50	41.50	26.50	14.50	4.50	0	0	0
3,625	3,725	62.00	44.50	29.00	16.00	6.00	0	0	0
3,725	3,825	65.00	47.00	32.00	18.00	8.00	0	0	0
3,825	3,925	69.50	49.50	34.50	20.00	10.00	0	0	0
3,925	4,025	73.00	53.00	37.50	22.50	11.50	1.50	0	0
4,025	4,125	76.50	56.50	40.00	25.00	13.50	3.50	0	0
4,125	4,225	80.50	60.50	43.00	28.00	15.00	5.00	0	0
4,225	4,325	84.00	64.00	45.50	30.50	17.00	7.00	0	0
4,325	4,425	87.50	67.50	48.00	33.00	19.00	9.00	0	0
4,425	4,525	91.50	71.00	51.00	36.00	21.00	10.50	.50	0
4,525	4,625	96.00	74.50	54.50	38.50	23.50	12.50	2.50	0
4,625	4,725	100.50	78.50	58.50	41.00	26.00	14.00	4.00	0
4,725	4,825	105.00	82.00	62.00	44.00	29.00	16.00	6.00	0
4,825	4,925	109.50	85.50	65.50	46.50	31.50	18.00	8.00	0
4,925	5,000	115.00	90.00	70.00	50.00	37.00	20.00	10.00	0

"Appendix B - Method (a) - Based Upon a Percentage of Wages Paid.

PERCENTAGE OF WAGES PAID METHOD OF WITHHOLDING D. C. INCOME TAX

Percentage Method Income Tax Withholding Table

Payroll Period	Amount of one withholding exemption
Weekly	\$ 14.00
Biweekly	28.00
Semimonthly	30.40
Monthly	60.80
Quarterly	182.40
Semiannual	364.00
Annual	728.00
Daily or miscellaneous (Per day of such period)	2.00

To Find The Tax

1. Multiply the amount of one withholding exemption (see table above) by the number of exemptions claimed by employee;
2. Subtract the amount thus determined from the employee's wages;
3. Determine the withholding tax on this amount from the appropriate PERCENTAGE WITHHOLDING TABLE, as follows:

Percentage Withholding Tables

WEEKLY

Wages less exemptions	Income tax to be withheld	of excess over
Over	But not over	
\$ 0	\$ 19	\$ 19
19	38	38
38	58	58
58	96	96
96	154	154
154	231	231
231	327	327
327	481	481
481	---	---

BIWEEKLY

Wages less exemptions	Income tax to be withheld	of excess over
Over	But not over	
\$ 0	\$ 38	\$ 38
38	76	76
76	116	116
116	192	192
192	303	303
303	462	462
462	654	654
654	962	962
962	---	---

SEMIMONTHLY

Wages less exemptions	Income tax to be withheld	of excess over
Over	But not over	
\$ 0	\$ 42	\$ 42
42	84	84
84	125	125
125	208	208
208	333	333
333	500	500
500	708	708
708	1,042	1,042
1,042	---	---

Wages less exemptions

Over	But not over
\$ 0	\$ 83
83	167
167	250
250	417
417	667
667	1,000
1,000	1,417
1,417	2,083
2,083	----

Wages less exemptions

Over	But not over
\$ 0	\$ 250
250	500
500	750
750	1,250
1,250	2,000
2,000	3,000
3,000	4,250
4,250	6,250
6,250	----

Wages less exemptions

Over	But not over
\$ 0	\$ 500
500	1,000
1,000	1,500
1,500	2,500
2,500	4,000
4,000	6,000
6,000	8,500
8,500	12,500
12,500	---

Wages less exemptions

Over	But not over
\$ 0	\$ 1,000
1,000	2,000
2,000	3,000
3,000	5,000
5,000	8,000
8,000	12,000
12,000	17,000
17,000	25,000
25,000	---

Wages less exemptions

Over	But not over
\$ 0	\$ 2.74
2.74	5.48
5.48	8.22
8.22	13.70
13.70	21.92
21.92	32.88
32.88	46.58
46.58	68.50
68.50	----

MONTHLY

Income tax to be withheld	of excess over
2%	\$ 83
\$ 1.67 plus 3%	167
4.17 plus 4%	250
7.50 plus 5%	417
15.33 plus 6%	667
30.83 plus 7%	1,000
54.17 plus 8%	1,417
87.50 plus 9%	2,083
147.50 plus 10%	----

QUARTERLY

Income tax to be withheld	of excess over
2%	\$ 250
\$ 5.00 plus 3%	500
12.50 plus 4%	750
21.50 plus 5%	1,250
37.50 plus 6%	2,000
62.50 plus 7%	3,000
102.50 plus 8%	4,250
162.50 plus 9%	6,250
242.50 plus 10%	----

SEMIANNUAL

Income tax to be withheld	of excess over
2%	\$ 500
\$10.00 plus 3%	1,000
25.00 plus 4%	1,500
45.00 plus 5%	2,500
85.00 plus 6%	4,000
165.00 plus 7%	6,000
325.00 plus 8%	8,500
525.00 plus 9%	12,500
885.00 plus 10%	---

ANNUAL

Income tax to be withheld	of excess over
2%	\$1,000
\$20.00 plus 3%	2,000
50.00 plus 4%	3,000
90.00 plus 5%	5,000
150.00 plus 6%	8,000
370.00 plus 7%	12,000
670.00 plus 8%	17,000
1,170.00 plus 9%	25,000
1,770.00 plus 10%	---

DAILY OR MISCELLANEOUS

Income tax to be withheld	of excess over
2%	\$ 2.74
\$.05 plus 3%	5.48
.14 plus 4%	8.22
.25 plus 5%	13.70
.52 plus 6%	21.92
1.02 plus 7%	32.88
1.78 plus 8%	46.58
2.85 plus 9%	68.50
4.85 plus 10%	----

"Appendix B - Method (b)

MONTHLY WITHHOLDING TAX TABLE

And the wages are--		And the number of withholding exemptions claimed on Form D-4 is--										
At least	But less than	0	1	2	3	4	5	6	7	8	9	10 or more
		The amount of income tax to be withheld shall be--										
\$ 0	\$ 84	2% of wages	\$.68	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
84	88	\$1.75	.72	0	0	0	0	0	0	0	0	0
88	92	1.87	.79	0	0	0	0	0	0	0	0	0
92	96	1.99	.84	0	0	0	0	0	0	0	0	0
96	100	2.03	.88	.05	0	0	0	0	0	0	0	0
100	104	2.23	1.00	.17	0	0	0	0	0	0	0	0
104	108	2.35	1.08	.24	0	0	0	0	0	0	0	0
108	112	2.47	1.15	.31	0	0	0	0	0	0	0	0
112	116	2.59	1.22	.39	0	0	0	0	0	0	0	0
116	120	2.71	1.29	.46	0	0	0	0	0	0	0	0
120	124	2.83	1.36	.53	0	0	0	0	0	0	0	0
124	128	2.95	1.4	.60	0	0	0	0	0	0	0	0
128	132	3.07	1.51	.67	0	0	0	0	0	0	0	0
132	136	3.19	1.53	.75	0	0	0	0	0	0	0	0
136	140	3.31	1.65	.82	0	0	0	0	0	0	0	0
140	144	3.43	1.75	.89	.05	0	0	0	0	0	0	0
144	148	3.55	1.86	.96	.13	0	0	0	0	0	0	0
148	152	3.67	1.97	1.03	.20	0	0	0	0	0	0	0
152	156	3.78	2.08	1.11	.27	0	0	0	0	0	0	0
156	160	3.91	2.18	1.18	.34	0	0	0	0	0	0	0
160	164	4.03	2.30	1.25	.42	0	0	0	0	0	0	0
164	168	4.15	2.40	1.32	.49	0	0	0	0	0	0	0
168	172	4.30	2.51	1.39	.56	0	0	0	0	0	0	0
172	176	4.46	2.62	1.47	.63	0	0	0	0	0	0	0
176	180	4.62	2.72	1.54	.70	0	0	0	0	0	0	0
180	184	4.78	2.83	1.61	.78	0	0	0	0	0	0	0
184	188	4.94	2.94	1.69	.85	0	0	0	0	0	0	0
188	192	5.10	3.05	1.80	.92	.09	0	0	0	0	0	0
192	196	5.26	3.15	1.90	.99	.16	0	0	0	0	0	0
196	200	5.42	3.26	2.01	1.06	.23	0	0	0	0	0	0
200	204	5.58	3.37	2.12	1.14	.30	0	0	0	0	0	0
204	208	5.74	3.48	2.23	1.21	.37	0	0	0	0	0	0
208	212	5.90	3.59	2.34	1.28	.44	0	0	0	0	0	0
212	216	6.06	3.7	2.45	1.35	.51	0	0	0	0	0	0
216	220	6.22	3.80	2.55	1.42	.59	0	0	0	0	0	0
220	224	6.38	3.91	2.66	1.49	.66	0	0	0	0	0	0
224	228	6.54	4.02	2.77	1.57	.74	0	0	0	0	0	0
228	232	6.70	4.13	2.88	1.64	.81	0	0	0	0	0	0
232	236	6.85	4.26	2.99	1.73	.88	0	0	0	0	0	0
236	240	7.02	4.40	3.09	1.84	.95	.12	0	0	0	0	0
240	248	7.26	4.62	3.25	2.00	1.06	.23	0	0	0	0	0
248	256	7.60	4.91	3.47	2.22	1.20	.37	0	0	0	0	0
256	264	8.00	5.19	3.69	2.44	1.35	.51	0	0	0	0	0
264	272	8.40	5.48	3.90	2.65	1.49	.67	0	0	0	0	0
272	280	8.80	5.77	4.12	2.87	1.64	.80	0	0	0	0	0
280	288	9.20	6.06	4.39	3.09	1.84	.95	.11	0	0	0	0
288	296	9.60	6.35	4.68	3.30	2.05	1.09	.26	0	0	0	0

MONTHLY

And the wages are--		And the number of withholding exemptions claimed on Form D-4 is--										
At least	But less than	0	1	2	3	4	5	6	7	8	9	10 or more
		The amount of income tax to be withheld shall be--										
\$ 296	\$ 304	\$10.00	\$6.64	\$4.97	\$3.52	\$2.27	\$1.23	\$.40	\$0	\$0	\$0	\$0
304	312	10.40	6.92	5.25	3.73	2.48	1.38	.54	0	0	0	0
312	320	10.80	7.21	5.54	3.95	2.70	1.52	.69	0	0	0	0
320	328	11.20	7.50	5.83	4.17	2.92	1.67	.84	0	0	0	0
328	336	11.60	7.86	6.12	4.45	3.13	1.83	.98	.14	0	0	0
336	344	12.00	8.22	6.40	4.74	3.35	2.09	1.12	.29	0	0	0
344	352	12.40	8.53	6.69	5.03	3.56	2.31	1.26	.43	0	0	0
352	360	12.80	8.94	6.98	5.32	3.78	2.53	1.41	.58	0	0	0
360	368	13.20	9.30	7.27	5.60	4.00	2.76	1.55	.72	0	0	0
368	376	13.60	9.66	7.57	5.90	4.21	2.96	1.71	.86	.03	0	0
376	384	14.00	10.02	7.93	6.18	4.51	3.18	1.93	1.01	.17	0	0
384	392	14.40	10.38	8.20	6.47	4.80	3.39	2.14	1.15	.32	0	0
392	400	14.80	10.73	8.65	6.75	5.09	3.61	2.36	1.29	.46	0	0
400	420	15.50	11.37	9.23	7.26	5.59	3.99	2.74	1.55	.71	0	0
420	440	16.50	12.27	10.18	8.10	6.31	4.65	3.28	2.03	1.07	.24	0
440	460	17.83	13.17	11.08	9.00	7.03	5.37	3.82	2.57	1.43	.60	0
460	480	19.03	14.07	11.98	9.90	7.82	6.09	4.42	3.11	1.87	.96	.13
480	500	20.23	14.97	12.88	10.80	8.72	6.81	5.14	3.65	2.40	1.32	.49
500	520	21.43	15.87	13.78	11.70	9.62	7.53	5.86	4.19	2.95	1.69	.65
520	540	22.63	16.95	14.68	12.60	10.52	8.43	6.58	4.91	3.48	2.23	1.21
540	560	23.83	18.03	15.58	13.50	11.42	9.33	7.30	5.63	4.02	2.77	1.57
560	600	25.03	19.65	17.15	14.85	12.77	10.68	8.60	6.71	5.05	3.57	2.33
600	640	23.03	21.81	19.31	16.81	14.57	12.48	10.40	8.27	6.49	4.82	3.41
640	680	30.43	23.97	21.47	18.97	16.47	14.28	12.20	10.12	8.03	6.26	4.59
680	720	33.17	26.13	23.63	21.13	18.63	16.13	14.00	11.92	9.83	7.75	6.03
720	760	35.97	28.30	25.80	23.30	20.80	18.25	15.80	13.72	11.63	9.55	7.47
760	800	38.77	30.45	27.95	25.45	22.95	20.45	17.95	15.52	13.43	11.35	9.27
800	840	41.57	32.91	30.11	27.61	25.11	22.61	20.11	17.61	15.23	13.15	11.07
840	880	44.37	35.62	32.70	29.93	27.43	24.93	22.43	19.93	17.43	15.10	13.00
880	920	47.17	38.42	35.50	32.58	29.83	27.33	24.83	22.33	19.83	17.33	15.00
920	960	49.97	41.22	38.30	35.38	32.46	29.73	27.23	24.73	22.23	19.73	17.23
960	1000	52.77	44.02	41.10	38.18	35.26	32.35	29.63	27.13	24.63	22.13	19.63
1000	1040	55.77	46.82	43.90	40.98	38.06	35.15	32.23	29.53	27.03	24.53	22.03
1040	1080	58.97	49.62	46.70	43.78	40.86	37.95	35.03	32.12	29.43	26.93	24.43
1080	1120	62.17	52.42	49.50	46.58	43.66	40.75	37.83	34.92	32.00	29.33	26.33
1120	1160	65.37	55.37	52.30	49.38	46.46	43.55	40.63	37.72	34.80	31.88	29.23
1160	1200	68.57	58.57	55.23	52.18	49.26	46.35	43.43	40.52	37.60	34.63	31.77
1200	1240	71.77	61.77	58.43	55.10	52.06	49.15	46.23	43.32	40.40	37.48	34.57
1240	1280	74.97	64.97	61.63	58.30	54.97	51.85	49.03	46.12	43.20	40.28	37.37
1280	1320	78.17	68.17	64.83	61.50	58.17	54.83	51.83	48.92	46.00	43.03	40.17
1320	1360	81.37	71.37	68.03	64.70	61.37	58.03	54.70	51.72	48.80	45.88	42.97
1360	1400	84.57	74.57	71.23	67.90	64.57	61.23	57.90	54.57	51.60	48.68	45.77
1400	1440	87.80	77.77	74.43	71.10	67.77	64.43	61.10	57.77	54.43	51.43	48.57
		10 percent of the excess over \$1440 plus--										
\$1440 and over		87.80	77.77	74.43	71.10	67.77	64.43	61.10	57.77	54.43	51.48	48.57

This table allows a \$500 credit for each withholding exemption claimed on Form D-4 (Employees Withholding Exemption Certificate)

Employers may round the amount of tax to be withheld to the next higher tenth of one dollar.

"Appendix B - Method (b)

SEMI-MONTHLY WITHHOLDING TAX TABLE

And the wages are—										And the number of withholding exemptions claimed on Form D-4 is—									
At least										10 or more									
But less than										The amount of income tax to be withheld shall be—									
0	1	2	3	4	5	6	7	8	9	0	1	2	3	4	5	6	7	8	9
\$ 0	\$.34	\$.68	\$ 1.02	\$ 1.36	\$ 1.70	\$ 2.04	\$ 2.38	\$ 2.72	\$ 3.06	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 42	\$.88	\$ 1.22	\$ 1.56	\$ 1.90	\$ 2.24	\$ 2.58	\$ 2.92	\$ 3.26	\$ 3.60	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 44	\$.94	\$ 1.28	\$ 1.62	\$ 1.96	\$ 2.30	\$ 2.64	\$ 2.98	\$ 3.32	\$ 3.66	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 46	\$.99	\$ 1.33	\$ 1.67	\$ 2.01	\$ 2.35	\$ 2.69	\$ 3.03	\$ 3.37	\$ 3.71	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 48	\$ 1.04	\$ 1.38	\$ 1.72	\$ 2.06	\$ 2.40	\$ 2.74	\$ 3.08	\$ 3.42	\$ 3.76	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 50	\$ 1.09	\$ 1.43	\$ 1.77	\$ 2.11	\$ 2.45	\$ 2.79	\$ 3.13	\$ 3.47	\$ 3.81	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 52	\$ 1.14	\$ 1.48	\$ 1.82	\$ 2.16	\$ 2.50	\$ 2.84	\$ 3.18	\$ 3.52	\$ 3.86	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 54	\$ 1.19	\$ 1.53	\$ 1.87	\$ 2.21	\$ 2.55	\$ 2.89	\$ 3.23	\$ 3.57	\$ 3.91	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 56	\$ 1.24	\$ 1.58	\$ 1.92	\$ 2.26	\$ 2.60	\$ 2.94	\$ 3.28	\$ 3.62	\$ 3.96	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 58	\$ 1.29	\$ 1.63	\$ 1.97	\$ 2.31	\$ 2.65	\$ 2.99	\$ 3.33	\$ 3.67	\$ 4.01	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 60	\$ 1.34	\$ 1.68	\$ 2.02	\$ 2.36	\$ 2.70	\$ 3.04	\$ 3.38	\$ 3.72	\$ 4.06	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 62	\$ 1.39	\$ 1.73	\$ 2.07	\$ 2.41	\$ 2.75	\$ 3.09	\$ 3.43	\$ 3.77	\$ 4.11	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 64	\$ 1.44	\$ 1.78	\$ 2.12	\$ 2.46	\$ 2.80	\$ 3.14	\$ 3.48	\$ 3.82	\$ 4.16	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 66	\$ 1.49	\$ 1.83	\$ 2.17	\$ 2.51	\$ 2.85	\$ 3.19	\$ 3.53	\$ 3.87	\$ 4.21	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 68	\$ 1.54	\$ 1.88	\$ 2.22	\$ 2.56	\$ 2.90	\$ 3.24	\$ 3.58	\$ 3.92	\$ 4.26	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 70	\$ 1.59	\$ 1.93	\$ 2.27	\$ 2.61	\$ 2.95	\$ 3.29	\$ 3.63	\$ 3.97	\$ 4.31	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 72	\$ 1.64	\$ 1.98	\$ 2.32	\$ 2.66	\$ 3.00	\$ 3.34	\$ 3.68	\$ 4.02	\$ 4.36	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 74	\$ 1.69	\$ 2.03	\$ 2.37	\$ 2.71	\$ 3.05	\$ 3.39	\$ 3.73	\$ 4.07	\$ 4.41	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 76	\$ 1.74	\$ 2.08	\$ 2.42	\$ 2.76	\$ 3.10	\$ 3.44	\$ 3.78	\$ 4.09	\$ 4.46	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 78	\$ 1.79	\$ 2.13	\$ 2.47	\$ 2.81	\$ 3.15	\$ 3.49	\$ 3.83	\$ 4.14	\$ 4.51	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 80	\$ 1.84	\$ 2.18	\$ 2.52	\$ 2.86	\$ 3.20	\$ 3.54	\$ 3.88	\$ 4.19	\$ 4.56	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 82	\$ 1.89	\$ 2.23	\$ 2.57	\$ 2.91	\$ 3.25	\$ 3.59	\$ 3.93	\$ 4.24	\$ 4.61	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 84	\$ 1.94	\$ 2.28	\$ 2.62	\$ 2.96	\$ 3.30	\$ 3.64	\$ 3.98	\$ 4.29	\$ 4.66	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 86	\$ 1.99	\$ 2.33	\$ 2.67	\$ 3.01	\$ 3.35	\$ 3.69	\$ 4.03	\$ 4.34	\$ 4.71	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 88	\$ 2.04	\$ 2.38	\$ 2.72	\$ 3.06	\$ 3.40	\$ 3.74	\$ 4.08	\$ 4.39	\$ 4.76	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 90	\$ 2.09	\$ 2.43	\$ 2.77	\$ 3.11	\$ 3.45	\$ 3.79	\$ 4.13	\$ 4.44	\$ 4.81	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 92	\$ 2.14	\$ 2.48	\$ 2.82	\$ 3.16	\$ 3.50	\$ 3.84	\$ 4.18	\$ 4.49	\$ 4.86	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 94	\$ 2.19	\$ 2.53	\$ 2.87	\$ 3.21	\$ 3.55	\$ 3.89	\$ 4.23	\$ 4.54	\$ 4.91	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 96	\$ 2.24	\$ 2.58	\$ 2.92	\$ 3.26	\$ 3.60	\$ 3.94	\$ 4.28	\$ 4.59	\$ 4.96	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 98	\$ 2.29	\$ 2.63	\$ 2.97	\$ 3.31	\$ 3.65	\$ 3.99	\$ 4.33	\$ 4.64	\$ 5.01	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 100	\$ 2.34	\$ 2.68	\$ 3.02	\$ 3.36	\$ 3.70	\$ 4.04	\$ 4.38	\$ 4.69	\$ 5.06	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 102	\$ 2.39	\$ 2.73	\$ 3.07	\$ 3.41	\$ 3.75	\$ 4.09	\$ 4.43	\$ 4.74	\$ 5.11	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 104	\$ 2.44	\$ 2.78	\$ 3.12	\$ 3.46	\$ 3.80	\$ 4.14	\$ 4.48	\$ 4.79	\$ 5.16	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 106	\$ 2.49	\$ 2.83	\$ 3.17	\$ 3.51	\$ 3.85	\$ 4.19	\$ 4.53	\$ 4.84	\$ 5.21	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 108	\$ 2.54	\$ 2.88	\$ 3.22	\$ 3.56	\$ 3.90	\$ 4.24	\$ 4.58	\$ 4.89	\$ 5.26	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 110	\$ 2.59	\$ 2.93	\$ 3.27	\$ 3.61	\$ 3.95	\$ 4.29	\$ 4.63	\$ 4.94	\$ 5.31	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 112	\$ 2.64	\$ 2.98	\$ 3.32	\$ 3.66	\$ 4.00	\$ 4.34	\$ 4.68	\$ 4.99	\$ 5.36	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 114	\$ 2.69	\$ 3.03	\$ 3.37	\$ 3.71	\$ 4.05	\$ 4.39	\$ 4.73	\$ 5.04	\$ 5.41	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 116	\$ 2.74	\$ 3.08	\$ 3.42	\$ 3.76	\$ 4.10	\$ 4.44	\$ 4.78	\$ 5.09	\$ 5.46	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 118	\$ 2.79	\$ 3.13	\$ 3.47	\$ 3.81	\$ 4.15	\$ 4.49	\$ 4.83	\$ 5.14	\$ 5.51	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 120	\$ 2.84	\$ 3.18	\$ 3.52	\$ 3.86	\$ 4.20	\$ 4.54	\$ 4.88	\$ 5.19	\$ 5.56	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 124	\$ 2.89	\$ 3.23	\$ 3.57	\$ 3.91	\$ 4.25	\$ 4.59	\$ 4.93	\$ 5.24	\$ 5.61	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 128	\$ 2.94	\$ 3.28	\$ 3.62	\$ 3.96	\$ 4.30	\$ 4.64	\$ 4.98	\$ 5.29	\$ 5.66	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 132	\$ 2.99	\$ 3.33	\$ 3.67	\$ 4.01	\$ 4.35	\$ 4.69	\$ 5.03	\$ 5.34	\$ 5.71	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 136	\$ 3.04	\$ 3.38	\$ 3.72	\$ 4.06	\$ 4.40	\$ 4.74	\$ 5.08	\$ 5.39	\$ 5.76	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 140	\$ 3.09	\$ 3.43	\$ 3.77	\$ 4.11	\$ 4.45	\$ 4.79	\$ 5.13	\$ 5.44	\$ 5.81	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 144	\$ 3.14	\$ 3.48	\$ 3.82	\$ 4.16	\$ 4.50	\$ 4.84	\$ 5.18	\$ 5.49	\$ 5.86	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 148	\$ 3.19	\$ 3.53	\$ 3.87	\$ 4.21	\$ 4.55	\$ 4.89	\$ 5.23	\$ 5.54	\$ 5.91	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 152	\$ 3.24	\$ 3.58	\$ 3.92	\$ 4.26	\$ 4.60	\$ 4.94	\$ 5.28	\$ 5.59	\$ 5.96	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 156	\$ 3.29	\$ 3.63	\$ 3.97	\$ 4.31	\$ 4.65	\$ 4.99	\$ 5.33	\$ 5.64	\$ 6.01	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 160	\$ 3.34	\$ 3.68	\$ 4.02	\$ 4.36	\$ 4.70	\$ 5.04	\$ 5.38	\$ 5.69	\$ 6.06	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 164	\$ 3.39	\$ 3.73	\$ 4.07	\$ 4.41	\$ 4.75	\$ 5.09	\$ 5.43	\$ 5.74	\$ 6.11	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 168	\$ 3.44	\$ 3.78	\$ 4.12	\$ 4.46	\$ 4.80	\$ 5.14	\$ 5.48	\$ 5.79	\$ 6.16	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 172	\$ 3.49	\$ 3.83	\$ 4.17	\$ 4.51	\$ 4.85	\$ 5.19	\$ 5.53	\$ 5.84	\$ 6.21	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 176	\$ 3.54	\$ 3.88	\$ 4.22	\$ 4.56	\$ 4.90	\$ 5.24	\$ 5.58	\$ 5.89	\$ 6.26	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 180	\$ 3.59	\$ 3.93	\$ 4.27	\$ 4.61	\$ 4.95	\$ 5.29	\$ 5.63	\$ 5.94	\$ 6.31	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 184	\$ 3.64	\$ 3.98	\$ 4.32	\$ 4.66	\$ 5.00	\$ 5.34	\$ 5.68	\$ 5.99	\$ 6.36	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 188	\$ 3.69	\$ 4.03	\$ 4.37	\$ 4.71	\$ 5.05	\$ 5.39	\$ 5.73	\$ 6.04	\$ 6.41	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 192	\$ 3.74	\$ 4.08	\$ 4.42	\$ 4.76	\$ 5.10	\$ 5.44	\$ 5.78	\$ 6.09	\$ 6.46	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 196	\$ 3.79	\$ 4.13	\$ 4.47	\$ 4.81	\$ 5.15	\$ 5.49	\$ 5.83	\$ 6.14	\$ 6.51	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 200	\$ 3.84	\$ 4.18	\$ 4.52	\$ 4.86	\$ 5.20	\$ 5.54	\$ 5.88	\$ 6.19	\$ 6.56	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 204	\$ 3.89	\$ 4.23	\$ 4.57	\$ 4.91	\$ 5.25	\$ 5.59	\$ 5.93	\$ 6.24	\$ 6.61	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 208	\$ 3.94	\$ 4.28	\$ 4.62	\$ 4.96	\$ 5.30	\$ 5.64	\$ 5.98	\$ 6.29	\$ 6.66	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.17	\$.21	\$.25	\$.29	\$.33
\$ 212	\$ 3.99	\$ 4.33	\$ 4.67	\$ 5.01	\$ 5.35	\$ 5.69	\$ 6.03	\$ 6.34	\$ 6.71	\$ 0	\$.03	\$.07	\$.10	\$.13	\$.				

"Appendix B - Method (b)

DAILY or MISCELLANEOUS WITHHOLDING TAX TABLES

And the wages divided by the number of days in such period are—		And the number of withholding exemptions claimed on Form D-4 is—										
At least	But less than	0	1	2	3	4	5	6	7	8	9	10 or more
\$0	\$2.75	2% of wages	\$0.03	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
2.75	3.00	\$0.06	.03	0	0	0	0	0	0	0	0	0
3.00	3.25	.07	.03	0	0	0	0	0	0	0	0	0
3.25	3.50	.08	.03	.01	0	0	0	0	0	0	0	0
3.50	3.75	.08	.04	.01	0	0	0	0	0	0	0	0
3.75	4.00	.09	.04	.02	0	0	0	0	0	0	0	0
4.00	4.25	.10	.05	.02	0	0	0	0	0	0	0	0
4.25	4.50	.11	.06	.03	0	0	0	0	0	0	0	0
4.50	4.75	.11	.06	.03	0	0	0	0	0	0	0	0
4.75	5.00	.12	.07	.04	.01	0	0	0	0	0	0	0
5.00	5.25	.13	.07	.04	.01	0	0	0	0	0	0	0
5.25	5.50	.14	.08	.05	.02	0	0	0	0	0	0	0
5.50	5.75	.16	.09	.05	.02	0	0	0	0	0	0	0
5.75	6.00	.17	.09	.05	.02	0	0	0	0	0	0	0
6.00	6.25	.17	.10	.06	.03	0	0	0	0	0	0	0
6.25	6.50	.18	.11	.07	.04	.01	0	0	0	0	0	0
6.50	6.75	.19	.11	.07	.04	.01	0	0	0	0	0	0
6.75	7.00	.20	.12	.08	.05	.02	0	0	0	0	0	0
7.00	7.25	.21	.13	.09	.05	.02	0	0	0	0	0	0
7.25	7.50	.22	.13	.09	.05	.02	0	0	0	0	0	0
7.50	7.75	.23	.14	.10	.06	.03	0	0	0	0	0	0
7.75	8.00	.23	.15	.10	.06	.03	.01	0	0	0	0	0
8.00	8.25	.24	.16	.11	.07	.04	.01	0	0	0	0	0
8.25	8.50	.25	.17	.11	.07	.04	.01	0	0	0	0	0
8.50	8.75	.26	.17	.12	.08	.05	.02	0	0	0	0	0
8.75	9.00	.28	.18	.13	.09	.05	.03	0	0	0	0	0
9.00	9.25	.29	.19	.13	.09	.05	.03	0	0	0	0	0
9.25	9.50	.30	.20	.14	.10	.06	.03	0	0	0	0	0
9.50	9.75	.31	.21	.15	.11	.07	.04	.01	0	0	0	0
9.75	10.00	.33	.22	.16	.12	.07	.04	.01	0	0	0	0
10.00	10.50	.34	.23	.17	.12	.08	.05	.02	0	0	0	0
10.50	11.00	.37	.23	.19	.14	.10	.06	.03	0	0	0	0
11.00	11.50	.40	.27	.21	.16	.11	.07	.04	.01	0	0	0
11.50	12.00	.43	.30	.23	.18	.13	.09	.05	.02	0	0	0
12.00	12.50	.44	.31	.24	.19	.14	.10	.05	.03	0	0	0
12.50	13.00	.47	.34	.27	.21	.16	.11	.07	.04	.01	0	0
13.00	13.50	.50	.37	.30	.23	.18	.13	.09	.05	.02	0	0
13.50	14.00	.53	.39	.32	.25	.20	.14	.10	.06	.03	0	0
14.00	14.50	.55	.40	.33	.27	.21	.15	.11	.07	.03	.01	0
14.50	15.00	.58	.43	.35	.29	.22	.17	.12	.08	.04	.02	0
15.00	15.50	.61	.45	.37	.31	.24	.19	.14	.10	.06	.03	0
15.50	16.00	.64	.47	.39	.33	.26	.21	.16	.11	.07	.04	0
16.00	16.50	.66	.49	.42	.35	.28	.22	.17	.12	.08	.04	.01
16.50	17.00	.70	.52	.45	.38	.32	.25	.18	.14	.09	.05	.02
17.00	17.50	.73	.54	.47	.40	.34	.27	.21	.15	.10	.06	.03
17.50	18.00	.75	.56	.48	.42	.36	.28	.22	.16	.12	.07	.04
18.00	18.50	.79	.60	.52	.45	.38	.31	.24	.19	.14	.09	.05

DAILY or MISCELLANEOUS

And the wages divided by the number of days in such period are—		And the number of withholding exemptions claimed on Form D-4 is—										
At least	But less than	0	1	2	3	4	5	6	7	8	9	10 or more
\$18.50	\$19.00	10% of the excess over \$50 plus—	\$0.82	\$0.64	\$0.55	\$0.48	\$0.41	\$0.34	\$0.28	\$0.21	\$0.16	\$0.11
19.00	19.50	.85	.66	.57	.49	.42	.36	.29	.22	.17	.12	.08
19.50	20.00	.88	.68	.59	.51	.44	.38	.31	.24	.19	.13	.09
20.00	21.00	.92	.72	.63	.55	.48	.41	.34	.27	.21	.16	.11
21.00	22.00	.98	.77	.67	.59	.53	.45	.38	.31	.24	.19	.14
22.00	23.00	1.05	.82	.73	.65	.58	.50	.43	.35	.28	.23	.18
23.00	24.00	1.12	.88	.79	.71	.63	.55	.48	.40	.34	.28	.22
24.00	25.00	1.19	.94	.85	.76	.68	.60	.53	.45	.39	.32	.26
25.00	26.00	1.23	1.00	.91	.82	.74	.65	.58	.50	.44	.36	.30
26.00	27.00	1.33	1.06	.97	.88	.80	.7	.63	.55	.49	.41	.34
27.00	28.00	1.40	1.12	1.03	.94	.86	.77	.69	.61	.54	.46	.39
28.00	29.00	1.47	1.18	1.09	1.00	.92	.83	.75	.67	.60	.52	.44
29.00	30.00	1.54	1.24	1.15	1.06	.98	.89	.81	.73	.66	.58	.49
30.00	31.00	1.61	1.30	1.21	1.13	1.05	.95	.87	.79	.72	.64	.54
31.00	32.00	1.68	1.37	1.27	1.20	1.12	1.01	.93	.85	.78	.70	.60
32.00	33.00	1.75	1.45	1.34	1.27	1.19	1.07	.99	.91	.84	.76	.66
33.00	34.00	1.83	1.53	1.41	1.34	1.27	1.15	1.06	.97	.90	.82	.72
34.00	35.00	1.91	1.61	1.48	1.41	1.34	1.22	1.13	1.03	.95	.88	.78
35.00	36.00	1.99	1.68	1.57	1.48	1.41	1.29	1.20	1.09	1.02	.94	.84
36.00	37.00	2.07	1.76	1.65	1.55	1.48	1.36	1.27	1.16	1.08	1.00	.91
37.00	38.00	2.15	1.83	1.73	1.62	1.55	1.43	1.34	1.23	1.15	1.06	.97
38.00	39.00	2.23	1.91	1.81	1.69	1.62	1.50	1.41	1.30	1.22	1.12	1.03
39.00	40.00	2.31	1.99	1.88	1.76	1.69	1.57	1.48	1.37	1.29	1.19	1.09
40.00	41.00	2.39	2.06	1.95	1.84	1.76	1.64	1.55	1.44	1.36	1.26	1.16
41.00	42.00	2.47	2.14	2.03	1.92	1.82	1.71	1.62	1.51	1.43	1.33	1.23
42.00	43.00	2.55	2.22	2.11	2.00	1.89	1.78	1.69	1.58	1.50	1.40	1.30
43.00	44.00	2.63	2.30	2.19	2.08	1.97	1.86	1.76	1.65	1.57	1.47	1.37
44.00	45.00	2.71	2.38	2.27	2.16	2.05	1.94	1.83	1.72	1.64	1.54	1.44
45.00	46.00	2.79	2.47	2.35	2.24	2.13	2.02	1.91	1.80	1.71	1.61	1.51
46.00	47.00	2.87	2.55	2.43	2.32	2.21	2.10	1.99	1.88	1.78	1.68	1.58
47.00	48.00	2.95	2.64	2.51	2.40	2.29	2.18	2.07	1.96	1.85	1.75	1.65
48.00	49.00	3.05	2.72	2.59	2.48	2.37	2.26	2.15	2.04	1.93	1.82	1.72
49.00	50.00	3.15	2.79	2.67	2.56	2.45	2.34	2.23	2.12	2.01	1.90	1.80

This table allows a \$500 credit for each withholding exemption claimed on Form D-4 (Employee Withholding Exemption Certificate)

Employers may round the amount of tax to be withheld to the next higher tenth of one dollar.

Regulation No. 71-7



March 13, 1971
Enactment Date

Regulation

of the

District of Columbia

TITLE INSURANCE: REGULATION GOVERNING METHOD OF ACCOUNTING FOR PREMIUMS AND EXPENSES AND GOVERNING USE OF INFLATION FACTORS

Mr. Philip J. Daugherty Presents the following regulation:

1 WHEREAS, the District of Columbia Council finds that a uniform system of
2 accounting by those companies making rate filings with the Superintendent of
3 Insurance is necessary to the true determination of the underwriting experience
4 of those companies, and

5
6 WHEREAS, the District of Columbia Council in its report on Insurance adopted
7 November 24, 1970, found that profits of insurance companies as used for rate
8 making purposes are made to appear in a minimized form by companies' practice of
9 calculating premiums on an accrual basis of accounting while calculating expenses,
10 such as commissions, on a cash basis, and

11
12 WHEREAS, Reorganization Plan No. 3 of 1967 transferred to the District of
13 Columbia Council the function of making rules and regulations with respect to
14 rate making.

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

17
18 Section 1. (a) Any insurer or rating bureau making rate filings within
19 the scope of Chapter 15 of Title 35 of the District of
20 Columbia Code with the Superintendent of Insurance
21 shall calculate expenses on an accrual basis if it
22 calculates premiums on an accrual basis, and shall
23 calculate expenses on a cash basis if it calculates
24 premiums on a cash basis. No rate revision or rate

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 February 2, 1971

Adopted on second and final reading March 2, 1971

Presented to the Mayor-Commissioner March 3, 1971
Date

David H. Schwartz
Secretary of the City Council

I HEREBY CERTIFY that Regulation No. 71-7 was presented to the Mayor of the District of Columbia on March 3, 1971, and that the Mayor neither approved nor disapproved the Regulation within the ten-day period specified in Section 406(c) of Reorganization Plan No. 3 of 1967.

Martin K. Schaller
Martin K. Schaller
Executive Secretary, D. C.

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. 71-8



March 13, 1971
Enactment Date

Regulation

of the

District of Columbia

TITLE INSURANCE: REGULATION PROHIBITING GEOGRAPHIC DISCRIMINATION

Mr. Philip J. Daugherty Presents the following regulation:

- 1 WHEREAS, the District of Columbia Council finds that the practice by insurance
- 2 companies of discriminating against applicants for new or renewed insurance policies
- 3 by refusing to issue or renew policies due to the applicants' geographic location is
- 4 against the public interest, and
- 5
- 6 WHEREAS, the District of Columbia Council finds that this practice of geographic
- 7 discriminating known as "redlining" must cease if the District is to have an adequate
- 8 insurance system, and
- 9
- 10 WHEREAS, the District of Columbia Council finds that insurance underwriting
- 11 standards which call for the improvement of properties so as to make them reasonable
- 12 risks is within the public interest, and
- 13
- 14 WHEREAS, the District of Columbia Council finds that insurance underwriting
- 15 standards designed to prevent an excessive loss or concentration of liability within
- 16 a certain area is reasonable, but should not be so broad as to prevent the assumption
- 17 of risk where there is no danger of excessive concentration so as to endanger the
- 18 underwriting viability of an insurance company, and
- 19
- 20 WHEREAS, Reorganization Plan Number 3 of 1967 transferred to the District of
- 21 Columbia Council the function of making rules and regulations to protect the health,
- 22 safety, welfare, property, and well-being of the public.
- 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							

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 2, 1971

Adopted on second and final reading March 2, 1971

Presented to the Mayor-Commissioner March 3, 1971 Date

David H. Schwartz
Secretary of the City Council

I HEREBY CERTIFY that Regulation No. 71-8 was presented to the Mayor of the District of Columbia on March 3, 1971, and that the Mayor neither approved nor disapproved the Regulation within the ten-day period specified in Section 406(c) of Reorganization Plan No. 3 of 1967.

Martin K. Schaller
Martin K. Schaller
Executive Secretary, D. C.

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

David H. Schwartz
Secretary of the City Council

1 Section 1. Geographic Discrimination.

2
3 (a) No insurer, policy-writing agent, soliciting agent, broker, or salaried
4 company employee shall decline to insure or to renew contracts of insurance
5 because of the geographic area within the District of Columbia wherein is
6 located the subject of the risk or the applicant's or insured's address.

7
8 (b) The prohibition contained in subsection (a) shall not act to prevent an
9 insurer, agent, broker, or company employee from declining to issue contracts
10 of fire or property insurance due to a determination, after on-site inspection and
11 written report, that the condition of the property proposed to be insured does not
12 meet applicable underwriting standards, provided that an applicant for such
13 insurance shall be furnished a statement describing such improvements as are
14 necessary to bring said property into conformity with applicable underwriting
15 standards.

16
17 (c) The prohibition contained in subsection (a) shall not act to prevent an
18 insurer, agent, broker, or company employee from declining to issue contracts for
19 fire or property insurance due to a determination that the property proposed to be
20 insured will cause, due to its geographic location, a concentration of liability
21 which will exceed reasonable underwriting standards based upon actual properties
22 then insured and, either (i) excessive loss experience or (ii) potential excessive
23 loss experience within such geographical area, provided that a copy of the under-
24 writing standard shall be furnished to the applicant for insurance, if denied, and
25 provided that the Superintendent of Insurance may within his discretion rule on the
26 reasonableness of the applicable underwriting standard, and provided further that
27 in any action arising with respect to this section the burden of proof of reason-
28 ableness of the underwriting standard shall be on the proponent of the underwriting
29 standard.

30
31 Section 2. Enforcement.

32
33 Any insurer, policy-writing agent, soliciting agent, broker or salaried
34 insurance company employee who violates any provision of this Regulation shall be
35 imprisoned for not more than 10 days, or fined not more than \$300, or both, for each
36 such offense.

37
38 Section 3. Effective Date.

39
40 This Regulation shall become effective immediately upon enactment.
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60

Regulation No. 71-9



March 13, 1971
Enactment Date

Regulation

of the

District of Columbia

TITLE INSURANCE: REGULATION REQUIRING INSURANCE QUESTIONS ON OPERATOR'S LICENSE EXAMINATIONS

Mr. Philip J. Daugherty Presents the following regulation:

1 WHEREAS, the District of Columbia Council has found in its report on Insurance
2 dated November 24, 1970, that "the problem of the uninsured motorist can be
3 partially remedied by educating motorists on the advisability of obtaining insurance,"
4 and

5
6 WHEREAS, the District of Columbia Council finds that the incident of motor
7 vehicle operator's licensing is a most proper occasion for informing of and requiring
8 a knowledge of the perils of being an uninsured motorist, and

9
10 WHEREAS, Reorganization Plan Number 3 of 1967 transferred to the Council the
11 function of making rules and regulations relating to motor vehicle operation in the
12 District of Columbia.

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

15
16 Section 1. Title 32 of the District of Columbia Rules and Regulations Depart-
17 ment of Motor Vehicles, Section 2.208 - Examination of Applicants is hereby
18 amended as follows after the second sentence and inserting before the third sentence
19 the following new sentence:

20
21 "The examination shall also include questions on the laws
22 and regulations of the District of Columbia governing motor
23 vehicle insurance."

24 Section 2. This Regulation shall take effect 90 days from the date of 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							

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 2, 1971

Adopted on second and final reading March 2, 1971

Presented to the Mayor-Commissioner March 3, 1971
Date

David H. Schwartz
Secretary of the City Council

I HEREBY CERTIFY that Regulation No. 71-9 was presented to the Mayor of the District of Columbia on March 3, 1971, and that the Mayor neither approved nor disapproved the Regulation within the ten-day period specified in Section 406(c) of Reorganization Plan No. 3 of 1967.

Martin K. Schaller
Martin K. Schaller
Executive Secretary, D. C.

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. 71-10



March 13, 1971
Enactment Date

Regulation

of the

District of Columbia

TITLE INSURANCE: REGULATION REQUIRING DISCLOSURE OF RATES OF DISTRICT OF COLUMBIA AUTOMOBILE INSURANCE PLAN

Mr. Philip J. Daugherty Presents the following regulation:

1 WHEREAS, the District of Columbia Council finds that prospective purchasers of
2 automobile insurance should be informed of rates available from the District of
3 Columbia Automobile Insurance Plan so as to afford them the opportunity to take
4 advantage of the lowest cost for insurance they wish to purchase, and
5

6 WHEREAS, Reorganization Plan No. 3 of 1967 transferred to the District of
7 Columbia Council the function of making rules and regulations to protect the health,
8 safety, welfare, property and well-being of the public.
9

10 NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council that:
11

12 Section 1. Definitions.
13

14 "Automobile Policy" shall mean any contract wherein
15 one party called the "company" for a consideration,
16 undertakes to pay money or its equivalent, or to do
17 an act valuable to any other party upon the happening of a
18 hazard or peril insured against whereby the party insured
19 suffers loss or injury, property damage, collision or
20 personal liability, due to the owning or operation of a
21 motor vehicle. "Automobile Policy" shall not include
22 policies of common carriers, nor shall any portion of this
23 regulation apply to common carriers' insurance.
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 February 2, 1971

Adopted on second and final reading March 2, 1971

Presented to the Mayor-Commissioner March 3, 1971
Date

David H. Schwartz
Secretary of the City Council

I HEREBY CERTIFY that Regulation No. 71-10 was presented to the Mayor of the District of Columbia on March 3, 1971, and that the Mayor neither approved nor disapproved the Regulation within the ten-day period specified in Section 406(c) of Reorganization Plan No. 3 of 1967.

Martin K. Schaller
Martin K. Schaller
Executive Secretary, D. C.

I hereby certify that this regulation is true and adopted

David H. Schwartz
Secretary of the City Council

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60

Section 2. Disclosure of Assigned Risk Rates.

In every instance wherein a rate for automobile insurance in excess of the comparable District of Columbia Automobile Insurance Plan (D.C.A.I.P.) rate is quoted by an insurer or agent, the applicable D.C.A.I.P. rate must be quoted. If an automobile policy is written at a rate in excess of the applicable D.C.A.I.P. rate, a written waiver of the D.C.A.I.P. rate must be obtained from the insured before the effective date of the automobile policy.

Section 3. Enforcement.

Any insurer, policy-writing agent, soliciting agent, broker or salaried insurance company employee who violates any provision of this Regulation shall be imprisoned for not more than 10 days, or fined not more than \$300, or both, for each such offense.

Section 4. Effective Date.

This Regulation shall become effective sixty (60) days after enactment.

Martin K. Schaller
 Martin K. Schaller
 Executive Secretary, D. C.

of the
District of Columbia

TITLE INSURANCE: REGULATION GOVERNING CONSIDERATION OF NET INVESTMENT INCOME ON UNEARNED PREMIUM RESERVES AND LOSS RESERVES

Mr. Philip I. Daugherty Presents the following regulation:

1 WHEREAS, the District of Columbia Council finds that insurance policy holders
 2 pay insurance premiums to companies which are invested for profit, and
 3
 4 WHEREAS, insurance policy holders of the District of Columbia do not benefit,
 5 through the rate structure, from the earnings that their premium money provides, and
 6
 7 WHEREAS, no current practice of rate making takes into account the earnings from
 8 those investments or capital gains, nor has the competition of lower than established
 9 rates proved to be a sufficient device for passing on to policy holders the benefits of
 10 profits made through investments and capital gains, and
 11
 12 WHEREAS, Reorganization Plan Number 3 of 1967 transferred to the Council the
 13 function of making rules and regulations with respect to rate making.
 14
 15 NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council that:
 16
 17 Section 1. The net investment income (including the realized capital
 18 gains) on all cash and invested assets (as defined on page 2 of the
 19 1969 National Association of Insurance Commissioners Convention Form
 20 Annual Statement for Fire and Casualty Companies) held against all
 21 unearned premium reserves and loss reserves of any nature shall be
 22 considered by the Superintendent as part of an insurance company's
 23 income in determining the necessity for adjustment of rates within the
 24 scope of Chapter 15 of Title 35 of the District of Columbia Code.

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 February 2, 1971
 Adopted on second and final reading March 2, 1971
 Presented to the Mayor-Commissioner March 3, 1971
 Date _____
 Approved _____
 Mayor-Commissioner _____ Date _____
 Enacted W/O signature of the Mayor according to ten day limitation rule: March 13, 1971
 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 A. Schwartz
 Secretary of the City Council

REGULATION 71-11

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60

Section 2. Any agreement, by-law, rule, regulation or amendment thereto of the rating bureau, with respect to rate filings with the Superintendent of Insurance which is contrary to Section 1 of this Regulation is disapproved.

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

Regulation No. 71-12



March 13, 1971
Enactment Date

Regulation

of the

District of Columbia

TITLE INSURANCE: REGULATION GOVERNING SPECIFICATION OF REASONS FOR DENIAL OF SURETY BONDS

Mr. Philip J. Daugherty Presents the following regulation:

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

WHEREAS, the District of Columbia Council finds that black, and minority contractors frequently are refused bonding for reasons that are unspecified, and

WHEREAS, the District of Columbia Council finds that information stating the reasons for denial of bonds to contractors can aid those contractors in improving their operations, and

WHEREAS, Reorganization Plan Number 3 of 1967 transferred to the Council the function of making rules and regulations to protect the health, safety, welfare, property, and well-being of the public.

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

Section 1. (a) Any surety company doing business in the District of Columbia which shall deny an applicant a bid bond, performance bond or payment bond for any construction contract shall reasonably explain in writing the reason or reasons for such denial and make recommendations which would aid the contractor to overcome his deficiency.

(b) There shall be no liability on the part of and no cause of action of any nature shall arise against any officer or employee of the District of Columbia, any surety, its authorized representative, its agents, its employees, or any firm, person, or corporation who in good faith:

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 February 2, 1971
 Adopted on second and final reading March 2, 1971
 Presented to the Mayor/Commissioner March 3, 1971

Clarence H. Schwartz

I HEREBY CERTIFY that Regulation No. 71-12 was presented to the Mayor of the District of Columbia on March 3, 1971, and that the Mayor neither approved nor disapproved the Regulation within the ten-day period specified in Section 406(c) of Reorganization Plan No. 3 of 1967.

Martin K. Schaller
 Martin K. Schaller
 Executive Secretary, D. C.

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.
Clarence H. Schwartz
 Secretary of the City Council

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60

(1) furnishes, to the applicant for a bond specified in subsection (a), information required in subsection (a) of this section; or

(2) makes any statement in any communication, oral or written; specifying the reasons for denial of bond; or

(3) provides any information pertaining thereto; or

(4) makes or submits evidence at any proceeding which may arise due to the provisions of this section.

(c) No applicant for any bond specified in subsection (a) of this section shall be required, as a condition precedent to obtaining such a bond, to disclose either in writing or orally, whether he has ever been rejected for such a bond or had such a bond cancelled: Provided, however, that an applicant may be required to disclose at the time of application such information that the surety company may need to make a reasonable judgment as to the applicant's qualifications for being bonded.

Section 2. Upon request of the applicant, the surety company shall within five days after a denial furnish a copy of such written statement required in Section 1 (a) of this regulation to the Department of Insurance and the Department of Economic Development, provided at the time of denial the applicant is advised of his right to make such request.

Section 3. Enforcement.

Any surety company agent, soliciting agent, broker, or salaried surety company employee who violates any provision of this Regulation shall be imprisoned for not more than ten days or fined not more than \$300 or both for each such offense.

Section 4. This Regulation shall become effective immediately upon enactment.

Regulation No. 71-13



March 13, 1971
Enactment Date

Regulation

of the

District of Columbia

TITLE REGULATION PROHIBITING ARBITRARY CANCELLATION OF INSURANCE POLICIES IN THE DISTRICT OF COLUMBIA

Mr. Philip J. Daugherty Presents the following regulation:

1 WHEREAS, the District of Columbia Council on November 24, 1970, adopted a
 2 report on Insurance Problems in the District of Columbia which found that arbitrary
 3 cancellation of insurance policies is contrary to the public interest; and
 4
 5 WHEREAS, the District of Columbia Council finds that cancellation of insurance
 6 policies, without recourse to appeal, works a grave hardship on policy holders; and
 7
 8 WHEREAS, the treat of arbitrary cancellation of insurance policies hinders the
 9 economic development of the District of Columbia; and
 10
 11 WHEREAS, the District of Columbia Council under the Reorganization Plan No. 3
 12 of 1967 was granted rule-making powers to protect the health, safety, welfare, and
 13 well being of the public.
 14
 15 NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council that:
 16
 17 Section 1. Definitions.
 18
 19 As used in this Regulation:
 20
 21 a. "Policy" shall mean any contract wherein one party called
 22 the "company," for a consideration, undertakes to pay
 23 money or its equivalent, or to do an act valuable to any
 24 other party upon the happening of a hazard or peril within

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 February 2, 1971
 Adopted on second and final reading March 2, 1971
 Presented to the Mayor-Commissioner March 3, 1971
 Date _____ Secretary of the City Council David H. Schwartz

I HEREBY CERTIFY that Regulation No. 71-13 was presented to the Mayor of the District of Columbia on March 3, 1971, and that the Mayor neither approved nor disapproved the Regulation within the ten-day period specified in Section 406(c) of Reorganization Plan No. 3 of 1967.

Martin K. Schaller
 Martin K. Schaller
 Executive Secretary, D. C.

 Secretary of the City Council

1 Title 35 of the District of Columbia Code, except as defined in
2 subsection (b) of this Section, whereby the party insured suffers
3 loss or injury or is subjected to legal liability.

- 4
- 5 b. "Automobile Policy" shall mean any contract wherein one party
6 called the "company" for a consideration, undertakes to pay
7 money or its equivalent, or to do an act valuable to any other
8 party upon the happening of a hazard or peril insured against
9 whereby the party insured suffers loss or injury or is subject
10 to legal liability for bodily injury, property damage, collision
11 or personal liability, due to the owning or operation of a motor
12 vehicle. "Automobile Policy" shall not include policies of
13 common carriers, nor shall any portion of this regulation apply
14 to common carriers' insurance, nor to any commercial fleet of
15 five vehicles or more.
- 16
- 17 c. "Owner's policy" shall mean an automobile policy containing
18 the provisions referred to in the District of Columbia Code Sec.
19 40-473(b).
- 20
- 21 d. "Operator's policy" shall mean an automobile policy containing
22 the provisions referred to in District of Columbia Code Sec.
23 40-473(c).
- 24
- 25 e. "Cancellation" shall mean the insurer's termination, or attempted
26 termination, of the effectiveness of a policy before the end of the
27 policy period. Modification of automobile collision, or physical
28 damage, coverage by the inclusion of an additional deductible
29 not exceeding \$150 shall not be deemed a cancellation of the
30 coverage or of the policy.
- 31
- 32 f. "Renewal" shall mean the issuance and delivery of a policy of
33 comparable terms which replaces, at the end of the policy period,
34 a policy previously issued and delivered by the same insurer to
35 the same named insured.
- 36
- 37 g. "Renewal Policy" shall mean a policy of comparable terms to take
38 effect upon the expiration of a policy by which the same insurer
39 provided the same coverage.
- 40
- 41 h. "Nonrenewal" or "to Nonrenew" shall mean the refusal or failure
42 of the insurer to issue a renewal policy unless that insurer has
43 indicated its intention not to renew any policy issued or
44 delivered in the District of Columbia and to withdraw therefrom.
- 45
- 46 i. "Superintendent" shall mean the Superintendent of Insurance of
47 the District of Columbia or his designated agent.
- 48
- 49 j. "Suspension" shall mean the revocation, or suspension, for good
50 cause under Title 40 of the District of Columbia Code, or the
51 District of Columbia Traffic and Motor Vehicle Regulations, or the
52 applicable laws of any other jurisdiction of the effectiveness of
53 an operator's permit or a motor vehicle registration, whether such
54 revocation or suspension is permanent or temporary.
- 55

56 Section 2. Permissible reasons for cancellation.

57

- 58 a. No automobile policy shall be cancelled, nor shall any cancellation
59 be effective for any purpose, unless the insured has either:
- 60

REGULATION 71-13

3___of_5__

1. refused or failed to pay a premium due under the terms of the policy; or
 2. been subjected to suspension of his operator's permit at any time during the policy period if he is the named insured in an operator's policy; or
 3. been subjected to suspension of the registration of a motor vehicle designated in his owner's or automobile policy at any time during the policy period, if as a result of such suspension no motor vehicle specifically described in such owner's policy is validly registered; or
 4. made a material and willful misstatement or omission of fact to the insurer or its employees, agents or brokers in connection with any application to or claim against, such insurer; or
 5. the motor vehicle or other interest of the insured shall have been transferred to a person other than the insured or beneficiary, unless the transfer is permissible under the terms of the policy, or unless the motor vehicle, interest or use thereof shall have materially changed with respect to its insurability.
- b. No other policy shall be cancelled nor shall such cancellation be effective for any purpose, unless either:
1. the insured has refused or failed to pay a premium due under the terms of the policy; or
 2. the insured has made a material and willful misstatement or omission of fact to the insurer or its employees, agents, or brokers in connection with any application to or claim against such insurer; or
 3. the property or other interest of the insured shall have been transferred to a person other than the insured or beneficiary, unless the transfer is permissible under the terms of the policy, or unless the property, interest or use thereof shall have materially changed with respect to its insurability.

Section 3. Procedure for cancellation or nonrenewal.

- a. Cancellation by an insurer shall be permissible and effective with respect to a policy only if each of the conditions in subsections (b), (c), (d), and (e) of this Section is met with respect to such cancellation in addition to the conditions set forth in Section 2 of this Regulation. Unless the insurer complies with each of the conditions specified in subsections (b), (c), (d), and (e) of this section, a policyholder has a right to renewal for an additional period of time equivalent to the expiring term if the agreed term is a year or less, or for one year if the agreed term is longer than one year.
- b. (1) Notice of a cancellation or nonrenewal shall be given by the insurer to the insured at least thirty days prior to the proposed date of cancellation, or in the case of nonrenewal, thirty days prior to the end of the policy period. The notice shall be mailed

or delivered in a manner reasonable designed to assure delivery to the last known address of the insured. The envelope containing such notice shall be labelled "Important Insurance Notice" in as least 18 point or larger type.

(2) Thirty days prior to a proposed date of cancellation the insurer shall also furnish a copy of such notice to the Superintendent of Insurance; provided no copy need be furnished the Superintendent prior to a cancellation for non-payment of premium, or in any case of non-renewal.

c. At least five days before sending the notice of cancellation or nonrenewal referred to in subsection (a) the insurer shall notify the insurance agent or broker who wrote the policy being nonrenewed or cancelled.

d. The notice of cancellation or nonrenewal referred to in subsection (a) shall set forth a reasonable explanation of the ground or grounds relied upon by the insurer as the basis of cancellation or nonrenewal.

e. The notice of cancellation or nonrenewal referred to in subsection (b) shall advise the insured of his possible eligibility for insurance under the District of Columbia Insurance Placement Act, the District of Columbia Automobile Insurance Plan, or other similar plans existing at the time of the notice, and shall advise him where and how to inquire as to his eligibility for coverage under such plan or plans, and shall advise him of his appeal rights and the appeal procedures under Section 7 of this Regulation.

Section 4. Prior policy cancellations or nonrenewals.

No applicant for an automobile, operator's or owner's insurance policy as a condition precedent to obtaining such a policy or renewing such a policy, shall be required to disclose whether he or any person reasonably expected to operate the applicant's motor vehicle has ever had such a policy cancelled or nonrenewed; Provided, however, that an applicant may be required to disclose at the time of application his, or any person's reasonably expected to operate the motor vehicle, experience as an operator of a motor vehicle for an immediately past period of not more than 3 years.

Section 5. Policies in effect less than 30 days.

The restrictions on cancellation contained in this Regulation shall not be effective with respect to any policy which shall have been in force for thirty days or less, provided that such policy is not a renewal policy.

Section 6. Immunity.

There shall be no liability on the part of and no cause of action of any nature shall arise against any officer or employee of the District of Columbia, any insurer, its authorized representatives, its agents, its employees, or any firm, person or coporation who in good faith (1) furnishes to the insured information as to reasons for cancellation or nonrenewal, (2) makes any statement in any written notice of cancellation or nonrenewal, (3) makes any other communication, oral or written, specifying the reasons for cancellation or nonrenewal, (4) provides information pertaining thereto, or (5) makes statements or submits evidence at any hearing conducted in connection therewith.

1 Section 7. Appeal procedure.

- 2
- 3 a. If the insured disputes the validity under this Regulation of a
- 4 purported cancellation or nonrenewal, he may at any time
- 5 before the effective date of the cancellation, or in the case
- 6 of nonrenewal, the end of the policy period, send written
- 7 notification to the Superintendent of the reasons why the
- 8 insured believes the purported cancellation or nonrenewal is
- 9 invalid. The insured shall, at the same time, send the insurer
- 10 a copy of such notification.
- 11
- 12 b. The Superintendent shall, unless the matter has been settled,
- 13 proceed to determine whether the cancellation or nonrenewal
- 14 was authorized under the terms of this Regulation.
- 15
- 16 c. Decisions of the Superintendent shall be appealable under the
- 17 applicable provisions of the District of Columbia Code.
- 18

19 Section 8. Enforcement.

20

21 Any insurer, policy-writing agent, soliciting agent, broker or salaried

22 insurance company employee who violates any provision of this Regulation

23 shall be imprisoned for not more than 10 days or fined not more than \$300

24 or both, for each such offense.

25

26 Section 9. Assigned Risk Plans: Accident and Health Insurance.

27

28 The provisions of this Regulation shall not apply to the policies of insurance

29 issued under the District of Columbia Insurance Placement Act (FAIR Plan),

30 the District of Columbia Automobile Insurance (D.C.A.I.P.), the District of

31 Columbia Workman's Compensation Act, on any accident or health insurance

32 policy.

33

34 Section 10. Terms more favorable: Prohibition of Waiving of Rights.

35

36 A policy may provide terms more favorable to policyholders than are required

37 by this Regulation, but no policy shall contain any provision which waives

38 any of the requirements of this Regulation.

39

40 Section 11. Other rights.

41

42 The rights provided by this Regulation shall be in addition to and shall not

43 prejudice any other rights the policyholder may have at common law or

44 otherwise.

45

46 Section 12. Effective date.

47

48 This Regulation shall take effect 60 days from the date of enactment.

49

50

51

52

53

54

55

56

57

58

59

60

Regulation No. 71-14



March 12, 1971
Enactment Date

Regulation of the District of Columbia

TITLE REGULATION OF CERTIFIED PUBLIC ACCOUNTANTS

Mrs. Margaret A. Haywood Presents the following regulation:

1 WHEREAS, pursuant to Section 2-914 of the Code of the District of Columbia, the
2 District of Columbia Council is authorized to adopt rules and regulations governing the
3 practices of Certified Public Accountants; and

4 WHEREAS, the District of Columbia Council conducted public hearings on the
5 proposed regulation on April 24, 1970, and June 12, 1970, and determined that regulation
6 of the public practice of Accountancy is in the public interest.
7

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

INDEX

CERTIFIED PUBLIC ACCOUNTANTS

	<u>Section</u>
10 Part I. Scope and Definitions	
11 Scope of Regulations.....	1
12 Definitions.....	2
13 Part II. Experience	
14 Experience defined.....	1
15 Evidence of substitute experience.....	2
16 Affidavit of C.P.A. required.....	3
17 Part III. Applications for Licensure	
18 Filing of application.....	1
19 Application for examination.....	2
20 Application not duly made.....	3
21 False statements, disqualification.....	4

RECORD OF COUNCIL VOTE

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				
ANDERSON	X					MOORE				X	
						ROBINSON					X
						VEAZEY	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 16, 1971

Adopted on second and final reading March 2, 1971
March 3, 1971

Presented to the Mayor-Commissioner 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 Mayor-Commissioner Date

Readopted Date

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

REGULATION 71-14

	Section
1	Part IV. Examinations
2	Frequency of examinations..... 1
3	Nature of examination..... 2
4	Examination procedures..... 3
5	Violation of examination procedures..... 4
6	Grading of examination..... 5
7	Carry-over credit..... 6
8	Notification of examination results 7
9	
10	Part V. Certification of Licensure
11	Certification to be issued..... 1
12	Director to prepare and issue certification..... 2
13	
14	Part VI. Issuance of Renewals
15	Annual renewal required..... 1
16	Filing of renewal application..... 2
17	Issuance of annual renewal..... 3
18	Penalty for late-filing..... 4
19	Inactive status..... 5
20	Restoration to active status 6
21	
22	Part VII. Denial, Censure, Suspension or Revocation
23	Provisions
24	Grounds for denial, censure, suspension or revocation of
25	certificate or endorsement of certificate..... 1
26	Grounds for suspension or revocation of partnership
27	registration..... 2
28	Investigation of grounds..... 3
29	Opportunity for a hearing..... 4
30	Notice of contemplated action. Request for hearing and
31	notice of hearing..... 5
32	Procedure when a person fails to request a hearing..... 6
33	Notice of hearing..... 7
34	Method of serving notice of contemplated action and notice
35	of hearing..... 8
36	Procedure when a person fails to appear for a requested
37	hearing..... 9
38	Hearings public..... 10
39	Majority of Board to hear and decide..... 11
40	Rights of person entitled to hearing..... 12
41	Powers of the Board in holding hearings..... 13
42	Contempt procedures..... 14
43	Evidence..... 15
44	Burden of proof..... 16
45	Transcript of proceedings..... 17
46	Manner and time of rendering decision..... 18
47	Content of decision..... 19
48	Service of written decision..... 20
49	Reopening proceedings..... 21
50	Reconsideration or reinstatement..... 22
51	
52	Part VIII. Miscellaneous Regulations
53	Notification of change of name or address required..... 1
54	Practices permitted..... 2
55	Papers and documents to remain property of the Dept..... 3
56	Severability provision..... 4
57	Effective date 5
58	
59	
60	

REGULATION OF CERTIFIED PUBLIC ACCOUNTANTSPart I. Scope and Definitions.

Section 1. Scope of Regulations. The scope of the Regulations in this chapter extends to the examination, licensure, registration, and regulation of persons practicing as Certified Public Accountants in the District of Columbia.

Section 2. Definitions. As used in this chapter, unless the context requires a different meaning, the following terms shall mean:

"Act": Public Law 89-578, the District of Columbia Certified Public Accountancy Act of 1966, approved September 16, 1966, Title 2, Chapter 9, D. C. Code, 1967 Edition.

"Board": The Board of Accountancy established by Commissioners' Order No. 67-116, dated January 24, 1967.

"Department": The Department of Economic Development.

"Director": The Director of the Department or his authorized agent or agents.

"District": The District of Columbia.

Part II. Experience.

Section 1. Experience defined. The experience in the employment of a practicing Certified Public Accountant required by Sec. 2-916(b) of the Act, contemplates the full-time practice of accounting during regular business hours for the full period specified, and does not contemplate a single engagement as an accountant or auditor nor incidental accounting work done in addition to other duties. An employer who holds himself out to the public in any manner as a member of a profession or occupation other than a Certified Public Accountant or public accountant may be considered not in the full-time practice of public accounting. The listing in a telephone or other directory under any classifications other than Certified Public Accountant or public accountant shall be considered as evidence of being a member of another profession or occupation. Summer or other temporary full-time employment in the office of a practicing Certified Public Accountant covering a minimum period of ten weeks will be recognized if performed within thirty-six months immediately preceding the final date for accepting applications for a particular examination. Auditing pursuant to generally accepted auditing standards is the principal function which clearly characterizes the activity of the certified public accountant. It is essential, therefore, that the required experience include a preponderance of work obtained in auditing assignments conducted under the general supervision or guidance of a certified public accountant, where the performance of such assignments is dominated by generally accepted auditing standards as promulgated by the American Institute of Certified Public Accountants.

Section 2. Evidence of substitute experience. a. The substitute experience specified in Sec. 2-916(c) of the Act can be obtained either as a public accountant or in government employment. Such auditing experience must be predominantly in accordance with generally accepted auditing standards as promulgated by the American Institute of Certified Public Accountants. Applicants claiming such substitute experience must be prepared to provide the following evidence in support of such experience:

1. Applicants claiming the experience set forth in Section 2-916(c)(1) of the Act, obtained as a public accountant, should be prepared to present to the Board, upon request, audit programs, working papers, copies of reports, and other evidence of compliance with generally accepted auditing standards.

1 2. Applicants claiming the experience set forth in Section 2-916(c)(1)
2 of the Act, should submit, when filing application, a concise description of the lines
3 of commercial business audited, and a description of auditing work performed, in
4 sufficient detail to permit the Board to make a determination that the provisions of the
5 Act have been met with respect to adherence to generally accepted auditing standards
6 of reporting, field work, and general standards.

7
8 b. Applicants claiming the combination experience set forth in Section 2-916(c)(2)
9 of the Act, should submit, when filing application, a description of the auditing work
10 performed, in sufficient detail to permit the Board to make a determination that the
11 provisions of the Act have been met with respect to adherence to generally accepted
12 auditing standards of reporting, field work, and general standards, and a concise
13 description of the functions of the governmental agencies or organizational units audited,
14 and identification of the third party, Congress or state legislature to whom reports were
15 made.

16
17 c. Applicants claiming the experience set forth in Section 2-916(c)(3) of the Act,
18 should submit, when filing application, a description of work performed in reviewing
19 financial statements and supporting material. Reference should be made to the purpose
20 for which the reviews were made and the applicable government regulations for the pro-
21 tection of investors and consumers.

22
23 Section 3. Affidavit of C.P.A. required.

24
25 a. Applicants with experience in the employment of a Certified Public Accountant
26 must file, as part of the application, an employer's affidavit, on the prescribed form,
27 attesting to the applicant's experience and to his character.

28
29 b. Applicants with experience obtained in government must file, as part of the
30 application, the affidavit of a Certified Public Accountant who has knowledge of, or who
31 has reviewed the official records of, the type and the character of the work performed by
32 the applicant.

33
34 Part III. Applications for Licensure.

35
36 Section 1. Filing of application. Every applicant for a certificate of Certified
37 Public Accountant of the District of Columbia or for an endorsement of Certified Public
38 Accountant certificate shall duly file with the Director an application on a form pres-
39 cribed by the Board and provided by the Director. The proper fee and all required
40 documents must accompany application at time of filing. Each such application shall
41 be sworn to or affirmed before a notary public.

42
43 Section 2. Application for examination. Applicants for a certificate of Certified
44 Public Accountant of the District of Columbia by examination must file an application
45 with the Director no later than sixty days prior to the date of the examination for which
46 the applicant desires to sit. The Director shall have the responsibility of notifying
47 each applicant of the Board's action with respect to his eligibility to take the examination.
48 At least ten days prior to the examination, the Director shall have the responsibility of
49 notifying each eligible applicant of the time and place of examination.

50
51 Section 3. Application not duly made. The Board shall review and take action on
52 all duly made applications. However, the applicant has the burden of proving that he
53 meets the required qualifications. The Board may not presume qualifications not shown
54 on the application. The Board may refuse to act on an application and may require the
55 applicant to submit additional information, if the application contains incomplete, evasive,
56 or insufficiently supported assertions where supporting evidence is required.

57
58 Section 4. False statements, disqualification. The Board may, after notice and
59 opportunity for hearing, disqualify the application of an applicant, (a) if the applicant
60 has knowingly made or allowed to be made on his behalf, either to the Board or to P.110

1 any officer or employee of the Department, any false or misleading statements in
2 connection with his application; or (b) if the applicant has attempted improperly to
3 influence any member of the Board or any officer or employee of the Department in
4 the discharge of his duties relating to the application of the applicant. At the
5 discretion of the Board, any applicant whose application has been so disqualified
6 may reapply for licensure.

7
8 Part IV. Examinations.

9
10 Section 1. Frequency of examinations. It shall be the policy of the Board to
11 hold examinations during the months of May and November of each year; however, the
12 Board reserves the right to change the time of examination or to hold additional
13 examinations should circumstances so warrant.

14
15 Section 2. Nature of examination. Applicants for a certificate by examination
16 will be required to pass a written examination prepared by the American Institute of
17 Certified Public Accountants and approved by the Board. However, the Board reserves
18 the right to supplement such examination with an examination on any relevant subject.

19
20 Section 3. Examination procedures. The examination shall be administered to
21 applicants in accordance with the examination procedures established by the Board.

22
23 Section 4. Violation of examination procedures. An applicant may be excluded
24 from any session of any examination and his papers marked "failed" for tardiness or
25 other violation of the examination procedures. If deemed guilty of dishonesty during
26 an examination, the applicant shall not be permitted to sit for future examinations.

27
28 Section 5. Grading of examination. On all written examinations, the passing
29 grade in each subject shall be 75%. Each applicant sitting for an examination must
30 prepare and submit to the Board, examination papers on all subjects in which he is re-
31 quired by the Board to be examined and for which he has not obtained credit for receiving
32 a passing grade in any prior examination conducted by the Board. An applicant must
33 attain credit for a passing grade in all subjects within the time limitations set forth
34 in Section 6 of these Regulations, to be considered as passing the written examination.

35
36 Section 6. Carry-over credit. a. An applicant who, at any examination conducted
37 by the Board, passes the subject of practical accounting or who passes any two or more,
38 although not all of the subjects prescribed for the entire written examination, shall,
39 for each of the next five consecutive regular examinations conducted by the Board, retain
40 credit for the subject or subjects passed and for any additional subject or subjects which
41 he passes at any of the five consecutive regular examinations. Except for the reasons
42 specified in Subsection (b) of this Section, if an applicant who has received any credit
43 or credits does not apply to the Board for re-examination and is not re-examined in the
44 subjects failed, at each of the five consecutive regular examinations conducted by the
45 Board, he shall forfeit all credits and shall subsequently be re-examined as though he
46 were an applicant applying for the first time; or if any applicant who has received any
47 credit or credits fails during the course of the said five consecutive regular examinations
48 to pass all of the subjects required, then such credit or credits shall be canceled and the
49 applicant shall subsequently be re-examined in all subjects as though he were an
50 applicant applying for the first time.

51
52 b. No applicant shall be relieved of his responsibility to apply for re-examination
53 and to be re-examined in subjects not passed at each of the five consecutive examinations
54 following the examination in which he first obtained credit, except where the applicant,
55 as a result of induction into the Armed Forces of the United States or as a consequence
56 of an order to active duty in the Armed Forces of the United States, was prevented from
57 appearing before the Board at a prescribed examination, and such applicant, in that event,
58 shall remain in the same position as to credit and as to re-examination as he occupied prior
59 to his induction or order to active duty: Provided, however, That any such applicant,
60

1 upon his severance from the Armed Forces of the United States or his release from
2 active duty, shall, within one year thereafter, apply to the Board for re-examination
3 and, at the first examination held by the Board following the making of such applica-
4 tion, be re-examined in all subjects for which he has not received credit.

5
6 Section 7. Notification of examination results. When the Board has approved
7 the examination scores furnished to it by the American Institute of Certified Public
8 Accountants, the Director shall be responsible for notification to each applicant of the
9 examination results as determined by the Board.

10
11 Part V. Certification of Licensure.

12
13 Section 1. Certification to be issued. Every applicant approved by the Board
14 for a certificate of Certified Public Accountant of the District of Columbia, for an
15 endorsement of Certified Public Accountant certificate, or for registration as a partner-
16 ship of Certified Public Accountants shall be issued an appropriate certificate of
17 such licensure. The Board shall certify the name of each approved applicant to the
18 Director.

19
20 Section 2. Director to prepare and issue certification. The Director shall
21 prepare and issue a certificate, endorsement of certificate, or partnership registration,
22 as the case may be, for each duly qualified applicant certified to him by the Board.

23
24 Part VI. Issuance of Renewals.

25
26 Section 1. Annual renewal required. Every certificate, endorsement of
27 certificate, and partnership registration must be renewed by annual registration on or
28 before the 31st day of October of each year. Approximately sixty days prior to such
29 date each year, the Director shall mail a renewal application to the last known address
30 of each person holding a certificate, endorsement of certificate, or partnership
31 registration in good standing.

32
33 Section 2. Filing of renewal application. Every person holding a certificate,
34 endorsement of certificate, or partnership registration in active status shall file with
35 Director, on or before the 31st day of October of each year, a completed renewal
36 application, accompanied by the annual registration fee.

37
38 Section 3. Issuance of annual renewal. Each year, upon receipt of a renewal
39 application and the correct annual registration fee, and upon verifying the absence
40 of any reason for withholding renewal, the Director shall issue a renewal for the period
41 beginning November 1 of that year and ending October 31 of the following year.

42
43 Section 4. Penalty for late-filing. A late-filing fee will be added to the annual
44 registration fee in order to restore to goodstanding the certificate, endorsement of
45 certificate, or partnership registration of any person who fails to file a renewal
46 application and pay the required annual registration fee on or before October 31 of any
47 year. Provided, however, That the provisions of this Section shall not apply to the
48 holder of a certificate, endorsement of certificate, or partnership registration who is
49 in an inactive status in accordance with Section 5 of these Regulations.

50
51 Section 5. Inactive status. Any person holding a certificate, endorsement of
52 certificate, or partnership registration but not engaged in the public practice of his
53 profession as a Certified Public Accountant in the District, may apply to the Director,
54 in writing, for inactive status. Upon being so notified, the Director shall place the
55 name of such person on the non-practicing list. While remaining in an inactive status,
56 such person shall not be subject to the payment of any annual registration fee and he
57 shall not engage in the public practice of his profession as a Certified Public Accountant
58 in the District.

1 Section 6. Restoration to active status. Any person on the non-practicing list
 2 may restore his certificate, endorsement of certificate, or partnership registration
 3 to active status, by requesting such a change in status and filing with the Director
 4 a properly completed application and annual registration fee for the current license
 5 year. Provided, however, That a person who permitted his certificate, endorse-
 6 ment of certificate, or partnership registration to lapse prior to requesting inactive
 7 status, shall be further subject to payment of the late-filing fee referred to in
 8 Section 4, Part VI of these Regulations.

9
 10 Part VII. Denial, Censure, Suspension or Revocation Provisions.

11 Section 1. Grounds for denial, censure, suspension or revocation of certificate
 12 or endorsement of certificate. The Board may refuse to certify for issuance or may
 13 revoke, or suspend for not more than three years, any certificate of Certified Public
 14 Accountant of the District of Columbia or endorsement of Certified Public Accountant
 15 certificate, or any renewal by annual registration thereof, or censure the holder of
 16 such certificate or endorsement, for any one or combination of the following grounds:
 17

18 A person:

19
 20
 21 a. has been guilty of fraud or deceit or has misrepresented any fact in procuring
 22 or attempting to procure any certificate of Certified Public Accountant of the District
 23 of Columbia or endorsement of Certified Public Accountant certificate provided for by
 24 the Act;

25
 26 b. has been convicted of a crime involving moral turpitude;

27
 28 c. has willfully or repeatedly violated any provision of the Act or these
 29 Regulations promulgated pursuant to authority contained in the Act;

30
 31 d. is mentally incompetent;

32
 33 e. is an intemperate consumer of intoxicating liquors or is addicted to the use
 34 of habit-forming drugs;

35
 36 f. has aided or abetted any person in the violation of any provision of the Act
 37 or these Regulations;

38
 39 g. has been found guilty of deceit, misrepresentation, fraud, or gross
 40 incompetence in his practice as a certified public accountant;

41
 42 h. has been guilty of unprofessional conduct as the consequence of violating
 43 one or more of the following rules of ethics governing the conduct of certified public
 44 accountants in the practice of their profession in the District:

45
 46 1. Neither he nor the firm of which he is a partner shall express an
 47 opinion on financial statement of any enterprise, unless he and his firm are, in fact,
 48 independent with respect to such enterprise. Independence is not susceptible to
 49 precise definition but is an expression of the professional integrity of the individual.
 50 A certified public accountant, before expressing his opinion on financial statements,
 51 has the responsibility of assessing his relationships with an enterprise to determine
 52 whether, in the circumstances, he might expect his opinion to be considered
 53 independent, objective, and unbiased by one who had knowledge of all the facts. A
 54 certified public accountant will be considered not independent, for example, with
 55 respect to any enterprise, if he or one of his partners (a) during the period of his
 56 professional engagement or at the time of expressing his opinion had, or was
 57 committed to acquire, any direct financial interest or material indirect financial
 58 interest in the enterprise; or (b) during the period of his professional engagement,
 59 at the time of expressing his opinion, or during the period covered by the financial
 60 statements, was connected with the enterprise as a promoter, underwriter, P-110
 voting trustee, director, officer, or key employee. In cases where a Certified
 Public Accountant ceases to be the

1 independent accountant for an enterprise and is subsequently called upon to re-express
2 a previously expressed opinion on financial statements, the phrase "at the time of
3 expressing his opinion" refers only to the time at which the Certified Public Accountant
4 or his partner first expressed his opinion on the financial statements in question. The
5 word "director" is not intended to apply to a connection in such a capacity with a
6 charitable, religious, civic, or other similar type of non-profit organization when the
7 duties performed in such a capacity are such as to make it clear that the Certified Public
8 Accountant can express an independent opinion on the financial statements. The examples
9 cited in this paragraph of circumstances under which a Certified Public Accountant will
10 be considered not independent are not intended to be all-inclusive.

11
12 2. He shall not commit an act discreditable to his profession.

13
14 3. He shall not violate the confidential relationship between himself
15 and his client.

16
17 4. He shall not render or offer professional service for a fee which is
18 contingent upon the findings or results of such service. This Subsection does not apply
19 to cases involving federal, state or other taxes in which the findings are those of the tax
20 authorities and not those of the accountant. Fees which are fixed by courts or other
21 public authorities, which are therefore of an indeterminate amount at the time when an
22 engagement is undertaken, are not to be regarded as contingent fees within the meaning
23 of this Subsection.

24
25 5. He shall not express his opinion on financial statements unless they
26 have been examined by him, or by a member or employee of his firm. In obtaining sufficient
27 information to warrant expression of an opinion he may utilize, in part, to the extent
28 appropriate in the circumstances, the reports or other evidence of auditing work performed
29 by another certified public accountant, or firm of public accountants, at least one of whom
30 is a certified public accountant, who is authorized to practice in a State or Territory of the
31 United States or the District of Columbia, and whose independence and professional
32 reputation he has ascertained to his satisfaction. He may also utilize, in part, to the
33 extent appropriate in the circumstances, the work of public accountants in other countries,
34 but in so doing must satisfy himself that the person or firm is qualified and independent,
35 and that such work is performed in accordance with generally accepted auditing standards,
36 as prevailing in the United States, and that financial statements are prepared in accordance
37 with generally accepted accounting principles as prevailing in the United States, or are
38 accompanied by the information necessary to bring the statements into accord with such
39 principles.

40
41 6. He may be held guilty of an act discreditable to the profession if,
42 in expressing an opinion on representations in financial statements which he has examined,
43 (a) he fails to disclose a material fact known to him which is not disclosed in the financial
44 statements, but disclosure of which is necessary to make the financial statements not
45 misleading; or (b) he fails to report any material misstatement known to him to appear in
46 the financial statements; or (c) he is materially negligent in the conduct of his examination
47 or in making his report thereon; or (d) he fails to acquire sufficient information to warrant
48 expression of an opinion or his exceptions are sufficiently material to negative the
49 expression of an opinion; or (e) he fails to direct attention to any material departure from
50 generally accepted accounting principles or to disclose any material omission of generally
51 accepted auditing procedure applicable in the circumstances.

52
53 7. He shall not permit his name to be associated with statements
54 purporting to show financial position or results of operations in such a manner as to
55 imply that he is acting as an independent public accountant, unless he shall (a) express
56 an unqualified opinion; or (b) express a qualified opinion; or (c) disclaim an opinion on
57 the statements taken as a whole and indicate clearly his reasons therefor; or (d) when
58 unaudited financial statements are presented on his stationery without his comments,
59 disclose prominently on each page of the financial statements that they were not audited.

REGULATION 71-14
-----9 of 14

- 1 8. He shall not permit his name to be used in conjunction with an
2 estimate of earnings contingent upon future transactions in a manner which may lead
3 to the belief that he vouches for the accuracy of the forecast.
4
- 5 9. He shall not advertise his professional attainments or services.
6 Publication in a newspaper, magazine or similar medium of an announcement, or what
7 is technically known as a card is prohibited. A listing in a directory is restricted to
8 the name, title, address and telephone number of the person or firm, and it shall not
9 appear in a box or other form of display, or in a type or style which differentiates it
10 from other listings in the same directory. Listing of the same name in more than one
11 place in a classified directory is prohibited.
12
- 13 10. He shall not directly or indirectly solicit clients by circulars or
14 advertisements nor by personal communication or interview not warranted by existing
15 personal relations.
16
- 17 11. He shall not make a competitive bid for a professional engagement,
18 except where Federal, state or local governments, as a result of law, regulation or
19 custom, solicit competitive bids for professional services.
20
- 21 12. He shall not allow to the laity, directly or indirectly, any commission,
22 brokerage or other participation in the fees or profits of his professional work. He shall
23 not directly or indirectly accept commissions, brokerage or other participation in the fees,
24 charges, or profits of work recommended or turned over to the laity as incident to services
25 for clients.
26
- 27 13. He shall not allow any person to practice in his name who is not in
28 partnership with him or in his employ.
29
- 30 14. He shall not permit, in his practice of public accounting, any
31 employee to perform for his clients any services which he himself or his firm is not
32 permitted to perform.
33
- 34 15. He shall not engage in any business or occupation conjointly with
35 that of a public accountant which is incompatible or inconsistent therewith.
36
- 37 16. He shall not be an officer, director, stockholder, representative or
38 agent of any corporation engaged in the practice of public accounting in any State or
39 Territory of the United States or the District of Columbia.
40
- 41 17. He shall not encroach upon the practice of another public accountant,
42 but he may furnish service to those who request it.
43
- 44 18. A certified public accountant engaged in an occupation in which he
45 renders services of a type performed by certified public accountants or renders other
46 professional services must observe the rules of professional conduct in the conduct of
47 that occupation.
48
- 49 19. A certified public accountant who receives an engagement for
50 services by referral from another certified public accountant shall not extend his services
51 beyond the specific engagement without consulting with the referring certified public
52 accountant.
53
- 54 20. Direct or indirect offer of employment shall not be made by a certified
55 public accountant to an employee of another certified public accountant without first
56 informing such certified public accountant. This rule shall not be construed so as to
57 inhibit negotiations with anyone who of his own initiative or in response to public
58 advertisement shall apply to a certified public accountant for employment.
59
60

1 The foregoing specifications of acts constituting unprofessional conduct shall
 2 not be construed as a complete definition of unprofessional conduct nor as authorizing
 3 or permitting the performance of other or similar acts not denounced, or as limiting or
 4 restricting the Board from holding that other or similar acts also constitute unprofessional
 5 conduct.

6
 7 Section 2. Grounds for censure, suspension or revocation of partnership
 8 registration.

9
 10 The Board may suspend or revoke a partnership registration or may censure a
 11 registered partnership for any of the causes set forth in Section 1, Part VII of these
 12 Regulations, or for any one or combination of the grounds contained in Section 2-922
 13 of the Act.

14
 15 Section 3. Investigation of grounds. The Board may upon its own motion and
 16 shall upon the sworn complaint in writing of any person setting forth charges which, if
 17 proved, would constitute grounds for disciplinary action as herein above set forth, request
 18 the Director to investigate the actions of any person who is an applicant for or holder of any
 19 certificate, endorsement of certificate, or partnership registration provided for in the Act.

20
 21 Section 4. Opportunity for a hearing. Every applicant for or holder of a
 22 certificate, endorsement of certificate, or partnership registration, except applicants for
 23 reinstatement after revocation, shall be afforded notice and an opportunity to be heard prior
 24 to the action of the Board, the effect of which would be:

25
 26 a. to deny permission to take examination for a certificate, for which applicant
 27 has correctly filed and whose application has been accepted;

28
 29 b. to deny a certificate after examination for any cause other than failure to
 30 pass an examination;

31
 32 c. to deny an endorsement of certificate to an applicant who meets the
 33 qualifications set forth in Section 2-917(a) of the Act;

34
 35 d. to refuse to issue a renewal by annual registration, for any cause other than
 36 failure to pay the prescribed renewal fee;

37
 38 e. to suspend a certificate, endorsement of certificate, or partnership
 39 registration;

40
 41 f. to revoke a certificate, endorsement of certificate, or partnership registration;
 42 or

43
 44 g. to censure a registered partnership or the holder of a certificate or endorse-
 45 ment of certificate.

46
 47 Section 5. Notice of contemplated action. Request for hearing and notice of
 48 hearing.

49
 50 a. When the Board contemplates taking any action of the type specified in Sub-
 51 sections a, b, or c of Section 4, Part VII of these Regulations, it shall give to the applicant
 52 a written notice containing a statement:

53
 54 1. that the applicant has failed to satisfy the Board as to his qualifica-
 55 tions to sit for examination or to be approved for licensure, as the case may be;

56
 57 2. indicating in what respect the applicant has failed to satisfy the
 58 Board; and

11 of 14

1 3. that the applicant may secure a hearing before the Board by
2 depositing in the mail within twenty days after service of said notice, a certified
3 letter addressed to the Board and containing a request for a hearing.

4
5 b. When the Board contemplates taking any action of the type specified in
6 Subsections d, e, f, or g, of Section 4, Part VII of these Regulations, it shall give
7 the person concerned a written notice containing a statement:

8 1. that the Board has sufficient evidence, and setting forth the same,
9 which, if not rebutted or explained, justifies the Board in taking the contemplated action;
10 and
11

12 2. that unless the person concerned, within twenty days after service
13 of said notice, deposits in the mail a certified letter addressed to the Board and contain-
14 ing a request for a hearing, the Board will take the contemplated action.
15

16
17 Section 6. Procedure when a person fails to request a hearing. If the person
18 concerned does not mail a request for a hearing within the time and in the manner
19 required by Section 5, Part VII of these Regulations, the Board may, without a hearing,
20 take the action contemplated in the notice. The Board shall, in writing, inform the
21 person concerned, the Corporation Counsel, and the Director of the Board's action.
22

23 Section 7. Notice of hearing. If the person concerned does mail a request for
24 a hearing as required in Section 5, Part VII of these Regulations, the Board shall, within
25 twenty days following receipt of a request, notify the person concerned of the time and
26 place of hearing, which hearing shall be held by the Board not more than thirty days nor
27 less than twenty days following the date of service of such notice.
28

29 Section 8. Method of serving notice of contemplated action and notice of hearing.
30

31 Any notice required by Section 5 or Section 7, Part VII of these Regulations, may
32 be served either personally by an employee of the Department or by certified mail, return
33 receipt requested, directed to the person concerned at his last known address as shown
34 by the records of the Department. If notice is served personally, it shall be deemed to
35 have been served at the time when delivery is made to the person concerned. When notice
36 is served by certified mail, it shall be deemed to have been served on the date borne
37 upon the return receipt showing delivery of the notice to the person concerned or refusal
38 of the person concerned to receive notice. In the event that the person concerned is no
39 longer at the last known address as shown by the records of the Department and no for-
40 warding address is available, the notice shall be deemed to have been served on the date
41 the return receipt bearing such notification is received by the Department.
42

43 Section 9. Procedure when a person fails to appear for a requested hearing. If a
44 person who requested a hearing does not appear and no continuance has been or is granted,
45 the Board may hear the evidence of such witnesses as may have appeared, and the Board
46 may proceed to consider the matter and render a decision on the basis of evidence before
47 it, in the manner required by Section 11, Part VII of these Regulations.
48

49 Section 10. Hearings public. Every hearing before the Board shall be open to
50 the public.
51

52 Section 11. Majority of Board to hear and decide. At each hearing, at least a
53 majority of the members of the Board shall be present to hear the evidence and render a
54 decision.
55
56
57
58
59
60

12 of 14

2 Section 12. Rights of person entitled to hearing. A person entitled to a hearing
3 shall have the right:

4 a. to be represented by counsel;

5
6 b. to present all relevant evidence by means of witnesses and books, papers,
7 and documents;

8
9 c. to examine all opposing witnesses on any matter relevant to the issues; and

10
11 d. to have subpoenas issued to compel the attendance of witnesses and the
12 production of relevant books, papers, and documents upon making written request therefor
13 to the Board.

14
15 Section 13. Powers of the Board in holding hearings. In connection with any
16 hearing held, the Board shall have the power:

17
18 a. to request of the Commissioner that counsel from the Office of the Corporation
19 Counsel be appointed to represent the District in any case before the Board;

20
21 b. to administer oaths or affirmations to witnesses called to testify;

22
23 c. to subpoena witnesses and relevant books, papers, and documents;

24
25 d. to take testimony;

26
27 e. to examine witnesses; and

28
29 f. to direct continuance of any case.

30
31 Section 14. Contempt procedures. In proceedings before the Board, if any
32 person refuses to respond to a subpoena or refuses to take the oath or affirmation as
33 a witness or thereafter refuses to be examined, or refuses to obey any lawful order
34 of the Board contained in its decision rendered after hearing, the Board may make
35 application to the proper court for an order requiring obedience thereto.

36
37 Section 15. Evidence. In all proceedings held by the Board, the Board shall
38 receive and consider any evidence or testimony. However, the Board may exclude
39 incompetent, irrelevant, immaterial, or unduly repetitious evidence or testimony.

40
41 Section 16. Burden of proof.

42
43 a. In any Board proceeding resulting from the Board's contemplated action to deny
44 licensure, the applicant shall have the burden of satisfying the Board of his qualifications.

45
46 b. In any Board proceeding resulting from the Board's contemplated action to refuse
47 to renew, to suspend, or to revoke a certificate, endorsement of certificate, or partner-
48 ship registration, or to censure a registered partnership or the holder of a certificate or
49 endorsement of certificate, the District Government shall have the duty of producing evidence
50 to establish that a prima facie case exists for taking the contemplated action, and when
51 such evidence is produced, then such person shall have the burden thereafter of going
52 forward with the evidence.

53
54 Section 17. Transcript of proceedings. In all hearings conducted by the Board,
55 a complete record shall be made of all evidence presented during the course of a hearing.
56 Any party to the proceedings desiring it shall be furnished with a copy of such record upon
57 payment of such fee as the Commissioner shall prescribe.

58
59
60

13 of 14

3 Section 18. Manner and time of rendering decision. The members of the Board
4 who conduct the hearing shall render their decision, in writing, as soon as practicable,
5 but not later than ninety days after the date the hearing is completed.

6 Section 19. Content of decision. The decision of the Board shall contain:

7 a. findings of fact made by the Board;

8
9 b. application by the Board of the Act and these Regulations to the facts as found
10 by the Board; and

11
12 c. the decision of the Board based upon a and b of this Section.
13

14 Section 20. Service of written decision. Within five days after the decision is
15 rendered, the Board shall serve upon the person concerned, or his attorney of record, a
16 copy of the written decision either personally or by certified mail. If sent by certified
17 mail, it shall be deemed to have been served on the date contained on the return receipt,
18 or refusal of the person concerned to receive notice or the date of the unsuccessful
19 attempt of the postal service to make delivery.
20

21 Section 21. Reopening proceedings. Where, because of accident, sickness,
22 or other good cause, a person fails to receive a hearing or fails to appear for a hearing
23 which he has requested, the person may, within thirty days from the date of the decision
24 of the Board, apply to the Board to reopen the proceedings; and the Board upon finding
25 such cause sufficient, shall immediately fix a time and place for hearing and give such
26 person, the Corporation Counsel, and the Director notice thereof as required by these
27 Regulations. The Board may also reopen a proceeding for any other cause sufficient to
28 it, provided no appeal is pending before a court or has been decided by a court.
29

30 Section 22. Reconsideration or reinstatement. Upon the application, after six
31 months, of any person who has been denied licensure or who has had a certificate,
32 endorsement of certificate, or partnership registration revoked by the Board, the Board
33 may, upon showing of cause satisfactory to it, reinstate the certificate, endorsement
34 of certificate, or partnership registration or issue.
35

36 Part VIII. Miscellaneous Regulations.
37

38 Section 1. Notification of change of name or address required. Every holder of a
39 certificate, endorsement of certificate, or partnership registration shall, within five days
40 after any change of name or address, register such change, in writing, with the Director.
41

42 Section 2. Practices permitted.
43

44 a. Nothing contained in these Regulations shall prohibit any natural person who
45 is not a certified public accountant from serving as an employee of, or an assistant to a
46 certified public accountant or a partnership of certified public accountants.
47

48 b. Nothing contained in these Regulations shall prohibit a certified public
49 accountant or a partnership of certified public accountants of another state from temporarily
50 performing specific accounting engagements in the District of Columbia on professional
51 business incident to regular practice outside the District: Provided, That such temporary
52 practice is conducted in conformity with the rules of professional conduct specified in
53 Section 1 Part VII of these Regulations.
54

55 Section 3. Papers and documents to remain property of the Department. All
56 papers and documents filed as part of an application and all examination papers shall
57 remain the property of the Department.
58
59
60

REGULATION 71-14

14 of 14

Section 4. Severability provision. If any clause, sentence, paragraph, or section of these Regulations shall, for any reason, be adjudged by any court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, repeal or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph or section thereof so found unconstitutional or invalid.

Section 5. Effective Date. This regulation shall take effect immediately upon enactment.

3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60

Regulation No. 71-15



April 15, 1971
Enactment Date

Regulation of the District of Columbia

TITLE AMENDMENT OF CHAPTER IV, SECTION 22, 35 AND 37 OF THE MANUAL OF THE METROPOLITAN POLICE DEPARTMENT (UNIFORM CLOTHING)

Rev. Carlton W. Veazey Presents the following regulation:

1 WHEREAS, paragraph 96, Section 402, Reorganization Plan No. 3 of 1967
2 transferred to the District of Columbia Council the authority to make rules for
3 uniform clothing of the police force.

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

6
7 Section 1. Chapter IV, Section 22, of the Police Department Manual of rules
8 and regulations is amended as follows:

9
10 Section 22. Members of the uniform force shall wear shirts of such color
11 and design as may be provided and shall wear plain dark blue four-in-hand
12 neckties.

13
14 Section 2. Chapter IV, Section 35 of the Police Department Manual of rules
15 and regulations is amended as follows:

16
17 Section 35. When members of the force on duty are permitted to wear shirts
18 without blouses, they shall wear dark blue four-in-hand ties, plain black belts
19 not less than 1-1/4 not more than 1-3/4 inches in width, with square solid brass
20 buckle. Suspenders over shirts are prohibited.

21
22 Section 3. Section 37. Members of the force shall wear on the left sleeve
23 of their uniform coats, such number of service designations as necessary to
24 indicate years of service, one star for each five years, of such color as prescribed.

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 March 16, 1971

Adopted on second and final reading April 6, 1971

Presented to the Mayor-Commissioner April 6, 1971
Date

Approved Mayor-Commissioner
Date April 15, 1971

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.
Secretary of the City Council
Secretary of the City Council

1 Section 4. The regulation uniform of the Metropolitan Police Department as
2 previously established is altered in the following manner:

3
4 1. The addition of a distinctive stripe, light blue in color and measuring
5 1-3/16 inches, with a gold color border 3/16 inch, in accordance with bid
6 specifications filed by the Metropolitan Police Department for altering uniforms.
7 This stripe with border shall be placed horizontally on each sleeve of the uniform
8 coat, with an identical stripe with border placed vertically from the waist-band to
9 cuff on outer seam of each pants leg. Additionally, an identical stripe with border
10 shall be placed horizontally on all uniform caps.

11
12 2. The addition of a distinctive shoulder patch on the upper left shoulder
13 shall indicate "Metropolitan Police Department" and "District of Columbia" with an
14 appropriate design of the nation's capital as approved by the Uniform Board. Also
15 separate gold collar insignia will be worn on the uniform coat, or shirt to designate
16 assignment within the Department.

17
18 3. The addition of a "Sam Browne Belt" to the Sergeants' and Officers' uniform
19 coat will be of such design as approved by the Uniform Board.

20
21 Section 5. This regulation shall take effect immediately upon enactment.
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60

Regulation No. 71-16



April 15, 1971
Enactment Date

Regulation

of the

District of Columbia

TITLE AMENDMENT OF SECTION 102.8 TITLE VII OF THE RULES AND REGULATIONS OF THE FIRE DEPARTMENT REGARDING THE TRANSPORTATION OF EXPLOSIVES

Rev. Carlton W. Veazey Presents the following regulation:

1 WHEREAS, paragraph 4, Section 402, Reorganization Plan No. 3 of 1967
2 transferred to the District of Columbia Council the authority to promulgate
3 regulations for the control of explosives.

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

6
7 Section 1. Title 7, D.C.R.R., Section 102.8 entitled TRANSPORTATION OF
8 EXPLOSIVES is hereby amended as follows:

9
10 a. Insert after sec. 102.8 TRANSPORTATION OF EXPLOSIVES, a new sub-
11 section (a) to read as follows:

12
13 "(a) Public conveyances not to be used as transports. Explosives shall not
14 be transported on public conveyances."

15
16 b. Insert after new subsection (a) a new subsection (b) to read as follows:

17
18 "(b) Compartments to be locked. Except while loading or unloading,
19 compartments of vehicles used for transporting explosives shall be securely locked
20 when such compartments contain explosives or blasting caps."

21
22 c. Subsections (a) through (q) are hereby redesignated as subsections (c)
23 through (s).

24 Section 2. This regulation shall take effect immediately 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										

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 16, 1971

Adopted on second and final reading April 6, 1971

Presented to the Mayor-Commissioner April 6, 1971
Date

David H. Schwartz
Secretary of the City Council

Approved *Walter Washington* April 15, 1971
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

Regulation No. 71-17



Enactment Date May 6, 1971

Regulation of the District of Columbia

TITLE Regulation to Establish Policies Governing Accrued Statutory Benefits and Lump-Sum Payments or Settlements.

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

1 WHEREAS, in determining the need of an individual or family for public
 2 assistance, all the resources of such person or family must be considered; and
 3
 4 WHEREAS, because of the need of individuals for items not included
 5 in the Standard for Requirements, different considerations should be applied to
 6 sums of money which are non-recurring, such as accrued statutory benefits or
 7 the proceeds of claims settlements, and to regularly received income; and
 8
 9 WHEREAS, the Department of Health, Education, and Welfare requires
 10 the States to distinguish between a lump-sum payment that is in the nature of a
 11 "windfall" and a statutory benefit which is received monthly to meet current and
 12 ongoing expenses, regardless of the fact that benefits may accrue while a claim
 13 is adjudicated; and
 14
 15 WHEREAS, pursuant to paragraphs 83 and 84 of Section 402 of Reorgani-
 16 zation Plan No. 3 of 1967, the District of Columbia Council is authorized to
 17 establish rules and regulations to carry out the provisions of the District of
 18 Columbia Public Assistance Act of 1962, and to approve regulations under which
 19 shall be determined the amount of public assistance which any personal shall receive.
 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		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 April 6, 1971
 Adopted on second and final reading April 27, 1971
 Presented to the Mayor-Commissioner April 27, 1971 Date
 Approved Walter Washington Mayor-Commissioner May 6, 1971 Date
 Secretary of the City Council David H. Pelawsky
 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. Pelawsky
 Secretary of the City Council

1 Section 1. Definitions

2
3 As used in this regulation, these terms shall be defined as follows:

4
5 "Lump-sum payment or settlement" - A monetary sum received at one
6 time which will not be repeated on a regular basis, such as an inheritance, an
7 insurance settlement, or other "windfall".

8
9 "Accrued statutory benefit" - A monetary sum received at one time of
10 accumulated statutory payments, which payments will be continued regularly on
11 a periodic basis.

12
13 Section 2. Application for Benefits Required

14
15 The Director of the Department of Human Resources (hereinafter referred
16 to as the "Director") shall, as a condition of eligibility, require each public
17 assistance applicant or recipient, to apply for any benefits to which he may be
18 entitled.

19
20 Section 3. Establishment of Net Payment Received

21
22 The Director shall deduct from the gross amount of any accrued statutory
23 benefit, lump-sum payment, or settlement from any source received by a recipient
24 of public assistance (provided such money is still available to the recipient when
25 the Director learns of its receipt) (a) attorneys' fees, medical expense, and other
26 legitimate expenses of collection or settlement; and (b) legitimate debts of the
27 recipient incurred for living expenses prior to his application for assistance and
28 for which credit was extended in anticipation of the award or settlement.

29
30 Section 4. Treatment of Lump-Sum Payments and Settlements

31
32 (a) The net amount of a lump-sum payment or settlement, if less than
33 twice the amount of the current monthly assistance payment, and still available
34 to the recipient, shall not be considered as a current resource of the recipient.
35 Such payment or settlement may be retained by the recipient as an emergency cash
36 reserve in an amount not in excess of that authorized by regulation.

37
38 (b) The net amount from a lump-sum payment or settlement which is
39 equal to or exceeds twice the amount of the current monthly assistance payment,
40 and which is still available to the recipient, shall be considered as a resource,
41 and assistance shall be suspended for the number of months arrived at by dividing
42 twice the amount of the assistance payment, less any new resource from monthly
43 benefits, into the lump-sum. A partial month shall be disregarded in such compu-
44 tation. Except that --

45
46 (1) A lump-sum payment received by a recipient for a verifiable
47 specified purpose which in the judgment of the Director is
48 not contrary to sound public assistance administration,
49 shall not be considered as a current resource if the money is
50 used or set aside for such purpose; and,

51
52 (2) A lump-sum payment received in settlement of a claim or
53 as a court judgment for an injured child may be deposited
54 in a trust fund for the education, rehabilitation, or protection
55 of the future welfare of such injured child.

56
57 (c) Assistance which has been suspended pursuant to subsection (b)
58 may be reinstated by the Director when the individual has had unanticipated ex-
59 penses to the extent that he is unable to maintain himself on his income for the
60 specified period of suspension.

1 Section 5. Treatment of Accrued Statutory Benefits

2
3 (a) The net amount from the payment of an accrued statutory benefit,
4 if less than twice the amount of the current monthly assistance payment (as reduced
5 by the monthly statutory benefit payments), and still available to the recipient,
6 shall not be considered as a current resource of the recipient. Such payment may
7 be used by the recipient to purchase items not included in the Standard for Require-
8 ments, but may not be retained as a cash reserve.

9
10 (b) The net amount from a payment of accrued statutory benefits which
11 is equal to or exceeds twice the amount of the current monthly assistance payment,
12 (as reduced by the monthly statutory benefit payments), and which is still available
13 to the recipient, shall be considered as a resource, and assistance shall be sus-
14 pended for the number of months arrived at by dividing twice the amount of the
15 assistance payment, less any new resource from monthly benefits, into the
16 statutory benefit payment. A partial month shall be disregarded in such computation.

17
18 (c) Assistance which has been suspended pursuant to subsection (b)
19 may be reinstated by the Director when the individual has had unanticipated
20 expenses to the extent that he is unable to maintain himself on his income for
21 the specified period of suspension.

22
23 Section 6. Failure to Report Promptly

24
25 When the receipt of a lump-sum or accrued statutory benefit payment
26 is not reported promptly and a part of the money has been spent, the length of
27 time assistance shall be suspended shall be based on the amount of the payment
28 remaining and available to the recipient at the time the Director learns of the
29 resource, less any amount the recipient may repay of the overpayment that accrued
30 as a result of the recipient's failure to report the resource.

31
32 Section 7.

33
34 Commissioners' Order No. 62-17, dated January 14, 1962, is hereby
35 rescinded.

36
37 Section 8.

38
39 This regulation shall take effect immediately upon enactment.
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60

Regulation No. 71-18



June 11, 1971

Enactment Date

Regulation of the District of Columbia

TITLE DISTRICT OF COLUMBIA CONSUMER RETAIL CREDIT REGULATION

Vice-Chairman Sterling Tucker Presents the following regulation:

1 WHEREAS, Sec. 402(4) of Reorganization Plan No. 3 of 1967 transferred to
2 the District of Columbia Council the regulatory and other functions of the Board
3 of Commissioners under D. C. Code, Sec. 1-226 with respect to making reason-
4 able and usual police regulations for the protection of lives, limbs, health,
5 comfort and quiet of all persons and the protection of all property within the
6 District of Columbia; and

7
8 WHEREAS, the Council has determined that an effective program for the
9 protection of consumers in connection with retail installment credit transactions
10 is necessary for the protection of the health, comfort and quiet of all persons, and
11 the protection of all property within the District of Columbia;

12
13 NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council
14 that:

15
16 Section 1. Council Regulation 69-6 adopted by the Council on January 6,
17 1969, is hereby repealed.

18
19 Section 2. The District of Columbia Consumer Retail Credit Regulation as
20 set forth below is hereby adopted:

21
22
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 May 12, 1971

Adopted on second and final reading June 1, 1971

Presented to the Mayor-Commissioner June 3, 1971
Date

David H. Schwartz
Secretary of the City Council

Approved *Walter Washington*
Mayor-Commissioner

JUN 11 1971
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

PART 1 DEFINITIONS

1
2
3 Sec. 1.101 As used in this Regulation, unless the context requires a different
4 meaning:

5
6 a. "Commissioner" means the Commissioner of the District of Columbia or his
7 designated agent.

8
9 b. "Consumer goods" means tangible chattels bought by a natural person
10 for use primarily for personal, family, or household purposes, including certificates
11 or coupons exchangeable for such goods; but the term "consumer goods" does not
12 include goods acquired for commercial or business use or for resale, nor shall such
13 term include any motor vehicle as such term is defined in the first section of the Act
14 approved April 22, 1960 (74 Stat. 69; title 40, ch. 9. D. C. Code), providing for
15 the regulation of finance charges for retail installment sales of motor vehicles in the
16 District of Columbia.

17
18 c. "Council" means the District of Columbia Council or its designated
19 agent.

20
21 d. "District" means the District of Columbia.

22
23 e. "Open end credit" means consumer credit extended on an account pursuant
24 to a plan under which (1) the seller may permit the customer to make purchases or
25 obtain services, from time to time, directly from the seller or indirectly by use of a
26 credit card, or other device, as the plan may provide; (2) the buyer has the privilege
27 of paying the balance in full or in installments; and (3) a finance charge, as determined
28 by section 106(a) of the Truth in Lending act (P. L. 90-321, 82 Stat. 146) as applicable
29 to retail transactions, may be computed from time to time on an outstanding unpaid
30 balance. The term does not include negotiated advances under an open end real estate
31 mortgage or a letter of credit.

32
33 f. "Organization" means a corporation, agency, trust, estate, partnership,
34 cooperative, or association.

35
36 g. "Person" means a natural person or an organization.

37
38 h. "Retail buyer" or "buyer" means a natural person who buys consumer goods
39 or services from a retail seller in a retail installment transaction.

40
41 i. "Retail installment contract" means a contract entered into by a retail buyer
42 and a retail seller evidencing a retail installment transaction involving other than open
43 end credit.

44
45 j. "Retail installment transaction" means any retail transaction between a retail
46 seller and a retail buyer in which there is an agreement for the purchase of consumer
47 goods, or services, or both consumer goods and services, for which the price is to be
48 paid in one or more deferred installments and the "amount financed" (as defined by
49 Regulation Z of the Board of Governors of the Federal Reserve System) does not exceed
50 \$25,000. Such term shall include open end and other than open end transactions and
51 shall also include transactions involving a contract in the form of a bailment or a lease
52 if the bailee or lessee contracts to pay compensation for the use of the consumer goods
53 or services, or both, which are the subject of such contract and it is agreed that the bailee
54 or lessee is bound to become, or, for no further, or a merely nominal, consideration,
55 has the option, upon full compliance with the provisions of the bailment or lease,
56 of becoming the owner of the consumer goods or services, or both. The term shall not
57 include any retail transaction in which all of the following conditions apply: (1) the
58 purchase price is to be paid in full within not more than ninety days from the initial
59 billing date; (2) no security interest in the consumer goods is retained by the seller
60 and no other collateral or security is required or accepted by the seller; (3) and no

1 charge is made as consideration for the deferral of payment or as an incident to the
2 extension of credit. For the purposes of this Regulation, "security interest", "collateral"
3 and "security" shall not be construed to include any mechanics lien.

4
5 k. "Retail seller" or "seller" means a person engaged in the District of Columbia
6 in the business of selling consumer goods or services involving retail installment
7 transactions.

8
9 l. "Sales finance company" means any person who, in the District of Columbia,
10 regularly purchases retail installment contracts or evidences of indebtedness arising
11 from retail installment transactions.

12
13 m. "Series of Sales" means a series of consumer credit sales transactions made
14 pursuant to an agreement providing for the addition of the deferred payment price of that
15 sale to an existing outstanding balance, where the person to whom the credit is extended
16 has approved in writing both the annual percentage rate or rates and the method of
17 computing the finance charge or charges, and where the creditor retains no security
18 interest in any property as to which he has received payments aggregating the amount
19 of the sales price including any finance charges attributable thereto. In the case of
20 items purchased on different dates, the first purchased shall be deemed first paid for,
21 and in the case of items purchased on the same date, the lowest priced shall be deemed
22 first paid for.

23
24 n. "Services" means work, labor, or other kind of activity furnished, or agreed
25 to be furnished, in connection with the delivery, installation, servicing, repair, or
26 improvement of consumer goods; but the term "services" shall not include work, labor,
27 or other activity furnished or agreed to be furnished for which the price or tariff charged
28 or to be charged is required by law to be determined or approved by, or to be filed,
29 subject to approval or disapproval, with the United States, or the District, or a depart-
30 ment, division, agency, officer, or official of either of such governments.

31 32 PART 2 REGISTRATION

33
34 Sec. 2.101 Registration required. Any person who is a retail seller or a sales
35 finance company shall register with the Commissioner as provided herein. Any person
36 not so registered or whose registration has been denied, suspended or deregistered as
37 provided herein shall not engage in business as a "retail seller" or as a "sales finance
38 company."

39
40 Sec. 2.102 Registration form. (a) Every person required to be registered
41 pursuant to section 2.101 shall furnish to the Commissioner the registration information
42 required on a form prescribed by the Commissioner. Such form shall require that the
43 Commissioner be provided with the following information:

- 44
45 (1) name of the person;
46
47 (2) name in which business is transacted if different from (1);
48
49 (3) name and address of the principal officers, if a corporation; if a partnership,
50 the name and address of all partners;
51
52 (4) address of principal office, whether or not it is located inside the District;
53
54 (5) address of all offices or retail stores, if any, in the District at which retail
55 installment transactions are made, or in the case of a person taking assign-
56 ments of obligations, the offices or places of business within the District
57 at which business is transacted;
58
59
60

REGULATION 71-18

4 of 13

- 1 (6) names and home addresses of the persons who hold or own 25% or more of
2 the interest in the person (firm, etc.) engaged in retail installment
3 transactions;
4
5 (7) all parent and subsidiary companies and companies under common
6 ownership with the registrant which engage in retail installment transactions
7 or sales financing in the District of Columbia;
8
9 (8) if retail installment transactions are made otherwise than at an office or
10 retail store in the District, a brief description of the manner in which they
11 are made; and
12
13 (9) name and address of attorney-in-fact or general agent upon whom service of
14 process may be made in the District.
15

16 (b) At the same time that such information is furnished pursuant to subsection (a),
17 every person required to be registered shall submit to the Commissioner a copy of the
18 retail installment contract forms used by him at the time of submission in connection
19 with transactions covered by this regulation.
20

21 (c) Each registration form shall be signed by the registrant or a principal officer
22 thereof.
23

24 (d) If any information submitted pursuant to this section becomes inaccurate, the
25 registrant shall furnish the accurate information to the Commissioner within twenty
26 calendar days thereafter, except as provided in section 2.106.
27

28 Sec. 2.103 Registration to be Denied. No person whose registration has
29 been suspended pursuant to section 6.101 shall be re-registered other than in accordance
30 with the terms of the order of suspension, and no corporation or partnership shall be
31 registered if there is then outstanding a deregistration order against any individual
32 who is an officer of the corporation, or a partner in the partnership or any individual
33 who holds or owns 25% or more of the interest in the registrant.
34

35 Sec. 2.104 Validation of Registration. After a registration form has been
36 submitted to him, the Commissioner shall return a duplicate copy thereof to the registrant
37 which shall be validated by the Commissioner to evidence such registrant's registra-
38 tion pursuant to this regulation. Such validated form shall contain a registration number
39 to be furnished by the Commissioner. The registration or a photocopy thereof shall be
40 posted and visible in a conspicuous place in each place of business in the District of
41 Columbia maintained by the registrant. When the registrant transacts business through
42 door-to-door solicitations, he shall provide upon request, at the time such solicitation
43 is made, a copy of the validated registration form provided under this section.
44

45 Sec. 2.105 Re-registration. Every registrant shall re-register every two years
46 beginning on the date stated in the validation returned to the registrant by the Commission-
47 er pursuant to section 2.104. Such re-registration shall be carried out in compliance
48 with the requirements of section 2.102, except that the information and materials
49 required to be furnished shall be submitted to the Commissioner no later than 60 days
50 preceding the expiration date of the registration.
51

52 Sec. 2.106 Appointment of Attorney-in-Fact or General Agent. (a) Every person
53 covered under this Regulation, who is a non-resident of the District of Columbia, shall
54 appoint or employ and maintain in the District an attorney-in-fact or general agent, who
55 is a resident of the District, upon whom all judicial and other process or legal notice
56 directed to such non-resident may be served relative to conduct subject to this
57 Regulation or other laws relating to retail installment transactions, and shall notify
58 the Commissioner of such appointment or employment, and the name and address of the
59 appointee or employee.
60

REGULATION 71-185 of 13

1 (b) Within five business days after any change in the appointment or employment
 2 of the attorney-in-fact or general agent, every non-resident person covered under
 3 this Regulation shall notify the Commissioner of the identity and the address of the
 4 substituted appointee or employee.

5
 6 (c) When a person shall fail to appoint or maintain a registered agent in the
 7 District, or whenever any such registered agent cannot with reasonable diligence be
 8 found at the registered office of such person in the District, or whenever the registration
 9 of such person shall be revoked, the Commissioner shall be an agent upon whom any
 10 process or other legal notice may be served and upon whom any notice or demand
 11 required or permitted by law to be served upon such person may be served. Service on
 12 the Commissioner of any such process, notice or demand shall be made by delivering
 13 to and leaving with the Commissioner or his designated agent duplicate copies of such
 14 process, notice, or demand. In the event of such service, the Commissioner shall
 15 cause one of such copies thereof to be forwarded by registered or certified mail,
 16 addressed to the last known address of such person.

17
 18 (d) The Commissioner shall keep a record of all processes, notices, and
 19 demands served upon him under this section, and shall record therein the time of
 20 such service and his action with reference thereto.

21
 22 Sec. 2.107 Examinations and investigations. For the purpose of discovering
 23 violations of these regulations, the Commissioner, may at any time investigate the
 24 transactions, business, and records of any person subject to this regulation relating
 25 to matters covered by this regulation. If such records are located outside the District,
 26 the registrant shall at his option, either make them available to the Commissioner at a
 27 convenient location within the District, or pay the reasonable and necessary expenses
 28 for the Commissioner or his representative to examine them at the place where they
 29 are maintained. The Commissioner may designate representatives, including comparable
 30 officials of the State in which the records are located, to inspect them on his behalf.

31
 32 PART 3 THE RETAIL INSTALLMENT CONTRACTS
 33 AND CONDUCT RELATING TO RETAIL
 34 INSTALLMENT TRANSACTIONS

35
 36 SUBPART A

37
 38 Sec. 3.101 Compliance with Truth in Lending Required.

39
 40 (a) With respect to retail installment transactions covered by this regulation,
 41 except the extent indicated in Subpart B, sections 106 (determination of finance charge),
 42 107 (determination of annual percentage rate), 121 (general requirements of disclosure),
 43 122 (form of disclosure), 124 (effect of subsequent occurrence), 127 (open end consumer
 44 credit plans), 128 (sales not under open end credit plans), 141 (catalogs and multiple
 45 page advertisements), 142 (advertising of down payments and installments), 143 (adver-
 46 tising of open end credit plans), 144 (advertising of credit other than open end plans),
 47 145 (non-liability of media) of the Truth in Lending Act (P. L. 90-321, 82 Stat. 146)
 48 are hereby adopted and incorporated herein as if fully set forth.

49
 50 (b) Failure of any person covered by this regulation to comply with the sections
 51 of the Truth in Lending Act set forth in subsection (a) as implemented by regulations
 52 issued by the Board of Governors of the Federal Reserve System shall constitute a
 53 violation of this regulation. Except to the extent indicated in Subpart B, compliance
 54 with such sections of the Truth in Lending Act shall constitute compliance with
 55 Subpart A.

56
 57 SUBPART B

58
 59 In addition to the requirements set forth in Subpart A, every person covered
 60 by this regulation shall comply with the additional requirements set forth in Subpart B.

1 Sec. 3.102 Additional Disclosures, Contract Form, and Time of Delivery With
2 Respect to Other Than Open End Transactions. In addition to the disclosures
3 required pursuant to Subpart A, the following are required to be set out in a retail
4 installment contract, separately and below any disclosures required by Subpart A,
5 if not made in connection with Subpart A.

6
7 (A) Additional Disclosures

8
9 (1) To the extent that the disclosure of "cash price" includes the cash
10 price of delivery, installation, servicing, repairs, alterations or improvements, the
11 charge made for such items shall be stated. For the purposes of this regulation, the
12 amount by which the cash price stated in a retail installment contract exceeds the
13 cash price of goods or services offered by the seller to other buyers in the ordinary
14 course of business shall be deemed a finance charge.

15
16 (2) Each such contract shall include the name, address, and telephone
17 number, if any, of both the seller and the buyer.

18
19 (3) Each such contract shall contain a description of the goods or
20 services purchased, including, where applicable, the trade name, and the model
21 number of the goods. If the goods are used, seconds, or damaged, the contract
22 shall so state. If the seller takes collateral to secure the buyer's obligations under
23 the agreement, a description of such collateral shall be set forth in such contract.

24
25 (4) When the seller, in connection with a retail installment contract,
26 offers or arranges for credit life, accident, or health insurance, or insurance against
27 loss of or damage to property or against liability arising out of ownership or use of
28 property, or insurance protecting the seller against the buyer's default or other credit
29 loss, the seller shall disclose whether a financial benefit could inure to him by way
30 of commission, rebate or otherwise resulting from the buyer's obtaining such insurance
31 coverage offered or arranged for by the seller.

32
33 (B) Form and Content General Provisions

34
35 (1) Except in series of sales transactions, every retail installment contract
36 shall be contained in a single document, each page of which shall be signed by both
37 the buyer and the seller. At the top of the first page of the agreement, there shall be
38 stated in at least twelve-point extrabold type the words "Retail installment contract."

39
40 (2) If the printed terms of every retail installment contract are contained
41 on both sides of a page, there shall appear on the first page the following words in
42 boldface type: "NOTICE: See other side for important information." If the terms of
43 a retail installment contract are contained on more than two sides of each preceding page,
44 the following words shall appear on each page in boldface type: "The terms of this
45 contract are contained on more than one page."

46
47 (C) Delivery of Copy of Contract

48
49 (1) Except as provided in subparagraph (2), the seller shall deliver to the
50 buyer, or mail to him at his address shown on the retail installment contract, a legible,
51 executed and completed copy of the contract prior to the delivery of the consumer goods
52 or services or prior to the consummation of the transaction, whichever occurs sooner.

53
54 (2) If the transaction is one of a series of sales and the seller at the time
55 the sale is consummated or the goods are delivered, whichever occurs earlier, furnishes
56 the buyer a memorandum of the sale that clearly sets forth: (a) the cash price of the
57 goods or services sold; (b) a statement that the goods are used, seconds, or damaged,
58 if applicable; and (c) the insurance disclosure required by (A)(4) of this section; then
59 the other disclosures required by 3.101, Subparts A and B, and by this section, for the
60 particular sale, may be made at any time not later than the date the first payment for
that sale is due.

1 Sec. 3.103 Additional Disclosures with Respect to Open End Credit.

2
3 (a) When the seller, in connection with an open end credit account offers or
4 arranges for credit life, accident, or health insurance, or insurance against loss of or
5 damage to property or against liability arising out of ownership or use of property, or
6 insurance protecting the seller against the buyer's default or other credit loss, the
7 seller shall disclose whether a financial interest could inure to him by way of
8 commission, rebate or otherwise resulting from the buyer's obtaining such insurance
9 coverage offered or arranged for by the seller. In the case of open end credit, such
10 disclosure shall be made before the first transaction on an open end credit account in a
11 single written statement which the customer may retain.

12
13 (b) If goods sold pursuant to an open end credit account are used, seconds or
14 damaged, the seller shall disclose such fact in writing to the buyer at the time of the
15 sale. Such disclosure may be made on a sales receipt issued in connection with the
16 sale.

17
18 Sec. 3.104 Signing Blank or Incompleted Form Prohibited. No person covered
19 by these regulations shall cause or permit any contract or other document relating to
20 a retail installment transaction to be signed by the buyer before all blank spaces
21 (other than signature spaces) are filled in with easily legible writing and such seller
22 has submitted to the buyer the completed contract or other document and given him a
23 reasonable opportunity to examine it. Each contract shall contain a notice, satisfactory
24 to the Commissioner, in bold type no smaller than 10-point stating in substance that
25 the buyer shall not sign the contract in blank and that the buyer is entitled to a readable
26 copy of the contract at the time he signs it.

27
28 Sec. 3.105 Delivery of Copy of Completed Contract to Buyer: Acknowledgment
29 of Delivery. Any acknowledgment by the buyer of delivery of a copy of the contract shall
30 be a rebuttable presumption of such delivery. Acknowledgments may contain statements
31 to the effect that "buyer acknowledges that before buyer signed the contract, seller
32 submitted the contract to buyer with all blank spaces filled in, that buyer had a
33 reasonable opportunity to examine it, and that thereafter a legible, executed and
34 completed copy thereof was delivered to buyer."

35
36 Sec. 3.106 Requirement of Property Insurance Prohibited. Unless otherwise
37 required by law, no seller, as a condition to the extension of credit, shall require a
38 buyer to obtain insurance against loss of or damage to property which is the subject
39 of a sale, or against liability arising out of the ownership or use of such property, if
40 the sales price of the property is less than one-thousand dollars. If the sales price
41 of property sold is one-thousand dollars or more, the amount of loss or damage insurance
42 a seller may require a buyer to obtain, as a condition to the extension of credit to
43 the buyer, shall not exceed the sales price of the property insured.

44
45 Sec. 3.107 Completion Certificate Invalid Unless True. - In any transaction
46 involving the modernization, rehabilitation, repair, alteration, improvement, or
47 construction of real property, a writing signed by the buyer that such work has been
48 satisfactorily completed shall not be valid nor of any effect unless the work to be
49 performed by the seller has been actually completed prior to the time of signing.

50
51 Sec. 3.108 Waiver of Regulations Prohibited. Except as provided in section
52 5.102(b), no provision shall be inserted in any retail installment contract or extension
53 or refinancing agreement designed to nullify and make ineffective the provisions of this
54 regulation, or otherwise deprive a retail buyer of the protection afforded him by this
55 regulation, nor shall any provision be inserted in any contract or agreement whereby
56 the buyer waives or purports to waive any provision of this regulation. The insertion
57 in any such contract or agreement of a provision designed or intended to nullify this
58 regulation, or to waive the requirements of this regulation, shall constitute a violation
59 of this regulation, and, in addition, such provision shall be void and of no effect.

1 Sec. 3.109 Third Party Transactions. Any promissory note taken in connection
2 with a retail installment contract subject to these regulations shall state on its face:
3 "This instrument is subject to a retail installment contract."
4

5 Sec. 3.110 Contract forms requirements. No person subject to these regulations
6 shall use any contract form or any other instrument arising in connection with a retail
7 installment transaction which provides:

8
9 (a) any schedule of payments under which any one installment, except the
10 downpayment, is not equal or substantially equal to all other installments, excluding
11 the downpayment, or under which the intervals between any consecutive installments
12 differ substantially, except that --

13
14 (1) the intervals for the first installment payment may be longer or shorter
15 than the other intervals,

16
17 (2) the final installment payment may be less in amount than the preceding
18 installment payment, and

19
20 (3) where a buyer's livelihood is dependent upon seasonal or intermittent
21 income, the seller and the buyer may agree that one or more installment payments in the
22 schedule of payments may be reduced or deferred;

23
24 (b) any provision for the acceleration of the time when any part or all of the
25 indebtedness becomes payable other than for a substantial default in payment or per-
26 formance by the buyer, or on the same grounds as would authorize an attachment before
27 judgment under paragraphs (3) through (5) of subsection (d) of section 16-501 of the
28 District of Columbia Code;

29
30 (c) any provision by which the buyer agrees not to assert against a seller, or
31 against an assignee, any claim or defense arising from the sale of the consumer goods or
32 services which are the subject matter of the contract;

33
34 (d) any provision by which the buyer grants authority to the seller or assignee to
35 enter the buyer's premises without consent obtained immediately prior thereto in the
36 repossession of the collateral, if any;

37
38 (e) any provision by which the buyer waives any right of action against the
39 seller, assignee or other person acting on behalf of either, for any illegal act committed
40 in the collection of payments under the contract or in the repossession of goods;

41
42 (f) any provision whereby the buyer executes a power of attorney appointing
43 the seller, assignee, or other persons acting in the seller's behalf, as the buyer's agent
44 in the collection of payments under the contract or in the repossession of collateral
45 security;

46
47 (g) notwithstanding any other provision of this section, any written provision
48 in a retail installment contract or agreement which provides for settlement by arbitration
49 of any controversy thereafter arising out of or related to such contract or agreement or
50 breach thereof, or any agreement in writing to submit to arbitration any such controversy,
51 shall be not invalid or unenforceable by reason of this regulation;

52
53 (h) any provision for the payment by the buyer of attorney's fees incurred by the
54 seller or his assignee in the collection of the debt created by the contract;

55
56 (i) any provision permitting a seller or his assignee on default of the buyer
57 to take possession of the goods sold under the contract, unless the contract expressly
58 waives all claims against the buyer for any deficiency between the proceeds of the
59 disposition and the outstanding balance due on the contract.
60

REGULATION 71-189 of 13

1 Sec. 3.111 Referral Sales. With respect to any retail installment transaction,
2 the seller may not give or offer to give a rebate or discount or otherwise pay or offer
3 to pay value to the buyer as an inducement for a sale in consideration of his giving
4 to the seller the names of prospective purchasers, or otherwise aiding the seller in
5 making a sale to another person, if the earning of the rebate, discount or other value
6 is contingent upon the occurrence of an event subsequent to the time the buyer agrees
7 to buy. If a buyer is induced by a violation of this section to enter into a retail
8 installment transaction, the agreement is unenforceable by the seller and the buyer,
9 at his option, may rescind the agreement or retain the goods delivered and the benefit
10 of any services performed, without any obligation to pay for them.

11 Sec. 3.112 Advertising. Every person covered by this regulation shall comply
12 with D. C. Code Section 22-1411 (39 Stat. 165, ch. 130, §1), relating to fraudulent
13 advertising, in connection with a retail installment transaction.

14 Sec. 3.113 Sales Made by Telephone or Mail. With respect to sales made by
15 mail or telephone pursuant to other than an open end credit account or series of sales
16 arrangement, the required disclosures shall be made prior to delivery of goods or not
17 later than the time the first payment is due, whichever is sooner.

18 Sec. 3.114 Prohibited Conduct. No person covered by these regulations shall
19 engage in fraudulent, unfair, deceptive, or unconscionable conduct in the making
20 or collection of a retail installment contract, open end credit arrangement, or series
21 of sales arrangement.

PART 4 PAYMENTS

22 Sec. 4.101 Receipts: Statement of Account.

23 (A) When any payment is made on account of any retail installment contract,
24 the seller receiving such payments shall, if the payment is made in cash, give the
25 buyer a written receipt therefor including the date and amount of payment. If the
26 buyer specifies that the payment is made on one of several obligations, the receipt
27 shall so state.

28 (B) (1) With respect to other than an open end credit plan, within six months
29 after the execution of a retail installment transaction, and within every six-month period
30 thereafter until the buyer has discharged all his obligations under the contract, the
31 seller or a subsequent assignee, in addition to any other statements or notices required
32 by these regulations, shall send to the buyer upon written request a statement of account
33 which shall list the following items designated as such:

34 (a) the annual percentage rate or rates; and

35 (b) the amounts, if any, which have become due but remain
36 unpaid, setting forth any charge for delinquencies,
37 expenses of repossession and extensions; and

38 (c) the dollar amount not due but still to be paid and the
39 remaining period the agreement is to run.

40 (2) The buyer shall be entitled to only one such statement in any six-month
41 period free of charge. The sum of \$1 may be charged for each additional written
42 statement requested by the buyer before supplying such additional written statement.

43 Sec. 4.102 Acknowledgment of Payments. Promptly on written request and in
44 any event within sixty days after payment of all sums for which the buyer is obligated
45 under a retail installment contract, the seller or assignee shall mail or shall deliver
46 to the buyer, at his last known address, sufficient instruments to indicate payment in
47 full and to release all security in the collateral, if any, under such contract.

PART 5 REPOSSESSION

1
2
3 Sec. 5.101 Repossession. When a buyer is in default in the payment of any sum
4 due under a contract subject to this Regulation or in the performance of any lawful
5 condition imposed by the contract, the seller or his assignee may when authorized by
6 law repossess the goods secured under the contract. Unless the goods can be
7 repossessed with the permission of the possessor obtained immediately prior to such
8 repossession, and without use of force, intimidation, undue influence, fraud, or
9 breach of the peace, they shall be not repossessed except by legal process. Nothing
10 herein shall be construed to authorize a violation of the criminal laws of the District
11 of Columbia.

12
13 Sec. 5.102 Duties on Repossession and Buyer's Right of Redemption.

14
15 (a) Within five days after any consumer goods are repossessed, the seller
16 or subsequent assignee shall deliver to the buyer personally, or send him by registered
17 or certified mail to his last known address, a written notice stating:

18
19 (1) that the goods, including a general description thereof, have been
20 repossessed; (2) the buyer's right to redeem and the amount due and payable; (3) the
21 buyer's rights as to a resale and (4) the exact address where the consumer goods are
22 stored and the exact address where any payment is to be made or notice delivered.

23
24 (b) For 30 days after notice has been delivered personally or mailed, the
25 seller or assignee shall retain repossessed goods, during which period the buyer
26 may redeem the goods and become entitled to take possession thereof. If the seller
27 or assignee does not maintain a place of business within the District of Columbia at
28 which the buyer may exercise rights of redemption, goods repossessed within the
29 District of Columbia may not be removed therefrom unless the goods are repossessed
30 pursuant to legal process and an adequate bond is posted to protect the buyer. When-
31 ever repossessed goods are removed from the District of Columbia no fee or cost shall
32 be charged to the buyer for transporting the goods outside the District, and upon
33 redemption such goods shall be returned and made available to the buyer within the
34 District without additional transportation charges.

35
36 Notwithstanding any other provisions of these regulations, the redemption
37 period provided for in this subsection may be waived by written agreement between the
38 buyer and the seller following repossession of the goods.

39
40 (c) To redeem the consumer goods, the buyer shall --

41
42 (1) pay or tender the amount due under the Retail Installment Sale Contract;
43 (2) perform or tender performance of any other promise for the breach of which the
44 consumer goods was repossessed; and (3) pay the actual and reasonable charges for
45 repossession and storage.

46
47 Sec. 5.103 Accounting of Surplus. The disposition of repossessed goods and
48 the application of any sums realized by the disposition, shall be in accordance with
49 applicable statutory law, including 28:9-504 and 28:9-505 of the District of Columbia
50 Code. The seller or his assignee must account to the buyer for any surplus from the
51 proceeds of disposition as provided by 28:9-504(2) notwithstanding the absence of
52 buyer liability for a deficiency.

PART 6 ENFORCEMENT OF REGULATION

53
54
55
56 Sec. 6.101 De-registration. When the Commissioner believes there is evidence
57 to indicate a persistent pattern of conduct by a registrant in violation of this Regulation,
58 the Commissioner may give notice to the registrant of the Commissioner's intent to hold
59 a hearing to determine whether such registrant's registration hereunder should be
60 suspended.

1 (a) The notice to be given by the Commissioner shall:

2 (1) state the time (which shall not be sooner than 15 days from the date of
3 the notice) and place for the hearing and the basis upon which the Commissioner proposes
4 to suspend the registrant's registration;

5 (2) (i) be served upon the registrant personally; or

6 (ii) be left at the last business address (or home address, if
7 there be no business address) of which the Commissioner
8 has been given notice by the registrant; or

9 (iii) be mailed by certified mail to the last business address (or home
10 address if there be no business address) of which the Commissioner
11 has been given notice by the registrant; or in accordance with
12 Sec. 2.106, if the registrant is a non-resident;

13 (3) be published in the D. C. Register at least 15 days prior to the date
14 of such hearing.

15 (b) The Commissioner shall conduct the hearing in accordance with the
16 provisions of Section 10 of the District of Columbia Administrative Procedure Act
17 (District of Columbia, §1-1509, 1967, Supp. IV). If on the basis of the evidence
18 the Commissioner is satisfied that the registrant has engaged in a persistent pattern
19 of conduct that is in violation of this regulation, he may issue an order suspending
20 such registrant's registration for such time and under such circumstances as the
21 Commissioner deems proper, including, but not limited to a permanent suspension
22 of such registration.

23 (c) The Commissioner is authorized to promulgate such rules of procedure to
24 govern such hearings, consistent with the District of Columbia Administrative Procedure
25 Act (District of Columbia Code §1-1509, 1967, Supp. IV), as he may deem appropriate.

26 Sec. 6.102 Cease and Desist Orders. When the Commissioner has a reasonable
27 basis to believe that any person has violated this regulation, he may give notice to
28 such person of the Commissioner's intent to hold a hearing to determine whether a
29 cease and desist order with respect to such violation should be issued.

30 (a) The notice to be given by the Commissioner shall:

31 (1) state the time (which shall not be sooner than 15 days from the date
32 of the notice) and place for the hearing and the basis upon which the Commissioner
33 proposes to act.

34 (2) (i) be served upon the registrant personally; or

35 (ii) be left at the last business address (or home address, if there
36 be no business address) of which the Commissioner has been
37 given notice by the registrant; or

38 (iii) be mailed by certified mail to the last business address (or home
39 address if there be no business address) of which the Commissioner
40 has been given notice by the registrant;

41 (3) be published in the D. C. Register at least 15 days prior to such hear-
42 ing.

12 of 13

1 (b) The Commissioner shall conduct the hearing in accordance with the pro-
2 visions of Section 10 of the District of Columbia Administrative Procedure Act (District
3 of Columbia Code §1-1509, 1967, Supp. IV). The Commissioner is authorized to
4 promulgate such rules of procedure to govern such hearings, consistent with the
5 District of Columbia Administrative Procedure Act (District of Columbia §1-1509, 1967,
6 Supp. IV), as he may deem appropriate.

7
8 (c) If, at the conclusion of the hearing, the Commissioner determines, upon
9 the preponderance of testimony and evidence, that the person complained against has
10 violated this regulation, the Commissioner shall (i) state his findings and issue
11 an order requiring the person complained against to cease and desist from such unlaw-
12 ful conduct and to take such affirmative action including restitution as will effectuate
13 the purposes of these regulations, with notice that if the Commissioner determines
14 that the person complained against has not, after fifteen (15) calendar days following
15 service of its order, corrected the unlawful practice and complied with the order, the
16 Commissioner will certify the matter to the Corporation Counsel and to such other
17 agencies, as may be appropriate, for enforcement, or (ii) immediately certify the
18 matter to the Corporation Counsel for civil or criminal enforcement pursuant to these
19 regulations. Failure to comply with an order issued pursuant to this section shall
20 constitute grounds for suspension of registration under section 6.101. Any certification
21 under this subsection, for the purpose of a civil proceeding, shall constitute a
22 determination that there exists a prima facie case of violation of these regulations. The
23 Corporation Counsel may institute such civil proceedings in the name of the District
24 of Columbia in an appropriate court, including the seeking of such restraining orders
25 and temporary or permanent injunctions, as are necessary to obtain complete compliance
26 with the Commissioner's Orders.

27
28 (d) If, at any time after a complaint has been filed, the Commissioner believes
29 that appropriate civil action to preserve the status quo or to prevent irreparable harm
30 appears advisable, the Commissioner shall certify the matter to the Corporation
31 Counsel who may bring, in the name of the District of Columbia, in an appropriate court
32 any action necessary to preserve such status quo or to prevent such harm, including
33 the seeking of temporary restraining orders and preliminary injunctions.

34
35 (e) If, at the conclusion of the hearing, the Commissioner shall determine
36 upon the preponderance of the testimony and evidence, that the person complained
37 against has not violated this regulation, the Commissioner shall state his findings
38 and issue an order dismissing the complaint.

39
40 Sec. 6.103 Penalties. Any person who violates any provision of this regulation
41 shall be subject to a penalty or a fine not exceeding \$300 or imprisonment for not more
42 than 10 days for each violation.

43
44 Sec. 6.104 Provisions not Exclusive. The remedies and penalties set forth
45 in this part shall not be deemed to be mutually exclusive. The Commissioner is
46 authorized to pursue such remedies and penalties jointly and concurrently.

47
48 Sec. 6.105 Other Rights and Remedies, and Judicial Review.

49
50 (a) Nothing herein shall prevent any person from exercising any right or
51 seeking any remedy to which he might otherwise be entitled, or from filing any complaint
52 with any other agency.

53
54 (b) Nothing in these regulations shall be deemed to deprive any aggrieved
55 party of such judicial review of orders of the Council or of any other agency or
56 authority of the District of Columbia as may be available.

PART 7 MISCELLANEOUS PROVISIONS

Sec. 7.101 Saving Provision, Repealed Regulations. Any regulations superseded by this regulation shall remain in full force and effect for the purpose of any criminal prosecution, civil litigation, or administrative action pending at the effective date hereof or which may be instituted after such effective date as a result of any act or omission thereunder which preceded such effective date.

Sec. 7.102 Severability of Sections. If any section, subsection, sentence, phrase or portion of these regulations is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such section, subsection, clause, phrase, or portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining provisions.

Sec. 7.103 Effective Date. This regulation shall take effect 90 days following enactment, provided, however, that from the effective date of this regulation until and including December 31, 1971, the disclosure and contract form provisions of sections 3.101, 3.102, and 3.103 and the provisions of section 3.110, may, at the option of retail sellers, be satisfied by the use of addenda affixed to their existing contract forms, so long as any provision(s) of their existing contract forms rendered invalid by this regulation are deleted from the existing forms, or such deletion is noted in the addenda and so long as the addenda contain the additional disclosures required by these regulations.

- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28
- 29
- 30
- 31
- 32
- 33
- 34
- 35
- 36
- 37
- 38
- 39
- 40
- 41
- 42
- 43
- 44
- 45
- 46
- 47
- 48
- 49
- 50
- 51
- 52
- 53
- 54
- 55
- 56
- 57
- 58
- 59
- 60

PART 7 MISCELLANEOUS PROVISIONS

Sec. 7.101 Saving Provision, Repealed Regulations. Any regulations superseded by this regulation shall remain in full force and effect for the purpose of any criminal prosecution, civil litigation, or administrative action pending at the effective date hereof or which may be instituted after such effective date as a result of any act or omission thereunder which preceded such effective date.

16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60

Sec. 7.102 Severability of Sections. If any section, subsection, sentence, clause, phrase or portion of these regulations is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such section, subsection, sentence, clause, phrase, or portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining provisions.

Sec. 7.103 Effective Date. This regulation shall take effect 90 days following enactment, provided, however, that from the effective date of this regulation until and including December 31, 1971, the disclosure and contract form provisions of sections 3.101, 3.102, and 3.103 and the provisions of section 3.110, may, at the option of retail sellers, be satisfied by the use of addenda affixed to their existing contract forms, so long as any provision(s) of their existing contract forms rendered invalid by this regulation are deleted from the existing forms, or such deletion is noted in the addenda and so long as the addenda contain the additional disclosures required by these regulations.

Regulation No. 71-19



June 7, 1971

Enactment Date

Regulation of the District of Columbia

TITLE REGULATION CLOSING P STREET, N. W.

Reverend Jerry A. Moore, Jr. Presents the following regulation:

1 WHEREAS, the District of Columbia Council has been petitioned by busi-
 2 nessmen in the block of P Street, N. W. between 21st and 22nd Streets, for a
 3 temporary street closing; and
 4
 5 WHEREAS, after public hearing the Council finds that the granting of a
 6 street closing for a temporary duration at the requested location can facilitate
 7 commerce in the District of Columbia, and can add a new dimension to recrea-
 8 tion, and cultural activities in the District of Columbia; and
 9
 10 WHEREAS, Reorganization Plan No. 3 of 1967 transferred to the Council
 11 the function of making rules and regulations for the control of motor vehicle traffic;
 12
 13 NOW, THEREFORE, BE IT ENACTED BY the District of Columbia Council that:
 14
 15 Section 1. P Street, N. W. between 21st and 22nd Streets shall be closed
 16 to all motor vehicle traffic, except for emergency vehicles, such as fire trucks,
 17 police cars and ambulances, between the hours of 7:00 P.M. and 11:00 P.M. on
 18 the following days: Thursday, June 17, 1971, Thursday, July 1, 1971, and Thurs-
 19 day, July 15, 1971.
 20
 21 Section 2. The Commissioner shall take those administrative actions neces-
 22 sary to facilitate these street closings.
 23
 24 Section 3. This regulation shall take effect immediately 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										

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 12, 1971

Adopted on second and final reading June 1, 1971

Presented to the Mayor-Commissioner June 1, 1971 Date

Approved [Signature] Mayor-Commissioner June 7, 1971 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.

[Signature] Secretary of the City Council

Regulation No. 71-20



June 6, 1971

Enactment Date

Regulation of the District of Columbia

TITLE REGULATION CONCERNING UNIFORMS TO BE WORN BY SPECIAL POLICEMEN AND BY UNARMED UNIFORMED GUARDS AND SECURITY OFFICERS

Reverend Carlton W. Veazey Presents the following regulation:

1 WHEREAS, the District of Columbia Council finds that there is a need to
2 regulate the uniforms worn by special policemen and by unarmed uniformed
3 guards and security officers under authority vested in the District of Columbia
4 Council pursuant to paragraph 91 of Section 402 of Reorganization Plan No. 3 of
5 1967, and D.C. Code, Section 4-115.

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

8
9 Section 1. The uniforms worn by special policemen, including special
10 police employed by the Government of the District of Columbia, shall not have
11 any stripe on the trousers, around the cap, or around the sleeve of the uniform
12 blouse, coat or shirt. Violation of any of the provisions of this section by a
13 special policeman shall be cause for immediate revocation of the commission of
14 such special policeman.

15
16 Section 2. Section 10 of Regulation No. 70-30 "Governing Licensing and
17 Bonding of Private Detectives," approved July 9, 1970, is amended by
18 redesignating subsection (b) as subsection (c) and after subsection (a) inserting
19 a new subsection (b) which shall read as follows:

20
21 "(b) The uniforms worn by uniformed guards or uniformed security
22 officers who are certified by the Chief of Police pursuant to subsection (a)
23 of this section, shall not have any stripe on the trousers, around the cap,
24 or around the sleeve of the uniform blouse, coat, or shirt. Violation of the
provisions of this subsection (b) shall be an additional ground for the

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 May 12, 1971

Adopted on second and final reading June 1, 1971

Presented to the Mayor-Commissioner June 1, 1971
Date

David H. Schwartz
Secretary of the City Council

Approved *Robert M. Washington*
Mayor-Commissioner

June 6, 1971
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 71-20

1 revocation of the certification provided for in subsection (a) of this
2 section pursuant to the procedures required by subsection (a) of this
3 section."

4
5 Section 3. This Regulation shall take effect sixty days after enactment.
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60



Regulation No. 71-21

June 29, 1971

Enactment Date

Regulation of the District of Columbia

TITLE SOLID WASTE REGULATIONS

DR. HENRY S. ROBINSON, JR. Presents the following regulation:

1 WHEREAS, the District of Columbia Council is authorized to make all
2 reasonable and usual regulations for the protection of the health of the citizens;
3 and

4
5 WHEREAS, the District of Columbia Council is authorized by D. C. Code
6 Section 2344 of Title 47, 1967 Edition, to require licenses of businesses which in
7 the judgment of the Council require inspection, supervision, or regulation;

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

10
11 Section 1. The regulation attached as Appendix 1 of this regulation is here-
12 by adopted as an amendment to Title 8, Chapter 3, part 6 of the District of Columbia
13 Health Regulations incorporated by reference into Title 6A of the Rules and Regulations
14 of the District of Columbia.

15
16 Section 2. Except as otherwise stated, the provisions of this regulation
17 shall be effective sixty days after enactment.

18
19 Section 3. Article 21 of the Police Regulations of the District of Columbia
20 is repealed effective sixty days after enactment of this regulation.

21
22 Section 4. Title 8, Chapter 2, Part 707(b) of the Health Regulations of
23 the District of Columbia incorporated by reference into Title 6A of the Rules and
24 Regulations of the District of Columbia is repealed on the effective date of this
regulation.

SPECIAL MEETING - JUNE 29, 1971 - 10:00 A.M.

RECORD OF COUNCIL VOTE (OVERRIDE)																	
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	Willard					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

Adopted on second and final reading

Presented to the Mayor-Commissioner June 17, 1971
Date

David H. Schwartz
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 25 JUNE 1971
Date

Readopted June 29, 1971
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 8-3:601 PURPOSE AND SCOPE2
3 (a) Purpose

4
5 The purpose of this regulation is to establish minimum standards for the
6 storage, collection, transportation and disposal of solid wastes, and thus promote
7 the health, safety and welfare of the people of the District of Columbia and to en-
8 hance and improve the environment.

9
10 (b) Scope

11 These regulations shall apply to all solid waste storage, collection,
12 transportation and disposal within the District.

13
14 8-3:602 DEFINITIONS

15
16 Approved means compliance with published standards specifically applicable
17 to the device, method, thing, procedure, or facility under consideration and which
18 standards have been approved by the Commissioner or his agent.

19
20 Abandoned Vehicle means a motor vehicle or a trailer left on public or private
21 property for an extended period of time in an inoperable or hazardous condition and
22 having only scrap value.

23
24 Ashes means the residue from the burning of wood, coal, coke or other
25 combustible materials.

26
27 Baler means a machine used to compress and bind a quantity of solid waste
28 or other material.

29
30 Bulky Waste means the large items of solid waste such as appliances,
31 furniture, large auto parts, trees and branches, stumps, flottage, and the like.

32
33 Carry Container means a container used to transfer solid wastes from
34 premises to a collection vehicle.

35
36 Catch Basin means an enlarged and trapped inlet to a sewer designed to
37 capture debris and heavy solids carried by storm or surface water.

38
39 Collector means any person who is engaged in the collection or transportation
40 of solid waste.

41
42 Combustible Rubbish means miscellaneous burnable materials.

43
44 Commissioner means the Commissioner of the District of Columbia or his
45 designated agent.

46
47 Composting means a controlled microbial degradation of organic waste
48 yielding a nuisance free product of potential value as a soil conditioner.

49
50 Construction and Demolition Wastes means the waste building materials and
51 rubble resulting from construction, remodeling, repair, and demolition operation on
52 houses, commercial buildings, pavements, and other structures.

53
54 Disposal Area means any site, location, tract of land, area, building,
55 structure or premises used or intended to be used for partial or total solid waste
56 disposal.

57
58
59
60

1 District means the District of Columbia.

2
3 Domestic Refuse means all those types of refuse which normally originate
4 in a residential household or apartment house.

5
6 Food Waste (Garbage) means animal and vegetable waste resulting from the
7 storage, handling, preparation, cooking or serving of foods.

8
9 Food Waste (Garbage) Grinder means a device for pulverizing food waste
10 (garbage) for discharge into the sanitary sewerage system.

11
12 Hazardous Wastes means those wastes that can cause serious injury or
13 disease during the normal storage, collection and disposal process, including but
14 not limited to explosives, pathological and infectious wastes, radioactive materials,
15 and dangerous chemicals.

16
17 Incinerator means any equipment, device or contrivance and all appurtenances
18 thereof used for the destruction by burning of solid, semi-solid, liquid, or gaseous
19 combustible wastes.

20
21 Incinerator residue means solid materials remaining after reduction in an
22 incinerator.

23
24 Industrial Waste means solid wastes which result from industrial processes
25 and manufacturing operations such as factories, processing plants, repair and
26 cleaning establishments, refineries and rendering plants.

27
28 Junk means a collection of sorted salvageable materials.

29
30 Non-Combustible Refuse means miscellaneous refuse materials that are un-
31 burnable at ordinary incinerator temperatures of at least 1300 °F.

32
33 Open Dump means an area on which there is an accumulation of solid waste
34 from one or more sources without proper cover materials.

35
36 Person means any individual, firm, partnership, company, corporation,
37 trustee, association, or any other private or public entity.

38
39 Premises means a building, together with any fences, walls, sheds, garages,
40 or other accessory buildings appurtenant to such building, and the area of land
41 surrounding the building and actually or by legal construction forming one enclosure
42 in which such building is located.

43
44 Putrescible Wastes means wastes that are capable of being decomposed by
45 microorganisms with sufficient rapidity as to cause nuisances from odors, gases,
46 and similar objectionable conditions. Kitchen wastes, offal, and dead animals
47 are examples of putrescible components of solid waste.

48
49 Refuse see Solid Waste

50
51 Residue means the solid materials remaining after burning, comprising ash,
52 metal, glass, ceramics, and unburned organic substances.

53
54 Rubbish means nonputrescible solid wastes, including ashes, consisting of
55 both combustible and non-combustible wastes, such as paper, cardboard, tin cans,
56 yard rubbish, wood, glass, bedding, crockery, or litter of any kind.

57
58 Solid Waste Refuse means putrescible and nonputrescible solid wastes,
59 except body wastes, and including abandoned vehicles, food waste (garbage), rubbish,
60 ashes, incinerator residue, street cleanings, tree debris, and solid market and

1 industrial wastes.

2
3 Solid Waste Storage means the temporary on-site storage of solid waste.

4
5 Street Refuse means material picked up by manual or mechanical sweeping
6 of alleys, streets and sidewalks, litter from public litter receptacles, and dirt
7 removed from catch basins.

8
9 Waste means useless, unwanted, or discarded materials resulting from normal
10 community activities. Wastes include solids, liquids, and gases. Solid wastes
11 are classed as refuse.

12
13 Yard Rubbish means prunings, grass clippings, weeds, leaves, and general
14 yard and garden wastes.

15
16 8-3:603 STORAGE OF SOLID WASTES

17
18 (a) All solid wastes shall be stored and containerized for collection in such
19 manner as not to provide food, harborage or breeding places for insects or rodents,
20 or create a nuisance or fire hazard.

21
22 (b) No person shall deposit, throw or place, or cause to be deposited, thrown
23 or placed any solid waste in any alley, street, catch basin or other public space, or
24 into the Potomac River or other waters in the District, or onto any premises under
25 the control of others.

26
27 (c) Containers used for the storage and collection of solid wastes shall be
28 of approved design and materials.

29
30 (d) No single filled container or bundle to be collected by the District from
31 a place or residence and to be handled manually shall exceed sixty pounds in
32 weight. Containers used by residences shall not exceed 32 gallons in volume each.
33 Bundles shall be tied and shall not exceed four feet in length.

34
35 (e) Where containers are used for the storage of rubbish, or a combination of
36 rubbish and food waste (garbage), a sufficient number shall be provided to store
37 such solid wastes which may accumulate on the premises during the usual interval
38 between collections.

39
40 (f) Containers shall be kept clean and in good repairs.

41
42 (g) Ashes shall be stored in metal containers. When stored in the open such
43 containers shall be covered.

44
45 (h) Unless food waste (garbage) is disposed of by grinding and flushing to
46 the sanitary sewerage system or is collected by licensed collectors for animal
47 feeding, it shall be drained, wrapped and stored for collection with rubbish.

48
49 (i) Solid wastes for collection by the District, excluding bulky wastes handled
50 by special collection, shall be placed at the point of collection adjacent to public
51 space on the days of collection not later than 6:00 A.M.; except that, in cases where
52 premises are not abutted by an alley and have no front yard, receptacles may be placed
53 on public space on the days of collection.

54
55 (j) Hazardous liquid wastes shall not be included with solid wastes.

56
57 8-3:604 COLLECTION AND TRANSPORTATION

58
59 (a) Every premises or part thereof where solid wastes are generated and where
60

1 such wastes are not collected by the District shall be served by a licensed collector.

2
3 (b) Solid wastes shall be collected at least twice per week unless fewer
4 collections are approved by the Commissioner.

5
6 (c) Collectors shall not permit spillage from solid waste containers or
7 collection vehicles or otherwise contribute debris at the point or area of collection.

8
9 (d) Containers used for carryout collection service shall be of approved
10 design and materials: Provided, that this subsection shall become effective two
11 years after the promulgation of these regulations.

12
13 (e) Collection vehicles shall be operated in such manner that they do not
14 create a nuisance, nor shall they be parked in front of any premises other than
15 that occupied by the owner of such vehicle for more than thirty minutes beyond
16 the time they are actually servicing such premises.

17
18 (f) Collection vehicles shall be properly maintained and kept clean.

19
20 (g) All collection vehicles with a capacity of over one ton shall have a hoist
21 dumping mechanism within one year from the date of enactment of these regulations.

22
23 8-3:605 SPECIAL COLLECTIONS

24
25 (a) Leaves shall be collected by the District on announced schedules during
26 the period of September through December. Occupants of premises where leaves
27 accumulate may, in lieu of placing leaves in approved containers, place their
28 leaves in neat piles at the front curb prior to the announced dates of collection.
29 Leaves shall not be permitted to obstruct any thoroughfare, sidewalk, drain or gutter.

30
31 (b) Persons occupying premises where solid waste collection service is
32 provided by the District shall notify the Department of Sanitary Engineering when
33 they desire collection of bulky wastes. The safety precautions of Article 39 of
34 the Police Regulations apply to all discarded refrigerators, iceboxes, freezer boxes,
35 and other boxes or containers having a capacity of one and one-half cubic feet or
36 more.

37
38 (c) All dead animals, and gross quantities of decayed fish, meat or vegetable
39 products shall be collected in covered vehicles specifically approved for this purpose.
40 It shall be unlawful for any person to interfere in any manner with the collection
41 and disposal of such materials by the District or a licensed collector.

42
43 8-3:606 LICENSING

44
45 (a) Other than the District, no person shall by himself or otherwise use any
46 vehicle for the collection or transportation of solid wastes in or through the District
47 either for himself or for others without first having obtained a collector's license
48 so to do and a collection vehicle license for each vehicle so used.

49
50 (b) Applications for solid waste collector's and collection vehicle licenses
51 shall be submitted on approved forms to the Commissioner. These applications
52 shall include the name of the person to be licensed and if this be other than an
53 individual, the name and title of the applicant, the address and telephone of the
54 location to which the license will apply, and the following information concerning
55 each vehicle to be licensed: type, make, year of manufacture, tare weight in
56 pounds, capacity in cubic yards, jurisdiction of registration and motor vehicle
57 license number.

58
59 (c) Each vehicle to be licensed shall have the name and telephone number
60 of the licensee, and the vehicle tare weight printed legibly in letters and figures

REGULATION 71-216 of 9

1 at least four inches in height on each side of the vehicle.

2
3 (d) No collection vehicle license shall be granted until the vehicle has been
4 inspected by the Commissioner and found to comply with the following requirements:

- 5
6 1. Collection vehicles shall be sufficiently tight to prevent
7 unnecessary leakage of any drainage from the vehicle.
8
9 2. Where open body vehicles are to be used for the transportation
10 of solid wastes, provision shall be made to prevent the loss
11 of wastes by wind or spillage.

12 (e) The fees for solid waste collector's and collection vehicle licenses shall
13 be submitted with the applications to the Commissioner. Licenses shall date from
14 the first day of November of each year and expire on the thirty-first day of the
15 following October, but may be otherwise pro-rated as permitted in Title 47 Section
16 2305, D. C. Code, 1967 Edition. Each business and each vehicle shall be separate-
17 ly licensed. Fees shall be determined by the Commissioner. Each licensee shall
18 pay no less than \$5.00 per ton for solid waste disposal provided at any District
19 owned operated or contracted facility.
20

21 (f) The Commissioner shall provide two metal tags with each collection
22 vehicle license issued indicating the collection vehicle license number. Such
23 tags shall be affixed to each side of the body of the respective collection vehicle
24 in such manner as to be clearly visible at all times.
25

26 (g) During the period of the validity of each such license, the licensee
27 shall notify the Commissioner of any change in the information shown on his
28 application within ten days of such change.
29

30 (h) Each licensee shall provide off street parking or storage for each
31 collection vehicle and suitable facilities for cleansing the same.
32

33 8-3:607 SOLID WASTE REDUCTION AND DISPOSAL
34

35 (a) Open burning is prohibited by the Air Quality Control and Fuel Burning
36 Equipment Regulations.
37

38 (b) Construction and operation of incinerators shall comply with the applicable
39 provisions of the Air Quality Control and Fuel Burning Equipment Regulations.
40

41 (c) Plans for incinerators, on-site disposal or reduction systems, such as
42 compactors, balers, shredders, grinders and similar installations shall be sub-
43 mitted to the Commissioner for approval prior to installation.
44

45 (d) All incinerators installed or which commence operation after the promul-
46 gation of these regulations shall be equipped with gas cleaning devices if necessary
47 to meet the following emission standards.
48

- 49
50 1. Incinerators with a rated refuse burning capacity of 200 or more
51 pounds per hour, shall not emit more than 0.01 grain of particulate
52 matter per standard dry cubic foot of exhaust gas corrected to 12
53 percent carbon dioxide, without the contribution of auxiliary fuel.
54
55 2. All other incinerators shall not emit more than 0.03 grain of particulate
56 matter per standard dry cubic foot of exhaust gas corrected to 12 per
57 cent carbon dioxide, without the contribution of auxiliary fuel.
58

59 (e) Each food establishment served by a sanitary sewer and conducting
60 activities any of which generate food wastes (garbage) shall have and use one

REGULATION 71-21
-----7 of 9

1 or more food waste (garbage) grinders which are conveniently located to each such
2 activity and which are adequate in capacity to dispose of all readily grindable
3 food wastes (garbage) produced: Provided, that existing food establishments
4 shall not be required to have food waste (garbage) grinders until two years after
5 the date of the promulgation of these regulations. Each kitchen sink that is newly
6 installed in any dwelling unit, or which is replaced or substantially repaired such
7 that a plumbing permit is required, six months or more after these regulations are
8 promulgated, shall be provided with a food waste (garbage) grinder. Food waste
9 grinders shall be maintained in good repair and operating condition.

10 (f) The operation of an open dump for the disposal of solid wastes is prohibited.

11
12 (g) Disposal within the District may only be at approved facilities. The
13 Commissioner may require any licensee desiring to use a District owned, operated
14 or contracted facility to use a facility of the Commissioner's designation.

15
16 (h) Any method for the disposal of solid wastes by the establishment of a
17 disposal area shall be approved and a permit shall be obtained from the Commissioner
18 before such activity is undertaken: Provided, that the controlled compositing of
19 leaves is not subject to this requirement.

20
21 (i) The transportation and disposition of hazardous wastes shall be in accord
22 with methods approved by the Commissioner or his agent.

23
24 (j) Solid wastes shall not be collected or hauled to any central location for
25 the purpose of scavenging without prior approval of the work site and method of
26 operation by the Commissioner.

27
28
29 8-3:608 DISPOSAL OF SOLID WASTES AT THE DISTRICT'S INCINERATORS

30
31 (a) Solid wastes to be acceptable for disposal at the District's incinerators
32 shall conform with the following requirements:

- 33
34 1. Shall be readily combustible.
35 2. Shall not contain hazardous wastes except as approved.
36 3. Shall not contain heavy timbers, logs, stumps or large
37 quantities of ashes, dirt or rubble.
38 4. Shall not contain large quantities of rubbish with a high
39 moisture content.
40 5. Bulky combustible materials shall not exceed four feet in
41 length or two feet by two feet in cross-section.

42
43 (a) Brush and tree debris shall not exceed four feet in
44 length or four inches in diameter.

45
46 (b) Timbers may not exceed four feet in length, or four
47 inches by four inches or two inches by twelve inches
48 in cross-section.

49
50 8-3:609 SUSPENSION OF PRIVATE COLLECTIONS' ACCESS TO DISTRICT DISPOSAL
51 FACILITIES

52
53 (a) Solid wastes generated outside the District shall not be delivered to any
54 of the disposal facilities operated by the District unless prior arrangements for
55 acceptance have been made with the Commissioner.

56
57 (b) Should any licensee or his agent violate this section, any or all vehicles
58 operated by said licensee may be denied access to any or all District disposal
59 facilities for a period not to exceed thirty days for each such violation. Prior to
60 such denial of access the licensee may request and shall be afforded an administrative

REGULATION 71-21

8 of 9

1 hearing by the Director of the Department of Sanitary Engineering or his duly
 2 authorized agent on the proposed denial. Nothing in this subsection shall prevent
 3 a licensee from being prosecuted for violation of the regulations in this Part.

8-3:610 INSPECTION

4
 5
 6 (a) The Commissioner is authorized to make such inspections of solid waste
 7 storage, containers, collection systems, collection vehicles, collection vehicle
 8 storage and cleansing facilities, disposal and reduction facilities, and disposal
 9 sites as may be necessary to determine that the intent and purpose of these
 10 regulations are being met.
 11

12 (b) Every premises or part of a premises served by a licensed collector shall
 13 maintain evidence including the name and address of the licensee providing such
 14 services, which evidence shall be available all reasonable hours for inspection by
 15 the Commissioner. Identification of all containers serviced by a licensee with his
 16 name and telephone number shall be deemed adequate compliance with this section.
 17

8-3:611 REVOCATION, SUSPENSION, OR DENIAL, OF SOLID WASTE COLLECTOR'S
OR COLLECTION VEHICLE LICENSES

18
 19 (a) Failure to permit the inspections required by these regulations shall be
 20 grounds for denial of an application for a solid waste collector's license.
 21

22 (b) Continued or repeated failure to comply with any of the provisions of
 23 this regulation shall be grounds for suspension or revocation of a solid waste
 24 collector's license. Provided, that the licensee shall be given an opportunity to
 25 answer and be heard by the Commissioner upon charges against him.
 26
 27
 28

8-3:612 PENALTY

29
 30 Any person who fails to comply with any provision of the Part shall be punished
 31 by a fine not to exceed \$300 or imprisonment not to exceed ten days, or both. In
 32 the event of any violation of, or failure to comply with this Part, each and every day
 33 of such violation shall constitute a separate offense and the penalties described
 34 herein shall be applicable to each such separate offense.
 35
 36

8-3:613 INDEPENDENCE OF SECTIONS

37
 38 Each section and every part of each section of this Part is hereby declared
 39 independent of every other section or part thereof, and the finding or holding of any
 40 section or part thereof to be void or ineffective for cause shall not be deemed to
 41 affect any other section or part thereof.
 42
 43

8-3:614 VARIANCES

44
 45 (a) Any person engaged in solid waste storage, collection, or disposal activities
 46 at the time of the promulgation of this Part shall be excused by the Commissioner from
 47 the performance of any act required by the provisions of this Part, either in whole or
 48 in part, upon a finding by the Commissioner that the full performance of such act
 49 would result in exceptional or undue hardship by reason of excessive structural or
 50 mechanical difficulty, or impracticability of bringing such activities into full compliance
 51 with the requirements of this Part: Provided, that a variance shall be allowed only
 52 where and to the extent necessary to ameliorate such exceptional or undue hardship,
 53 and only when compensating factors are present which give adequate protection to
 54 the public health and public welfare, and only where and to the extent such variance
 55 can be granted without impairing the intent and purpose of this Part: Provided, Further,
 56 that a record, open to inspection by the public, shall be maintained, in the appropri-
 57 ate department, of each and every variance allowed under the terms of this section.
 58
 59
 60

REGULATION 71-21

(b) No variance shall be granted by the Commissioner under this regulation for the operation of the facility known as Incinerator #5, or for any other District owned or operated or contracted facility.

(c) All variance requests shall be published in the District of Columbia Register for 30 days before the Commissioner shall consider the request on its merits. Said publication shall be the expense of the requesting party. The publication shall contain a brief statement describing the variance sought and the reason the variance is necessary. Opportunity for public comment within 30 days of publication shall be granted. The Commissioner shall maintain a public record of all variances granted and such record shall state the bases upon which the variances were granted. No variance shall be granted for reasons other than those stated in the record.

5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60

21
GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Commissioner's Order No. 71-329August 27, 1971

SUBJECT: Delegation of Authority Regarding Solid Wastes

ORIGINATING DEPARTMENT: Office of Planning and Management

By virtue of the authority vested in me by Reorganization Plan No. 3 of 1967, it is hereby ordered that:

The Directors of the following agencies are authorized to perform the functions relating to the storage, collection, transportation, and disposal of solid wastes assigned to the Commissioner by D.C. Council Regulation No. 71-21 of June 29, 1971, effective August 28, 1971, amending Title 8, Chapter 3, part 6 of the District of Columbia Health Regulations (incorporated by reference into Title 6A of the Rules and Regulations of the District of Columbia), as follows:

1. The Department of Economic Development:

A. The Director of the Department of Economic Development, or his designee, is authorized to issue licenses required by Section 8-3:606 or to deny, suspend, or revoke such licenses as authorized in Section 8-3:611. Such licenses shall be issued upon certification by the Director of the Department of Environmental Services that collection vehicles to be licensed have met the requirements set forth in Section 8-3:606; that the inspections required by Section 8-3:610 have been made; and that equipment and facilities so inspected have been approved. Licenses may be suspended or revoked only upon certification by the Director of the Department of Environmental Services of continued or repeated failure to comply with any of the provisions of Title 8, Chapter 3, part 6 of the District of Columbia Health Regulations.

B. The Director of the Department of Economic Development shall establish the fees authorized by Section 8-3:606 and shall collect same.

C. The Director of the Department of Economic Development shall administer the provisions of Section 8-3:607 that relate to the installation and maintenance of food waste grinders in dwelling units.

2. The Department of Environmental Services:

The Director of the Department of Environmental Services, or his designee, shall perform all functions required of the Commissioner in Regulation No. 71-21 except those functions specified in paragraph 1 above.

This Order shall take effect immediately.


WALTER E. WASHINGTON
Commissioner of the District of Columbia



Regulation No. 71-22

July 9, 1971
Enactment Date

Regulation

of the

District of Columbia

TITLE AMENDMENT TO ARTICLE 6 OF THE POLICE REGULATIONS RELATED TO CARNIVALS AND FAIRS

Councilman Stanley I. Anderson Presents the following regulation:

1 WHEREAS, pursuant to paragraphs (1) and (4), Section 402, Reorganization
 2 Plan No. 3 of 1967, the District of Columbia Council is empowered to make and
 3 modify Police Regulations; and
 4
 5 WHEREAS, the District of Columbia Department of Recreation has developed
 6 an innovative series of special events in which mechanical rides are used at various
 7 locations throughout the District; and
 8
 9 WHEREAS, Section 4 of Article 6 of the Police Regulations requires a detailed
 10 licensing procedure for amusement activities which, if imposed on the Department of
 11 Recreation, would result in a prohibitive expenditure of time and funds, jeopardizing
 12 the continuation of this special events series; and
 13
 14 WHEREAS, by expanding subsection (f) of Section 4 of Article 6 of the Police
 15 Regulations to exempt the Department of Recreation from the provisions of the section,
 16 and establishing a simplified system to insure the safety of the mechanical rides, the
 17 Department would be able to proceed more easily with its series of special events
 18 and fairs;
 19
 20 NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council
 21 that:
 22
 23 Section 1. Subsection (f) of Section 4, Article 6 of the Police Regulations
 24 of the District of Columbia is amended to read as follows:

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					Willard	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 15, 1971
 Adopted on second and final reading June 29, 1971
 Presented to the Mayor-Commissioner June 30, 1971 Date
 Approved [Signature] 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

David H. Pelowitz
Secretary of the City Council
JUL 9 1971

I hereby certify that this regulation is true and adopted (or readopted) as stated therein.
David H. Pelowitz
Secretary of the City Council

REGULATION 71-22

2 of 2

1 (f) The provisions of this Section shall not be applicable to the
2 following activities except to the extent outlined herein:
3

4 (1) Mechanical amusement devices (such as, but not limi-
5 ted to, merry-go-rounds and ferris wheels) used by or
6 in conjunction with, and conducted on property under
7 the jurisdiction of, or made available to, the District
8 of Columbia Department of Recreation; provided, that:
9

10 a. the Department of Recreation requires that the own-
11 er, operator, or contracting party for such amusement
12 devices has in effect a liability insurance policy having
13 a minimum coverage of \$100,000 for bodily injury to one
14 person and \$300,000 for bodily injury arising out of one
15 occurrence; and
16

17 b. the Department of Recreation shall secure from the
18 Commissioner or his agent a certificate that said de-
19 vices have been inspected to insure that amusement de-
20 vices are equipped with safety clutches; cars or recep-
21 tacles which persons are permitted to occupy shall have
22 hand rails or sufficient number and height, or other ap-
23 proved appliances or safeguards, to prevent persons from
24 being thrown therefrom or coming in contact with struc-
25 tural members; and
26

27 c. the Department of Recreation obtains from the Dis-
28 trict of Columbia Fire Marshal a certificate reflecting
29 that said devices and/or equipment do not present a fire
30 hazard; and
31

32 d. the inspections required under subsections b. and
33 c. are accomplished at least once each year and period-
34 ically spot-checked at the discretion of the Department
35 of Recreation, except that equipment or devices taken
36 out of operation for a period of 30 days shall be inspec-
37 ted before being put back into operation; and
38

39 e. the Department of Recreation shall assure that the
40 Department of Health reviews the activities to prevent
41 any unsanitary condition.
42

43 (2) Persons holding lawn parties on private premises, for
44 which no admission fee is charged and where the music
45 is produced only by unamplified stringed instruments."
46

47 Section 2. This regulation shall be effective immediately upon enactment.
48
49
50
51
52
53
54
55
56
57
58
59
60

Regulation No. 71-23



July 9, 1971
Enactment Date

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 commencing with the last Monday in April and
20 ending with the following Saturday of each year, every person owning or keeping or
21 having custody of a dog of the age of three months or over in the District of Columbia
22 shall have such dog vaccinated against rabies by a licensed veterinarian with anti-
23 rabies vaccine of a type and strength approved by the Director of Public Health,
24 except that if any dog within the District during the vaccination period prescribed
above has been vaccinated against rabies within twelve months immediately preceding

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					Willard	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 15, 1971
Adopted on second and final reading June 29, 1971

Presented to the Mayor-Commissioner June 30, 1971
Date

Approved [Signature] 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.
[Signature] Secretary of the City Council

REGULATION 71-23

2 of 3

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

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

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

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

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

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

27
28 3. Veterinarians shall, upon vaccinating a dog against rabies, furnish to the
29 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 District
32 of Columbia shall affix and keep affixed to the collar or harness of such dog the
33 vaccination tag provided for in this regulation;

34
35 (b) No person owning, keeping, or having custody of a dog in the District
36 shall affix or permit to be affixed to the collar or harness of such dog any tag other
37 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 District
40 shall affix or permit to be affixed to the collar or harness of such dog a vaccination
41 tag unless such vaccination tag was issued for such dog;

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

46
47 5. The owner, keeper, or person having custody of any dog within the District
48 which reached the age of two months after the annual effective date of this regulation
49 shall have such dog vaccinated against rabies within one month of the date upon
50 which such dog reaches the age of three months. Such dog may be vaccinated either
51 at the 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
53 herein and at one of the clinics listed herein.

54
55 6. The owner, keeper, or person having custody of any dog brought into the
56 District shall have such dog vaccinated against rabies within fifteen days after its
57 arrival herein: Provided, that if any such dog has been so vaccinated subsequent to
58 the period referred to in Section 1, and the owner, keeper, or person having custody
59 of such dog has a valid certificate from the veterinarian who performed the vaccination
60 and a vaccination tag for such dog, such dog need not be vaccinated

REGULATION 71-23

again until twelve months after the date of the last vaccination.

Section 2. The Director of Public Health or successor to such office may additionally require the following control measures when deemed necessary to control the spread of rabies in the District; muzzling, leashing, and or confinement or quarantine.

Section 3. This regulation shall become effective upon enactment.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60



Regulation No. 71-24

July 9, 1971
Enactment Date

Regulation

of the

District of Columbia

TITLE REGULATION TO DISREGARD AS A RESOURCE CERTAIN INCOME OF APPLICANTS FOR RECIPIENTS OF PUBLIC ASSISTANCE

DR. HENRY S. ROBINSON, JR. Presents the following regulation:

1 WHEREAS, Title I, sec. 2(a)(10)(A), Title IV-A, sec. 402(a)(8), Title X,
2 sec. 1002(a)(8) and Title XIV, sec 1402(a)(8) of the Social Security Act provide
3 for disregarding as a resource certain income received by applicants for or re-
4 cipients of public assistance, and various laws regarding housing and urban
5 development have provisions for payments to recipients of public assistance which
6 must not be considered a resource and have been interpreted as amendments to
7 the Social Security Act, and the Department of Health, Education, and Welfare
8 Program Regulation 20-7, as amended, provides for those instances where certain
9 income must be disregarded in establishing need for assistance;

10 WHEREAS, Public Law 91-669 extends thru December 1971, the requirement
11 that recipients of public assistance under Titles I, X, and XIV of the Social
12 Security Act who are also receiving OASDI or Railroad Retirement Benefits will
13 receive \$4.00 more in income than they would have received in March 1970;

14 WHEREAS, pursuant to paragraphs 83 and 84 of Section 402 of Reorgani-
15 zation Plan No. 3 of 1967, the District of Columbia Council is authorized to
16 establish rules and regulations to carry out the provisions of the District of
17 Columbia Public Assistance Act of 1962, and to approve regulations defining the
18 assistance which any person shall receive.

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

20 Section 1. For the purpose of this regulation, the following definitions
21 will be used:

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					Willard	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 15, 1971

Adopted on second and final reading June 29, 1971

Presented to the Mayor-Commissioner June 30, 1971

Approved [Signature] Mayor-Commissioner Date

[Signature]
Secretary of the City Council
JUL 9 1971
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

REGULATION 71-24

-2- of 5-

- 1 A. Income - The money periodically received by an individual for labor or
2 services currently rendered, or from property, trusts, operations or
3 statutory benefits.
4
- 5 B. Earned income - Income in cash or in kind produced as a result of the
6 performance of services currently rendered by an individual.
7
- 8 C. Gross income - Total earned income before any deductions required by law.
9
- 10 D. Mandatory deductions - Those deductions required by law or as a condition
11 of employment.
12
- 13 E. Family - The total applicant or assistance unit.
14
- 15 F. For the purpose of Section 6 of this regulation
16
- 17 1. Net family income means
18
- 19 (a) Gross earned income of the total applicant group less any
20 expenses reasonably attributable to employment (mandatory
21 deductions, child care, transportation, personal upkeep, etc.)
22 plus
23
- 24 (b) All other income of the total applicant group.
25
- 26 2. Need means total basic requirements plus any special needs (other
27 than expenses reasonably attributable to employment which are
28 allowed in accordance with the Standards for Requirements (100%
29 table if a percentage reduction is in effect.)
30

31 Section 2. In determining the need of an Old Age Assistance (OAA) or an
32 Aid to the Permanently and Totally Disabled (APTD) applicant or recipient and the
33 need of his dependents:
34

- 35 A. Disregard the first \$7.50 each month of income from any source, then
36
- 37 B. When the applicant or recipient has income from earnings, in addition
38 to the above, each month from the first \$80 earned, disregard the first
39 \$20 and one-half of the next \$60 of gross earnings. Then subtract the
40 mandatory deductions to determine how much is to be considered an
41 available resource.
42
- 43 C. When the income is from OASDI or Railroad Retirement Benefits, disregard
44 an additional \$4.00 each month.
45

46 Section 3. In determining the need of an Aid to the Blind (AB) applicant or
47 recipient and his dependents:
48

- 49 A. Disregard the first \$7.50 each month of income from any source, then
50
- 51 B. Disregard the first \$85 and one-half of the excess above \$85 of gross
52 monthly income earned by the recipient. Then subtract the mandatory
53 deductions to determine how much is to be considered an available resource.
54
- 55 C. When the income is from OASDI or Railroad Retirement Benefits, disregard
56 an additional \$4.00 each month.
57

58 Section 4. In determining the need of a General Public Assistance applicant
59 or recipient, disregard no more than \$7.50 of income from any source.
60

1 Section 5. When an AB or APTD recipient has a plan for becoming self-
2 supporting, his income from any source shall be disregarded as a resource to meet
3 his current requirements or the requirements of any other individual, for a period up
4 to thirty-six months, if necessary for the success of the plan provided the following
5 criteria are met:

6 A. The plan is sound, i. e., it offers a means of livelihood for which there is a
7 demand in the labor market, can be carried out within twelve or at the maximum of
8 thirty-six months, is approved as feasible by the Department of Human Resources,
9 Social Services Administration, and by the service agency, such as Vocational
10 Rehabilitation Administration, helping the recipient develop the plan; and

11 B. The use of the income is necessary to the achievement of the plan; and

12 C. An agreement to use the income for the purpose of the plan is signed by the
13 recipient and a representative of the administration.

14 D. If the plan is abandoned at any time before the recipient becomes self-
15 supporting, any income saved toward achieving the plan becomes an immediate
16 available resource to meet the needs of the assistance unit to the extent that it
17 would have been a resource on a monthly basis.

18 Section 6. When the net family income of persons applying for Aid to Families
19 with Dependent Children (AFDC) is sufficient to meet their needs according to the
20 Standard for Requirements (100% table if a percentage reduction is in effect) before
21 any income is disregarded, the family is not eligible for assistance unless their
22 needs were met in whole or in part by an AFDC payment in any one of the four months
23 preceding the date of the application.

24 If the net family income is less than their total needs according to the 100%
25 table, the income disregards as listed in Section 7 are applied.

26 If the family received AFDC in any one of the four months preceding the application,
27 income shall be disregarded in accordance with the provisions of section 7 below.

28 Section 7. In determining the need of families who are receiving AFDC:

29 A. Disregard all of the monthly earned income of a child who is a full-time
30 student, or is a part-time student provided he is not employed full time.

31 A part-time student must have a school schedule that is equal to at least one-
32 half of a full-time curriculum.

33 B. No inquiry will be made of the amount of income earned by a child under the
34 age of 14 years.

35 C. Disregard the first \$5.00 of income from any source of each child or relative
36 included in the assistance unit.

37 D. Next disregard the first \$30 and one-third of the remainder of the total gross
38 monthly income earned by the family, then subtract the amount of mandatory deductions.
39 The remainder is net income to be considered a resource in determining need of the
40 assistance unit. Total earned family income means income earned by the parent(s) or
41 relative whose requirements are included in the assistance payment and of children
42 receiving AFDC not included in items A and B above. EXCEPTION: Income earned by
43 any person specified in this paragraph (sec. 7-D) shall not be disregarded for any
44 month in which the Department determines that, within 30 days preceding such month,
45 any such person or persons, without good cause, terminated his employment,
46 reduced his earned income, or refused a bona fide offer of employment.

1 Section 8. For all categories of assistance disregard the value of the coupon
2 allotment under the Food Stamp Act in excess of the amount paid for the coupons.

3
4 Section 9. The income from any source of a child under 21, living in an AFDC
5 household, who has graduated from junior school may be conserved for his future
6 education or special training under the following conditions:

7
8 A. The plan for future education or special training has been carefully
9 thought out and has a reasonable chance of being achieved;

10
11 B. An agreement to conserve the child's income for specified future education
12 or training plans is signed by the parent or relative, and a representative of the
13 Administration.

14
15 C. The income is deposited into a savings or trust account, of which the
16 deposit and accrued balance can be verified by the Administration at any time;

17
18 D. If the child's requirements are included in the assistance payment, any
19 income not conserved or that cannot be disregarded must be considered a resource
20 to the assistance unit.

21
22 E. In all cases, the amount conserved monthly should be consistent with
23 the anticipated cost of the kind of training that the child is interested in and the
24 date by which he plans to begin training.

25
26 F. If the plan is abandoned at any time while the family is receiving
27 assistance, the amount in the savings account becomes an immediate available
28 resource to meet the needs of the assistance unit to the extent it would otherwise
29 have been considered as a resource on a monthly basis.

30
31 Section 10. For all categories of assistance except General Public Assistance,
32 the following income will be disregarded:

33
34 A. Any highway relocation assistance paid under the Federal-Aid Highway
35 Act of 1968;

36
37 B. Any additional relocation assistance paid under sec. 114 (c) (2) of the
38 Housing Act of 1949 as amended;

39
40 C. Any grant or loan to any undergraduate student for educational purposes
41 made or insured under any program administered by the Commissioner of
42 Education.

43
44 D. Any "out-of-pocket" expenses reimbursed to recipients serving as
45 volunteers in any organized program shall not be considered as available
46 income in determining the needs of the recipient or the assistance unit.

47
48 "Out-of-pocket" expenses may include carfare, cost of lunch, cost of
49 baby sitting and or/day care.

50
51 E. Financial aid given on a continuing basis by another agency shall not be
52 considered as income in determining the amount of the public assistance
53 payment when the following conditions are met:

54
55 1. The aid is to meet the cost of goods and services that are not
56 included in the SSA Standard for Requirements; or

57
58 2. The aid is to compensate for any SSA administrative payment reduction,
59 and
60

3. The aid is given by an agency or organization which has a different purpose from that of the Social Services Administration, such as vocational rehabilitation or training.

4. The agency has signed a complementary program relationship with the Administration.

Section 11. The Director, Department of Human Resources, through the Director, Social Services Administration, shall establish those procedures necessary to implement this regulation.

Section 12. Orders of the Commissioner No. 63-1348, 64-1654, 65-315, 68-422a, 68-552, 69-26, 69-565, and 70-112 are hereby rescinded.

Section 13. This regulation shall be effective upon enactment.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60



Regulation No. 71-25

July 9, 1971
Enactment Date

Regulation of the District of Columbia

TITLE PROHIBITION OF LEFT HAND TURNS INTO PARKING LOTS AND GARAGES

Reverend Jerry A. Moore, Jr. _____ Presents the following regulation:

1 WHEREAS, the District of Columbia Council finds that left hand turns on two-
2 way streets into and out of parking lots and garages in the Downtown area of
3 Washington, unnecessarily and unduly impede the circulation of traffic; and
4

5 WHEREAS, Reorganization Plan No. 3 of 1967, transferred to the Council the
6 function of making rules and regulations for control of traffic.
7

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

10 Section 1. Left hand turns are hereby prohibited at the times hereinafter
11 designated into and out of parking lots and garages located on two-way streets
12 within the area hereinafter described, including the streets forming the boundaries
13 of such area:
14

15 That area bounded on the east by 6th Street, N.W.,
16 on the south by Pennsylvania Avenue, N.W., on the
17 west by New Hampshire Avenue, N.W., and on the
18 north by M Street, N.W., from the point at which it
19 intersects New Hampshire Avenue, N.W., to Thomas
20 Circle, and then by Massachusetts Avenue, N.W., to
21 the point at which it intersects 6th Street, N.W.
22

23 The times during which left hand turns are prohibited are Mondays through
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					Willard	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 15, 1971

Adopted on second and final reading June 29, 1971

Presented to the Mayor-Commissioner June 30, 1971
Date

Approved _____
Mayor-Commissioner
Secretary of the City Council David H. Roberts
JUL 9 1971
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.
Secretary of the City Council David H. Roberts

REGULATION 71-25

1 Fridays, inclusive, except on holidays, during the hours from 8:00 A.M. through
2 9:30 A.M., and from 4:00 P.M. through 6:00 P.M.

3
4 Section 2. Exemptions from the prohibition contained in Section 1 of this
5 regulation may be granted by the Commissioner or his designated agent upon appli-
6 cation on the basis of extreme hardship by an owner or operator of a garage or lot
7 affected by the prohibition.

8
9 Section 3. The Commissioner or his designated agent shall take those ad-
10 ministrative actions necessary to carry out this regulation.

11
12 Section 4. Notice of the prohibition contained in Section 1 of this regula-
13 tion shall be posted by the owner or operator of affected garages and lots in con-
14 spicuous locations near exits and shall be designed according to standards issued
15 by the Commissioner or his designated agent.

16
17 Section 5. Such portion of the authority delegated to the Commissioner
18 pursuant to Council Resolution 67-22 as is necessary to enact this regulation is
19 hereby terminated.

20
21 Section 6. This regulation shall take effect on September 13, 1971.

22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60

Regulation No. 71-26



July 30, 1971
Enactment Date

Regulation of the District of Columbia

TITLE DISTRICT OF COLUMBIA BICYCLE CODE
Reverend Jerry A. Moore, Jr.
and Mr. Stanley J. Anderson
----- Presents the following regulation:

1 WHEREAS, the District of Columbia City Council finds that bicycles provide
2 a healthful, non-polluting mode of transportation, recreation and fun; and
3

4 WHEREAS, the regular use of bicycles for commuting to and from work is a
5 means of reducing traffic congestion, exhaust emissions from motor vehicles,
6 and reducing the need for parking facilities on public or private space; and
7

8 WHEREAS, the District of Columbia Council wishes to make programs of
9 bicycle recreation, safety and responsibility available to all children; and
10

11 WHEREAS, the existing regulations of the District of Columbia governing
12 bicycles need revision so as to promote the use of bicycles and to ensure that
13 the bicycle riding public is allowed freely to use the streets and highways of the
14 District of Columbia in a safe manner; and
15

16 WHEREAS, Reorganization Plan Number 3 of 1967 transferred to the District
17 of Columbia Council the function of making rules and regulations for the
18 regulation of traffic and for the use of highways and public space in the District
19 of Columbia.
20

21 NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council that:
22

23 Section 1. Appendix I of this regulation is adopted as an amendment to Title
24 32, Department of Motor Vehicles Rules and Regulations of the District of Columbia.

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					HAYWOOD	X					VEAZEY	X				
TUCKER	X					MOORE	X					WILLARD					X
ANDERSON				X		ROBINSON	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 29, 1971

Adopted on second and final reading July 20, 1971

Presented to the Mayor-Commissioner July 22, 1971
Date

David H. Schwartz
Secretary of the City Council

Approved *Pheto Washington*
Mayor-Commissioner

7/30/71
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.
Robert S. Moore
Acting Secretary of the City Council

REGULATION 71-26

1 Section 2. On the effective date of this regulation, Article 44 of the Police
2 Regulations of the District of Columbia, Inspection and Registration of Bicycles, is
3 repealed.

4
5 Section 3. On the effective date of this regulation, Sections 58 through 70 of
6 Article XI of Part I of the Highway and Traffic Regulations of the District of Columbia,
7 which are incorporated by reference into Title 32 of the District of Columbia Rules and
8 Regulations, are repealed.

9
10 Section 4. Such portions of the authority delegated to the Commissioner
11 pursuant to Council Resolution 67-22 as is necessary to enact this regulation is
12 hereby terminated.

13
14 Section 5. This regulation shall take effect 30 days after its enactment.
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60

1 APPENDIX I

2
3 Chapter XI - Regulations Governing Bicycles

4 -----
5 Part A - Definitions and General Regulations

6
7 Section 11.101 Definitions. As used herein, the following words will mean the following:

8
9 (a) "Alley" - Any public thoroughfare or passageway leading from or to a street or
10 other alley alongside or behind improved or unimproved property, unless designated as
11 a street on the District Highway Plan.

12
13 (b) "Bicycle" - A device propelled by human power, upon which one or more
14 individuals may ride, with a saddle seat for each individual which the device is designed
15 and equipped to carry and either having two wheels in tandem, either of which is twenty
16 or more inches in diameter, or which is designed to be ridden on a roadway.

17
18 (c) "Bicycle Registration Year" - A twelve-month period beginning and ending on
19 dates designated by the Commissioner.

20
21 (d) "Central Business District" - That area within the following boundaries
22 (including sidewalks) beginning at 23rd Street and Massachusetts Avenue, Northwest, then
23 east along Massachusetts Avenue to Second Street, Northeast, then south on Second
24 Street to D Street, Southeast, then west on D Street in a line crossing Virginia Avenue,
25 Southwest to 14th Street, Southwest, then north on 14th Street, Southwest to Constitution
26 Avenue, Northwest, then west on Constitution Avenue to 23rd Street, Northwest, then
27 north on 23rd Street, Northwest to Massachusetts Avenue, Northwest.

28
29 (e) "Commissioner" - The Commissioner of the District of Columbia, or his
30 designated agent.

31
32 (f) "Council" - The District of Columbia City Council.

33
34 (g) "District" - The District of Columbia.

35
36 (h) "Highway" - The entire width between the boundary lines of every publicly
37 maintained way, when any part thereof is open to the use of the public for purposes of
38 vehicular or pedestrian travel.

39
40 (i) "Operate" - To ride, walk with, park, stand, or be in possession of a bicycle
41 on public space within the District of Columbia.

42
43 (j) "Owner" - Any corporation, or other entity, or any natural person eighteen years
44 of age or older, who owns a bicycle. Any person who is a parent or guardian of a child
45 less than eighteen years of age who possesses a bicycle shall be the "owner".

46
47 (k) "Public Space" - All the publicly owned property in the District.

48
49 (l) "Mountable Rack" - Any device designed for the use of transporting one or
50 more bicycles by means of a motor vehicle.

51
52 (m) "Rack" - Any device designed for the temporary storage of one or more
53 bicycles.

54
55 (n) "Roadway" - That portion of a highway which is improved, designed, or
56 ordinarily used for vehicular travel. In the event a highway includes two or more
57 separate roadways, the term "roadway" as used herein shall refer to any such roadway
58 separately, but not to all such roadways collectively.

1 (o) "Serial Number" - A number stamped on a bicycle frame in accord with these
2 regulations, which is recorded for purposes of verifying bicycle ownership.

3
4 (p) "Sidewalk" - That portion of a street between the curb lines or the lateral
5 lines of a roadway, and the adjacent property lines intended for the use of pedestrians.

6
7 (q) "Sidewalk Bicycle" - A device which would be included within the definition
8 of "bicycle" as set forth in Section 11.101 (b), except, for the fact that such device
9 either has two or more wheels, all of which are less than twenty inches in diameter,
10 or is not designed to be ridden on a roadway.

11
12 (r) "Stanchion" - Any publicly-owned pole or post used as a support.

13
14 (s) "Registration Tag" - A numbered stamp or sticker issued for each bicycle
15 which shall identify that bicycle as having been registered for a current bicycle year.

16
17 Part B - Rules of the Road

18
19 Section 11.201 Right to the road; Operation of Bicycles

20
21 (a) Operators of bicycles have the same rights as operators of motor vehicles.

22
23 (b) Every person riding a bicycle on a highway shall be subject to all the duties
24 applicable to the drivers of vehicles under this Title, except as otherwise expressly
25 provided in this chapter, and except for those duties imposed by this Title which, by
26 their nature, can have no reasonable application to a bicycle operator.

27
28 (c) This chapter shall apply to all bicycles operated upon all public space in the
29 District of Columbia.

30
31 Section 11.202 Harrassment and Interference

32
33 (a) Reckless driving is forbidden by Title 40, Section 605 of the District of
34 Columbia Code (1967 edition).

35
36 (b) Section 113 of the Traffic and Motor Vehicle Regulations of the District of
37 Columbia is hereby incorporated into this Title, to the extent that it prohibits the
38 opening of vehicle doors in a manner that interferes with moving traffic or pedestrians.

39
40 Section 11.203 Riding on Bicycles

41
42 (a) No person operating a bicycle upon a highway shall unduly or unnecessarily
43 impede or obstruct traffic.

44
45 (b) No person shall operate or ride a bicycle other than upon or astride a regular
46 seat attached thereto.

47
48 (c) No person shall operate a bicycle, nor shall any person ride a bicycle, with
49 more persons on it, at any one time, than the bicycle is equipped to carry.

50
51 (d) No person shall operate or ride a bicycle while carrying any package, bundle,
52 or article which prevents the operator from keeping at least one hand upon the handle
53 bars.

54
55 (e) No person shall operate any bicycle or sidewalk bicycle in any but a safe and
56 non-hazardous manner so as not to endanger himself, or any other person.

57
58 (f) No persons shall ride bicycles abreast of each other unless to do so does not
59 endanger themselves.

1 (g) No person shall operate a bicycle at a speed in excess of any posted
2 limit or which is greater than is reasonable and prudent under the conditions
3 then existing.

4
5 (h) There shall be no prohibition against any person riding a bicycle upon a
6 sidewalk within the District, so long as the person so riding does not create a
7 hazard; provided, that no person shall ride a bicycle upon a sidewalk within the
8 Central Business District except on those sidewalks expressly designated by
9 order of the Commissioner, nor shall any person ride a bicycle upon a sidewalk in
10 any area outside of the Central Business District if it is expressly prohibited by
11 order of the Commissioner and appropriate signs to such effect are posted. Any
12 person riding a bicycle upon a sidewalk shall yield the right-of-way to pedestrians.

13
14 (i) The operator of a bicycle emerging from, or entering an alley, driveway, or
15 building, shall, upon approaching a sidewalk or the sidewalk area extending across
16 any alleyway, yield the right-of-way to all pedestrians approaching on said sidewalk
17 area, and upon entering the roadway shall yield the right-of-way to all vehicles
18 approaching on said roadway, to the extent necessary to safely enter the flow of
19 traffic.

20
21 Section 11.204 No Operator's Permit Required

22
23 (a) No operator's permit shall be required for the operation of a bicycle.

24
25 (b) No person shall be subject to the loss or suspension of his motor vehicle
26 operator's permit for violation of any regulation under this chapter, nor shall any
27 points accrue to the loss of or suspension of such permit by reason of a violation
28 committed while operating a bicycle or sidewalk bicycle.

29
30 Part C - Registration

31
32 Section 11.301 Voluntary Registration

33
34 (a) Each bicycle operated in the District of Columbia on public space shall be
35 of safe mechanical condition, and as provided in these regulations, may bear a
36 serial number, and a registration tag.

37
38 (b) Upon the expiration of a bicycle registration year a registration may be
39 renewed upon application.

40
41 Section 11.302 Duties of the Commissioner

42
43 (a) Any person wishing to register a bicycle shall file an application for
44 registration with the Commissioner.

45
46 (b) When the Commissioner is satisfied that a bicycle offered for registration is
47 capable of being operated safely in accord with Section 11.601 (c) of this chapter, he
48 shall:

- 49
50 1. Affix a serial number on the underside of the hanger of a
51 bicycle frame or otherwise record a description of the
52 bicycle if to affix a number would do injury to the hanger.
53
54 2. Affix a registration tag for the current bicycle year in a
55 position which renders the tag readily visible; and
56
57 3. Issue to the owner a registration card bearing the name
58 and address of the owner, the serial and tag numbers, and
59 a brief description of the bicycle, and such other information
60 as the Commissioner deems necessary.

1 Section 11.303 Duties of Owners

2
3 (a) No person who is not an owner or authorized agent of an owner shall
4 present a bicycle for registration; provided that a person under eighteen years
5 of age may register a bicycle even though it is technically "owned" by his
6 parent or guardian.

7
8 (b) No person shall, for the purpose of securing or attempting to secure
9 registration of a bicycle, provide or furnish false or misleading information
10 concerning such bicycle, or concerning the ownership of such bicycle.

11
12 (c) No person shall operate a registered bicycle who does not possess a
13 valid bicycle registration card for that bicycle, unless operation is done on a
14 rental basis, as provided in this chapter.

15
16 (d) No person shall transfer, remove, deface, or mutilate any valid serial
17 number or registration tag, or change or alter any bicycle registration card.

18
19 Part D - Sale and Rental

20
21 Section 11.401 Sale of Bicycles

22
23 (a) Every person engaged in the business of buying or selling bicycles shall,
24 under rules adopted by the Commissioner, inform a purchaser of the purpose and
25 procedure for registration of bicycles.

26
27 (b) The Commissioner shall include on the registration card of a duly
28 registered bicycle provisions relating to the transfer of ownership.

29
30 (c) The purchaser of a bicycle which has been registered may present that
31 bicycle along with the registration card to the Commissioner for registration under
32 the new ownership; provided, that such presentation may be made by mail or in
33 person.

34
35 Section 11.402 Rental of Bicycles

36
37 (a) Notwithstanding the foregoing provisions of this Section 11, no person
38 engaged in the business of renting bicycles shall rent or offer to rent any bicycle
39 that is not registered.

40
41 (b) Every person engaged in the business of renting bicycles shall issue to
42 each person who rents a bicycle, a statement of rental bearing the names and
43 addresses of the lessor and lessee, the rate at which the bicycle is rented, the
44 time for which it is rented, and the bicycle's registration tag number.

45
46 Part E - Transfer, Storage and Parking of Bicycles

47
48 Section 11.501 Transfer of Bicycles

49
50 (a) A mountable rack may be attached to a vehicle for the purpose of transport-
51 ing a bicycle; provided, that the number of bicycles transported in the rack shall
52 not exceed the number which the rack is designed to carry; provided further, that
53 no mountable rack shall extend beyond the bumper design margins of the vehicle in
54 any manner which is hazardous or dangerous, nor shall any such mountable rack
55 obstruct the vehicle's stop or turn signals.

56
57 Section 11.502

58
59 (a) No rack shall be placed on public space unless the following are complied
60 with:

1. An application is made to the Commissioner;
2. The application is signed by the owner of the abutting property; and
3. Any rack placed on public space by the permittee shall be removable, maintained in a good, clean condition, and shall not be allowed to deteriorate, become unsightly, or dangerous to the public.

(b) There shall be no fee for rental of public space for racks.

(c) No permit shall be issued for any rack which would unduly obstruct pedestrian movement.

Section 11.503

(a) Any person may secure a bicycle to a stanchion for a period of not more than twelve consecutive hours, by means of a lock or other similar device; provided that:

1. To do so does not obstruct or unduly impede traffic or pedestrian movement; or
2. Securing has not been forbidden by any notice posted by the Commissioner.
3. No person shall secure a bicycle to any of the following publicly-owned facilities:
 - 1) fire hydrants;
 - 2) police and fire call boxes;
 - 3) electric traffic signal poles;
 - 4) stanchions or poles located within bus zones or stands;
 - 5) stanchions or poles located within 25 feet of an intersection;
 - 6) trees under ten inches in diameter.

(b) There shall be no fee charged for use of parking meter stanchions used in accordance with these regulations; provided, that the parking space adjacent to the meter is not occupied by the bicycle.

(c) The Commissioner may remove any bicycle secured to a stanchion which in his opinion is not in compliance with this section: provided such bicycle is impounded in accordance with the provisions of this chapter.

(d) Except as provided in this chapter, no person may park a bicycle upon a highway other than the roadway against the curb, nor may any person park a bicycle upon a sidewalk, except in a rack to support the bicycle, or against a building or at the curb, in such manner as to afford the least obstruction to pedestrian traffic.

Part F

Section 11.601 Miscellaneous Regulations

(a) No person upon roller skates, skate boards, or riding by means of any sled, coaster, toy vehicle, sidewalk bicycle or similar device, shall go upon any roadway except when crossing a roadway in a crosswalk, and when so crossing a roadway such person shall be granted all the rights and shall be subject to all the duties

1 applicable to pedestrians. This section shall not apply to any street set aside as
2 a play street by the Commissioner or the Council.

3
4 (b) No person riding upon any bicycle, coaster, roller skates, skate board,
5 sled, toy vehicle, sidewalk bicycle, or any similar device, shall attach himself
6 or the device upon which he is riding to any vehicle upon a highway, roadway or in
7 an alley.

8
9 (c) Every bicycle shall be equipped with a brake which will enable the operator
10 to make the braked wheels skid on dry, level, clean pavement.

11
12 (d) Every bicycle when in use at night shall be equipped with a lamp on the
13 front which shall emit a white light visible from a distance of at least 500 feet to the
14 front and with a red reflector on the rear of a type approved by the Commissioner
15 which shall be visible from all distances from 50 feet to 300 feet to the rear when
16 directly in front of upper beams of head lamps on a motor vehicle. A lamp emitting a
17 red light visible from a distance of 500 feet to the rear may be used in lieu of the red
18 reflector. In lieu of the preceding requirements a lamp may be worn on the arm or
19 leg of an operator provided it may be readily seen from the distances set forth in this
20 section.

21
22 Part G - Crimes and Penalties

23
24 Section 11.701

25
26 (a) No person, except for impoundment by the Commissioner, shall tamper with
27 any bicycle which has been locked or placed in a rack, or otherwise secured.

28
29 (b) Except as provided in this regulation, no person may own or operate a
30 bicycle in the District.

31
32 (c) No person shall remove from a place of storage, possess, convey, transfer,
33 buy, sell, lend or rent any bicycle except as provided in this chapter.

34
35 Section 11.702

36
37 (a) Any person who violates any provision of this chapter shall, upon conviction,
38 be fined no more than \$300 or imprisoned for no more than ten (10) days, or both such
39 fine and imprisonment, for each and every violation.

40
41 Part H - Impounding

42
43 Section 11.801

44
45 The Commissioner may remove from public space, and impound any bicycle
46 which is in violation, or which is being operated in violation, of this chapter.

47
48 Section 11.802 Return of Impounded Bicycles

49
50 (a) In not more than seventy-two hours after impounding, the Commissioner
51 shall notify the owner of a registered bicycle that it has been impounded, and for what
52 reasons, and shall specify what actions are necessary for the owner to regain
53 possession; provided, that this notification shall not be necessary if the owner is
54 present at the time of impounding, and was informed of the actions necessary to regain
55 possession.

56
57 (b) A bicycle impounded for any violation of this chapter shall be returned by
58 the Commissioner upon the posting of an appropriate bond or collateral.

59
60 Section 11.803 Disposition of Unclaimed Bicycles

If an impounded bicycle is not claimed within 30 days of impounding, the Commissioner may, at his discretion, either auction off to the highest bidder any bicycle so impounded, or give such bicycle free of charge to minors as part of a bicycle recreation, safety and responsibility program.

5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60

Regulation No. 71-27



August 13, 1971
Enactment Date

Regulation

of the

District of Columbia

TITLE REGULATION GOVERNING THE PROVISION OF CONTRACEPTIVE INFORMATION, SERVICES AND DEVICES TO MINORS

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

- 1 WHEREAS, the District of Columbia Council has found that the high incidence
- 2 of births out of wedlock constitutes a serious threat to the health and welfare of
- 3 the citizens of the District of Columbia; and
- 4
- 5 WHEREAS, the Council, therefore, believes it to be in the public interest to
- 6 provide birth control information and services to individuals at the health facilities
- 7 operated by the District; and
- 8
- 9 WHEREAS, there is considerable uncertainty within the District's health
- 10 facilities concerning the legality of providing birth control information and services
- 11 and prenatal and postnatal health care to women under the age of eighteen, and
- 12 medical care to children born to such women; and
- 13
- 14 WHEREAS, the Council is empowered to make regulations for the protection of
- 15 the lives, health and comfort of the people of the District of Columbia; and
- 16
- 17 WHEREAS, the Council also has the power to declare that the public interest
- 18 requires that certain medical treatment may be provided by the District at no cost.
- 19
- 20 NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council that:
- 21
- 22 Section 1. Birth control information, services and devices shall be provided
- 23 by the health facilities operated by the District of Columbia, and may be provided
- 24 by any qualified person or institution, without regard to the age or martial status

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					HAYWOOD	X					VEAZEY	X				
TUCKER	X					MOORE	X					WILLARD	X				
ANDERSON	X					ROBINSON	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 July 20, 1971

Adopted on second and final reading August 3, 1971

Presented to the Mayor-Commissioner August 3, 1971 Robert S. Moore
Date Acting Secretary of the City Council

Approved Walter Washington 8/13/71
Mayor-Commissioner 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.
Robert S. Moore
Acting Secretary of the City Council

REGULATION 71-27

2 of 2

1 of the patient or the consent of the patient's parent or guardian.

2
3 Section 2. Prenatal and postnatal care, and necessary medical care for
4 the babies, shall be provided by the health facilities operated by the District of
5 Columbia, and may be provided by any qualified person or institution, without
6 regard to the age or martial status of the patient or the consent of the parent or
7 guardian of the minor mother.

8
9 Section 3. The services provided by the District of Columbia enumerated in
10 Sections 1 and 2 hereof shall be provided at no cost to the patient unless
11 voluntary payments (contributions) are made.

12
13 Section 4. No public benefit, grant or stipend shall be conditioned upon the
14 acceptance by any person of birth control information, services and devices.

15
16 Section 5. This regulation shall take effect immediately upon enactment.
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60

Regulation No. 71-28



August 27, 1971
Enactment Date

Regulation

of the

District of Columbia

TITLE REGULATION PROHIBITING WATER CONTACT SPORTS IN DISTRICT OF COLUMBIA WATERS

Mr. Henry K. Willard, II Presents the following regulation:

1 WHEREAS, the District of Columbia City Council finds that the Potomac
2 River and its tributaries inside the District of Columbia have extraordinarily
3 high levels of pollutants from human and animal waste containing bacteria such
4 as Salmonella and Hepatitis, and viruses; and

5
6 WHEREAS, the function of making rules and regulations for the protection
7 of the public health, welfare, and safety was transferred to the District of
8 Columbia Council by Reorganization Plan No. 3 of 1967.

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

12
13 Section 1. Part 8, Chapter 2 of Title 8, Health Regulations of the District
14 of Columbia Regulations incorporated by reference into Title 6A, Department of
15 Human Resources, Health Services Administration of the rules and regulations of
16 the District of Columbia are amended as follows:

WATER POLLUTION AND PUBLIC HEALTH HAZARD CONTROL

17
18 8-2:801 Purpose and Scope.

19
20 (a) Purpose. The purpose of this part is to prevent and control the
21 pollution of the Potomac River and its tributaries and to control health
22 hazards due to such pollution.
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					HAYWOOD				X		VEAZEY	X				
TUCKER	X					MOORE				X		WILLARD	X				
ANDERSON	X					ROBINSON	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 August 3, 1971

Adopted on second and final reading August 17, 1971

Presented to the Mayor-Commissioner August 19, 1971

Approved [Signature] Mayor-Commissioner [Signature] Acting Secretary of the City Council
Date 8/27/71

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 (b) Scope. This part is applicable to all sources of pollution affecting
2 the Potomac River and its tributaries within the District of Columbia and
3 includes, but is not limited to, pollution carried by storm water run off,
4 sources of sediment, wastes from vessels or other floating construction and
5 domestic and industrial wastes.

6
7 8-2:802 Prevention of the Generation of Sediment.

8
9 (a) No permit for building, demolition, or construction activities shall
10 be issued until the plans for such demolition or construction contain erosion
11 prevention measures for the site in question, which measures are determined
12 to be adequate in the opinion of the Commissioner or his designated agent.

13
14 (b) Land clearing, demolition, and construction operations shall be
15 conducted in such a manner as to prevent when possible and otherwise
16 minimize the contamination of water courses by sediment bearing materials
17 or other pollutants. Excavation, borrow pits, stockpiled earthwork, graded
18 or ungraded slopes or other areas, which may create a potential erosive
19 condition, shall be maintained in such a manner as to prevent or minimize
20 sedimentation of any water course. In the event of suspension of all or a
21 portion of any construction operation, effective erosion control shall be
22 maintained for the duration of said suspension. Where storm water flows
23 away from any exposed land, the owner shall provide effective erosion control
24 during the period said land is exposed.

25
26 (c) Storm water drainage shall not be allowed to be discharged in such
27 a manner as to erode any land.

28
29 8-2:803 Potomac River and Tributaries Designated as a Health Hazard: Water
30 Contact Sports Prohibited.

31
32 (a) The Potomac River, the Anacostia River, the Washington Ship Channel,
33 Rock Creek and Oxon Run as well as their tributaries, due to high levels of
34 fecal and other pollutants, are each designated as a public health hazard.

35
36 (b) No person shall engage in any recreational activity which includes
37 contact with the waters designated a public health hazard within this section.
38 "Recreational activity" as used in this sub-section shall mean swimming,
39 wading, diving, or water skiing or any other activity which as a portion of its
40 conduct includes purposeful contact with the water, but shall not mean fishing
41 and boating nor shall it mean diving for non-recreational purposes as governed
42 by Title Eleven (11), Chapter IX of the Rules and Regulations of the District of
43 Columbia, Diving Operations.

44
45 (c) No person shall permit any dog, cat or other animal owned by that
46 person or under his supervision or control to come into contact with any of the
47 waters designated as a public health hazard in this section.

48
49 (d) Any person who contacts the waters designated as a public health
50 hazard in this Regulation shall as soon as possible after that contact cleanse
51 himself over the area of contact.

52
53 (e) Any person who owns or supervises or otherwise controls an animal
54 which contacts the waters designated as a public health hazard in this
55 Regulation shall cleanse such animal as soon as possible after that contact.

3 of 4

1 8-2:804 Posting of Notice to the Public.

2
3 (a) The Commissioner or his designated agent shall post notices,
4 which may be in abbreviated form, of the prohibition contained in
5 8-2:803(b) on at least every one-half mile of shore as near to the water
6 as possible, on the shores of the following waters:

7
8 1. The Potomac River. 2. The Anacostia River. 3. The
9 Washington Ship Channel. 4. Rock Creek, and 5. Oxon Run.

10
11 (b) The Commissioner or his designated agent shall conspicuously
12 post notice to the public in at least one place on each of the waters
13 designated in the above sub-section (a) of the pollution levels in that
14 particular water and an explanation of the public health hazards
15 encountered due to those pollutants.

16
17 8-2:805 Spray onto Land Prohibited.

18
19 On District waters designated as a public health hazard no person
20 shall operate any pumping device, or water vessel so as to generate a
21 spray which falls upon the adjacent shore, except upon variance granted
22 by the Commissioner for good cause shown.

23
24 8-2:806 Commissioner Authorized to take Further Action.

25
26 The Commissioner, or his designated agent, upon a finding of fact
27 that any indirect contact with the waters of the District, such as fishing
28 or boating, poses a hazard to the public health may take such actions as
29 he deems necessary to protect the public health. Such actions may include,
30 but not be limited to, a prohibition of any or all recreational activities on
31 the affected waters of the District.

32
33 8-2:807 Prevention of Pollution by Watercraft.

34
35 (a) The discharge into the Potomac River or its tributaries of any
36 wastes, whether liquid or solid, treated or untreated, from any vessel
37 berthed at a marina, dock, or basin is hereby prohibited.

38
39 (b) Each marina, dock, or basin where vessels or other watercraft
40 are berthed shall be provided with water closets, urinals, and lavatories
41 which are separate for each sex, readily available and in sufficient
42 numbers to meet the needs of persons using the marina facilities. Each
43 marina, dock or basin, where vessels or other watercraft suitable for
44 overnight accommodations are berthed shall, in addition to the above, be
45 equipped with suitable bathing facilities. Such facilities must be approved
46 by the Director of Public Health to be acceptable for these purposes.

47
48 8-2:808 Variances.

49
50 Any person engaged in an operation, or operations, which may result
51 in providing a source of pollution affecting the Potomac River or one of its
52 tributaries, at the time of the promulgation of this part, shall be excused
53 by the Director from the performance of any act required by the provisions
54 of this part either in whole or in part upon a finding by the Director that the
55 full performance of such act would result in exceptional or undue hardship
56 by reason of excessive structural or mechanical difficulty, or impracticability
57 of bringing the operation into full compliance with the requirements of this
58 part: Provided that a variance shall be allowed only where and to the extent
59
60

REGULATION 71-28

necessary to ameliorate such exceptional or undue hardship, and only when compensating factors are present which give adequate protection to the public health and public welfare, and only where and to the extent such variance can be granted without impairing the intent and purpose of this part: Provided further, that a record, open to inspection to the public, shall be maintained in the Department of each and every variance allowed under the terms of this section.

8-2:809 Penalty.

Any person who violates or fails to comply with any provision of the regulations in this part shall be punished by a fine of not more than \$300. In the event of any violation of, or failure to comply with the regulations in this part, each and every day of such violation or failure shall constitute a separate offense, and the penalty prescribed above shall be applicable to each such separate offense.

8-2:810 Independence of Sections.

Each section of this part, and every part of each section, is hereby declared independent of every other, and the holding of any section, or part hereof, to be void or ineffective for any cause shall not be deemed to affect any other section, or part thereof.

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60



Regulation No. 71-29

September 18, 1971
Enactment Date

Regulation

of the

District of Columbia

TITLE REGULATION PRESCRIBING GUIDELINES FOR CARE AND PROTECTION OF DEPENDENT CHILDREN

Mr. Stanley J. Anderson Presents the following regulation:

1 WHEREAS, pursuant to paragraph 81, Section 402, Reorganization Plan No. 3
2 of 1967, the function of rule-making regarding admissions of persons to institutions
3 under D.C. Code Section 3-108, was transferred to the District of Columbia Council;
4 and

5
6 WHEREAS, pursuant to paragraph 82, Section 402, Reorganization Plan No. 3
7 of 1967, the function of rule-making in regard to receiving and providing temporary
8 care for children under D.C. Code Section 3-116 was transferred to the District of
9 Columbia Council; and

10
11 WHEREAS, pursuant to paragraphs 83 and 84, Section 402, Reorganization Plan
12 No. 3 of 1967, the District of Columbia Council is authorized to establish rules
13 and regulations to implement the provisions of the District of Columbia Public
14 Assistance Act of 1962 (Section 3-202(b)(2)) and to approve regulations determining
15 the amount of public assistance any person may receive; and

16
17 WHEREAS, Section 408 of the Social Security Act as amended, 42 U.S.C. 608,
18 provides for Federal payments for foster home care of dependent children under the
19 conditions specified therein; and

20
21 WHEREAS, Reorganization Plan No. 3 of 1967 transferred to the District of
22 Columbia Council the function of making rules and regulations to protect the health,
23 safety, and welfare of the public and the Council finds that unnecessary institution-
24 alization is injurious to the welfare and development of children.

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					HAYWOOD	X					VEAZEY	X				
TUCKER	X					MOORE	X					WILLARD	X				
ANDERSON	X					ROBINSON	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 August 3, 1971

Adopted on second and final reading September 7, 1971

Presented to the Mayor-Commissioner September 8, 1971

David H. Schwartz
Secretary of the City Council

Approved _____
Mayor-Commissioner

_____ Date

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

September 18, 1971
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 71-29

-2 of 3-

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

3
4 Section 1. Definitions. As used herein the following terms shall have the
5 following meanings:

6
7 a. "Child" shall mean any child who comes within the purview of the
8 Department of Human Resources either because such child is neglected as
9 defined in §16-2301(8) D. C. Code (1971 Supp.) or whose custody has been
10 voluntarily surrendered by the parent or guardian to the Department.

11
12 b. "Council" shall mean District of Columbia City Council.

13
14 c. "Crisis facility" shall mean any community-based residential
15 type housing for dependent and neglected children.

16
17 d. "Department" shall mean the Department of Human Resources
18 of any of its divisions or agencies or successors thereto.

19
20 e. "Director" shall mean the Director of the Department of Human
21 Resources.

22
23 f. "Private institution" shall mean any privately owned or operated
24 institution that provides care and maintenance for neglected and/or dependent
25 children on a contractual basis with the Department.

26
27 g. "Public institution" shall mean Junior Village or any successor
28 institution designed and used for such purpose.

29
30 Section 2. No child six (6) years of age or younger shall be assigned by the
31 Department to any public institution, except that any such child who requires medical
32 treatment may be assigned to a hospital or other medical facility for such treatment;
33 provided that medical treatment shall not be construed to include emotional disorders
34 of less than an acute nature. In furtherance thereof, the Department shall develop an
35 overall plan of child care and emergency child-care so as to eliminate the necessity
36 for a public institution for the care of such children other than for medical reasons.
37 Further provided that no child shall remain in any crisis facility for longer than 15
38 days.

39
40 Section 3. By four months after the effective date of this regulation, no
41 child six (6) years of age or younger shall be maintained by the Department in any
42 public institution except for medical treatment.

43
44 Section 4. Within eight months after the effective date of this regulation,
45 the Department shall not assign any child regardless of age to any public institution
46 except that any such child who requires medical treatment may be assigned to a
47 hospital or other medical facility for such treatment or unless ordered to such
48 rehabilitative institution as a court of competent jurisdiction may direct.

49
50 Section 5. Not later than April 1, 1972, the Department shall develop and
51 implement a plan which ensures that no child, regardless of age, admitted or pres-
52 ently maintained in a public institution for other than medical or correctional rea-
53 sons remains in such institution after September 1, 1973. The Department shall
54 submit such plan to the Council's Education and Youth Affairs Committee for approv-
55 al on or before February 1, 1972. Such approval shall be made on or before March 1,
56 1972.

57
58 Section 6. The Council's Education and Youth Affairs Committee and the
59 Director within six months of the effective date of this regulation will report to the
60 Council their respective recommendations as to prohibiting the assignment of any
P-110

1 child to a private institution or certain private institutions except for medical
2 treatment.

3
4 Section 7. This regulation shall take effect 60 days after enactment.
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60



THE DISTRICT OF COLUMBIA

WASHINGTON, D.C. 20004

WALTER E. WASHINGTON
Commissioner
GRAHAM W. WATT
Assistant to the Commissioner

September 17, 1971

The Honorable Gilbert Hahn, Jr.
Chairman
District of Columbia Council
District Building
Washington, D. C. 20004

Dear Mr. Hahn:

The Council recently submitted to me a proposed regulation prescribing guidelines for the care and protection of dependent children.

I strongly approve the laudable purpose behind the Council's action--to insure that innocent children who, through circumstances beyond their control become wards of the city, are given the best possible care. The Council's action, however, contains a number of glaring deficiencies. It imposes a rigid timetable for phasing out Junior Village without providing the resources to accomplish this objective. It ignores the fact that the number of children cared for by the city can fluctuate widely depending on many circumstances, such as (1) the number of children processed through the courts; (2) social conditions beyond the control of the Department of Human Resources, including, to name a few, inadequate housing, unemployment, family disintegration, and mental illness; (3) drug addiction; and (4) alcoholism. Finally, the measure carries with it no assurance that the proposed substitute facilities will meet future needs which may be vastly different from our needs today.

We all agree that the care that loving foster parents can provide a child is to be preferred to institutional care for homeless children. I think we also agree that we do not want to push aside or ignore the needs of those children who, for one reason or another, cannot be placed in a suitable

foster home. Yet, by closing Junior Village before providing the needed special facilities, we would be doing just that.

I am advised that under the provisions of Reorganization Plan No. 3 of 1967, the responsibility to provide for the care of wards of the city was not vested in the Council. (See attachment.) Accordingly, the manner of caring for such children cannot be the subject matter of Council regulation. While, therefore, I cannot approve the Council's action as such, I strongly support its objectives.

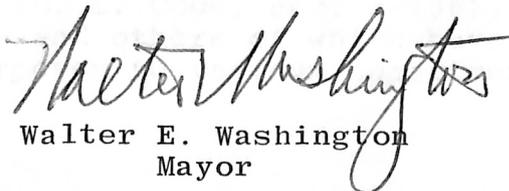
I am instructing the Department of Human Resources to do its best to carry out the spirit and intent of the Council's proposal with which I am in accord and to do so as speedily as possible. The timetable proposed by the Council will remain our goal, but we will not meet it at the expense of children to whom we owe the ultimate responsibility.

I am also instructing the Office of Budget and Program Analysis, in consultation with the Department of Human Resources, to draw up for submission back to the Council, and ultimately to the Congress, appropriate budget provisions to carry out the objectives of this measure.

Central to my position is concern for the children involved. This does not suggest that the Council lacks such concern. Although it would appear that the Council is setting a timetable to deal with the problem, in fact, the Council enactment begs the issue by not facing the difficult decisions which must be made if we are to provide appropriate individualized care for our children. I do not believe this community is prepared to accept such a result.

Although I am advised that such action is beyond the authority of the Council, my action will hopefully permit the Council and the Executive Office to continue to work together for a mutual goal in the interest of the children of our community.

Sincerely yours,



Walter E. Washington
Mayor

Attachment

100-44
May 1967

Memorandum • Government of the District of Columbia

TO: WALTER E. WASHINGTON
Mayor-Commissioner

Department, Corporation Counsel
Agency, Office: L&O:WAR:amg

FROM: C. FRANCIS MURPHY *CFM*
Corporation Counsel, D. C.

Date: September 17, 1971

SUBJECT: Regulation prescribing guidelines for care and
protection of dependent children

I have reviewed, as to legal sufficiency, proposed Regulation No. 71-29, adopted by the District of Columbia Council on September 7, 1971 which, among other things, will prohibit, within specified time periods and with certain exceptions, the assignment by the Department of Human Resources of any dependent or neglected children to a public institution. The regulation further directs the Department to develop and implement plans to provide alternatives for the care and custody of such children.

The action of the Council was purportedly taken pursuant to paragraph 81 of section 402 of Reorganization Plan No. 3 of 1967, relating to the making of rules and regulations for the admission of persons to institutions under D. C. Code, sec. 3-108; paragraph 82 of such section 402, relating to the establishment of rules for receiving and temporarily caring for children pending investigation or judgment of the court; and the general police powers of D. C. Code, sec. 1-226. I am of the opinion that the Council's action is not within the authority conferred upon it by the aforesaid provisions of law.

First, the duty to make rules and regulations relating to the admission of persons to institutions pursuant to section 9 of the Act approved March 16, 1926 (D. C. Code, sec. 3-108) is applicable only to those District institutions specifically enumerated under section 6 of such Act (D. C. Code, sec. 3-106), many of which are no longer in existence and others of which have been transferred for jurisdictional purposes to various departments.

Second, the function of providing care for dependent children under the direct administrative supervision of an agency of the Government of the District of Columbia was initially authorized by the Act approved July 26, 1892 (27 Stat. 268). That Act created a Board of Children's Guardians in the District of Columbia and, inter alia, made it responsible under section 4 thereof (D. C. Code, sec. 3-116), for the care and supervision of the following classes of children:

* * * * *

"Second. All children who are destitute of suitable homes and adequate means of earning an honest living, all children abandoned by their parents or guardians, all children of habitually drunken or vicious or unfit parents, all children habitually begging on the streets or from door to door, all children kept in vicious or immoral associations. . ."

* * * * *

"Fourth. Under the rules to be established by the Board children may be received and temporarily cared for pending investigation or judgment of the court."

The Act of March 16, 1926 (44 Stat. 208) created in the District of Columbia Government a Board of Public Welfare. Among other things, the Act abolished the Board of Children's Guardians and vested the powers and duties imposed by law upon such Board in the newly-established Board of Public Welfare. Under subsection (a) of section 11 of such Act (sec. 3-114, D. C. Code), the Board was specifically authorized to "make temporary provision for the care of children pending investigation of their status".

Under section 1 of the "Act to Give Additional Powers to the Board of Public Welfare", approved January 12, 1942 (55 Stat. 882; sec. 3-126, D. C. Code), the Board was vested in part with the following duties and responsibilities:

"(1) To investigate the circumstances affecting children handicapped by dependency, neglect or mental defect, or who may be in danger of becoming delinquent, and to provide such services for the protection and care of such children as will assist in conserving satisfactory home life;

* * * * *

"(4) To make suitable provision for the reception and care of children in need of detention pending court action, or who are temporarily detained under court order, or who are temporarily homeless;"

All functions imposed by law upon the Board of Children's Guardians and the Board of Public Welfare, including the furnishing of temporary care and services to children, were, pursuant to the provisions of Reorganization Plan No. 5 of 1952, transferred to the Board of Commissioners. The Commissioners, in 1953, established a Department of Public Welfare and delegated to such Department the responsibilities and duties vested by statute in the abolished Board of Public Welfare. Pursuant to section 401 of Reorganization Plan No. 3 of 1967, all functions relating to the care of dependent and neglected children formerly exercised by the Board of Commissioners were, except as to those set forth under paragraphs 81 and 82 of section 402, transferred to the Commissioner. Subsequently, the Commissioner delegated the performance of his functions in these areas to the Director of the Department of Human Resources.

In order to carry out such statutory powers and duties, the Department undertakes to investigate all circumstances surrounding the alleged neglect, dependency, or delinquency of children based upon applications and complaints brought to its attention by the Juvenile Court, the Metropolitan Police Department, private social organizations, and private individuals, makes suitable provision for the reception and care of children who are temporarily homeless,

and operates and maintains an institution known as Junior Village to provide temporary custody, care, and training for dependent and neglected children assigned thereto.

Additional statutory authorization for the providing of temporary care to children is found in pertinent parts of sections 16-2313 and 16-2320 of the D. C. Code, relating to places of detention or shelter and the disposition of neglected children. Section 16-2313(a) of the Code provides in part as follows:

"(a) A child who is alleged to be neglected [as such term is defined by D. C. Code, sec. 16-2301] and who is in custody may be placed at any time prior to disposition, only in--

(1) a foster home;

(2) a group home, youth shelter, or other appropriate home for nondelinquent children; or

(3) another facility for shelter care designated by the [Family] Division [of the Superior Court of the District of Columbia], including an appropriate facility operated by the District of Columbia. . ."

Additionally, I point out that the Commissioner, pursuant to Reorganization Plan No. 3 of 1967, is vested with the full and exclusive power, as exercised by the former Board of Public Welfare under section 5 of the Act approved July 26, 1892 (D. C. Code, sec. 3-117), to accept for care, custody, and guardianship dependent or neglected children whose custody or parental control has been transferred to him, and to provide for the care and support of such children during their minority or term of commitment, and to place them in private families or in institutions, and, pursuant to section 3 of the 1892 Act (D. C. Code, sec. 3-115) to conclude arrangements with persons or institutions for the care of dependent children at such rates as may be agreed upon.

Review of the foregoing recitations of statutory duties and responsibilities, is, in my opinion, sufficient to indicate that Regulation No. 71-29 insofar as it purports to direct the disposition of neglected children cannot be supported under the limited authority conferred upon the Council by Reorganization Plan No. 3 of 1967. Accordingly, the regulation is of no force and effect and may not be enforced.

Regulation No. 71-30



October 1, 1971
Enactment Date

Regulation of the District of Columbia

TITLE PROPRIETARY SCHOOL REGULATIONS

Mr. Stanley J. Anderson Presents the following regulation:

1 WHEREAS, the District of Columbia Council has investigated the practices of
2 proprietary schools in the District of Columbia; and

3
4 WHEREAS, there are no licensing requirements in effect in the District of
5 Columbia governing the operation of proprietary schools; and

6
7 WHEREAS, the public interest requires the inspection, supervision, and
8 regulation of proprietary schools for the protection of prospective and enrolled
9 students; and

10
11 WHEREAS, pursuant to paragraph 391 of Reorganization Plan No. 3 of 1967,
12 the District of Columbia Council is authorized to require, under the General
13 License Law (D. C. Code, sec. 47-2344), the licensing of proprietary schools
14 as businesses.

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

18
19 Section 1. Purpose and scope.

20
21 (a) Purpose. The purpose of these regulations is to establish licensing
22 requirements for proprietary schools in the District, and for all agents acting on
23 behalf of proprietary schools in soliciting students. These regulations are designed
24 to protect prospective and enrolled students from unscrupulous and financially

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		HAYWOOD				X		VEAZEY					X
TUCKER	X					MOORE	X					WILLARD	X				
ANDERSON	X					ROBINSON	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 7, 1971

Adopted on second and final reading September 21, 1971

Presented to the Mayor-Commissioner September 23, 1971

David H. Schwartz
Secretary of the City Council

Approved *Walter Maschhofer*
Mayor-Commissioner

October 1, 1971
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 71-7

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60

schedule shall be approved by the Superintendent unless premiums and expenses are calculated consistently on either the cash or the accrual basis.

(b) Any agreement, by law, rule, regulation or amendment thereto of a rating bureau, with respect to rate filings with the Superintendent, which is contrary to the consistency in accounting methods required by subsection (a) of this section is disapproved.

Section 2.

(a) If any insurer or rating bureau making rate filings within the scope of Chapter 15 of Title 35 of the District of Columbia Code with the Superintendent of Insurance estimates the effects of inflation on its incurred or paid losses in any period, it shall for the same period fully reflect the effects of inflation on the sales of insurance and premiums earned or written.

No rate revision or rate schedule shall be approved by the Superintendent unless the effects of inflation are either omitted entirely from his consideration or are fully reflected in the data relating to sales of insurance, premiums, losses, and expenses.

(b) Any agreement, by law, rule, regulation or amendment thereto of a rating bureau, with respect to rate filings with the Superintendent, which is contrary to subsection (a) of this section is disapproved.

Section 3.

This Regulation shall become effective immediately upon enactment.

1 irresponsible proprietary schools and to assure, to the extent possible, that the
2 promotional information provided to the public by proprietary schools is accurate
3 and honest.
4

5 (b) Scope. These regulations shall apply to all proprietary schools
6 located in the District, and to all agents operating in the District.
7

8 Section 2. Definitions.
9

10 As used in these regulations, the following terms shall have the meanings
11 described below:
12

13 (a) Agent: A person employed by a proprietary school, whether such
14 school is located within or outside the District, who solicits in the District students
15 or enrollees for such school by any means and in any place.
16

17 (b) Commissioner: The Commissioner of the District of Columbia or his
18 designated agent.
19

20 (c) District: The District of Columbia.
21

22 (d) Person: Includes individuals, firms, partnerships, corporations,
23 associations, and organizations.
24

25 (e) Proprietary School: A privately-owned school in the District, or any
26 branch, extension, or facility in the District of a proprietary school located elsewhere,
27 which offers for a consideration resident or correspondence courses or training or
28 instruction for the purpose of enabling an individual to improve his appearance,
29 social aptitude, social skills, intellectual aptitude, personality, or other personal
30 attributes or which purports to prepare or qualify individuals for employment in any
31 occupation or trade or in work requiring mechanical, technical, artistic, or clerical
32 skills; except that such term shall not include:
33

34 (1) Residential Institutions providing exclusively elementary
35 (including kindergarten) and secondary education;
36

37 (2) Degree-granting institutions of higher learning licensed by the
38 Board of Higher Education or chartered by an Act of Congress;
39

40 (3) Schools conducted by any person solely for the training of the
41 employees of the person, and for which no fee is charged; or
42

43 (4) Any course of instruction offered by the District of Federal
44 Government or any instrumentality thereof.
45

46 (f)(1) Student: Full-time and part-time enrollees in a proprietary school.
47

48 (2) Non-Immigrant Alien Student: Any student having a residence in a
49 foreign country who has acquired this status to pursue a full course of study in the
50 United States.
51

52 Section 3. Requirement for licensing to operate a proprietary school.
53

54 After the effective date of these regulations, no person shall operate a
55 proprietary school in the District without having first obtained a license from the
56 Commissioner. Such license shall be assigned or transferred only in accordance with
57 the provisions of the Act approved July 1, 1932 (D.C. Code, sec. 47-2301, et seq.).
58

59 Section 4. Application for license.
60

REGULATION 71-30
-----3 of 7

1 (a) Any person desiring to obtain a proprietary school license or to renew
2 a license, shall file an application with the Commissioner upon forms provided by him.
3 The application shall include, but not be limited to, the following information:
4

5 (1) title or name of the school, and location of its principal place
6 of business;

7
8 (2) names of the owner or owners, officers, Board of Directors,
9 managing employees within the District, and any other person or business entity
10 having a 25% or more ownership interest in the school;

11
12 (3) place or places where instruction will be given, as well as all
13 offices and facilities located in the District;

14 (4) the maximum student enrollment to be accommodated;

15
16 (5) a current financial statement of the school prepared by a
17 certified public accountant within 30 days of the application and verified by the owner
18 under oath;

19
20 (6) the form and contents of the student enrollment-agreement and
21 contract if not the same as enrollment, which shall include the school's tuition and
22 refund policy;

23
24 (7) a schedule of all tuition, fees, and other charges, and a
25 statement of the school's tuition refund policies;

26
27 (8) a pamphlet listing all the courses offered and the educational
28 objective of the course or plan;

29
30 (9) a list of the names of all agents authorized to represent the
31 school in soliciting prospective students, which shall be revised as necessary; and

32
33 (10) copies of all advertising used by proprietary schools during the
34 preceding six months including transcripts of radio and television commercials.

35
36 (b) Each application for a proprietary school license, or for renewal of
37 such license, shall be accompanied by a fee to be determined by the Commissioner.
38

39
40 (c) Each licensed proprietary school or applicant for license shall,
41 upon request of the Commissioner, make its records and files available to him at
42 reasonable times for the purpose of discharging his responsibility under these regulations.
43

44 Section 5. Guarantee of financial responsibility; bond.

45
46 No proprietary school license shall become effective until a corporate
47 surety bond or other security approved by the Commissioner shall have been filed with
48 the Commissioner by the person applying for such license. The corporate surety bond
49 shall be payable to the District, and shall be conditioned upon observance by the person
50 applying for the license of all requirements of these regulations. Any student, or his
51 parent or guardian, who is aggrieved by a violation of these regulations shall have a
52 right of action on such bond for the recovery of money, or damages, or both. The
53 amount of bond required to be filed by a proprietary school shall be \$10,000.00.
54

55 Section 6. Publicity and advertising.

56
57 (a) Copies of all advertising used by a proprietary school, including
58 transcripts of radio and television commercials, shall be submitted to the Commissioner
59 upon his request. Foreign language advertising will be submitted accompanied by an
60 English translation.

--4 of 7--

1 (b) A guarantee of placement or employment for graduates shall in no way be
2 promised or implied by any proprietary school or agent, nor be a part of their
3 advertisement in any form.

4 (c) No proprietary school shall solicit students in the employment columns
5 or any similar columns with the heading "Help-Wanted" -- "Employment" -- "Business
6 Opportunities" of newspapers or other publications.

7 (d) No proprietary school or its agents shall advertise or otherwise imply
8 that the school is "supervised," "recommended," "endorsed," "accredited," or
9 "approved" by the Commissioner or any department or bureau of the District Government.
10 However, a proprietary school licensed under these regulations may include in its
11 advertising the following legend: "This school is licensed under the Proprietary School
12 Regulations of the District of Columbia" or "Licensed by D.C."

13 Section 7. Date and expiration of license; license renewal; prorating for late
14 application.

15 Each proprietary school license shall be issued for a period of one year
16 beginning on November 1 and expiring on October 31. Applications for renewal of a
17 license shall be filed in advance of the next license year, accompanied by the required
18 bond and license fee. Licenses issued at any time after the beginning of the license year
19 shall date from the first day of the month in which the license was issued and end on the
20 thirty-first day of October following, and payment shall be made of the proportionate
21 amount of the annual license fee.

22 Section 8. Authorized Agents.

23 (a) After the effective date of these regulations, no person shall act as an
24 agent for a proprietary school located in the District or elsewhere, without having
25 first obtained an agent's permit from the Commissioner.

26 (b) Each agent representing a proprietary school shall make application to
27 the Commissioner for an agent's permit, upon forms provided by him. Each application
28 shall be accompanied by a fee to be determined by the Commissioner. An agent shall
29 be required to obtain a separate permit for each proprietary school he represents.

30 (c) No agent's permit shall become effective until the applicant for such
31 permit has filed with the Commissioner a corporate surety bond or other security approved
32 by the Commissioner. The corporate surety bond shall be payable to the District, and
33 shall be conditioned upon observance by the applicant of all requirements of these
34 regulations. Any student, or his parent or guardian, who is aggrieved by a violation of
35 these regulations by an agent shall have a right of action on the bond for the recovery
36 of money, or damages, or both. The amount of bond required to be filed under this
37 subsection shall be \$2,500: Provided, that a proprietary school may file a blanket
38 surety bond for all its authorized agents in an amount to be determined by the
39 Commissioner, but in no case greater than \$15,000.

40 (d) The Commissioner, upon approval of an application for an agent's permit,
41 shall prepare and deliver to each agent an identification card which shall contain the
42 name and address of the agent and the employing school, and shall certify that the
43 person whose name appears thereon is an authorized agent of such school. This card
44 shall be shown by the agent to prospective students upon request. The year for which
45 a permit is issued shall be prominently displayed on the card.

46 (e) Each agent's permit shall be issued for a period of one year beginning
47 on November 1 and expiring the following October 31. Applications for renewal of a
48 permit shall be filed with the Commissioner prior to its expiration, accompanied by
49 the required bond and fee. Agents' permits issued after the beginning of the year shall
50 be dated, and fees prorated, in the manner provided in section 7 of the regulation.
51
52
53
54
55
56
57
58
59
60

Section 9. Grounds for refusal to issue or renew; revocation or suspension.

The Commissioner may refuse to issue, or to renew, or may revoke or suspend the license of a proprietary school or the permit of an agent for any of the following reasons:

(a) willful violation of any provision of these regulations;

(b) furnishing false or misleading information to the Commissioner, or failure to furnish information requested;

(c) furnishing false, misleading or fraudulent information regarding the school or course of instruction to a prospective student or his parents or guardians;

(d) engaging in false, misleading or fraudulent advertising or solicitations; or making any false promise likely to influence, persuade, or induce enrollments through agents, in advertising, or otherwise;

(e) failure to secure or maintain financial resources adequate for satisfactory conduct of the course of instruction offered;

(f) failure to secure or maintain the required corporate surety bond;

(g) conferring or attempting to confer a degree upon a student which purports to be the equivalent of a degree issued by a duly licensed institution of higher learning; or

(h) failure to conform to the tuition plan and refund policy, as approved by the Commissioner.

Section 10. Notice and hearings.

(a) Notice. When the Commissioner determines that there are grounds for denial, suspension, or revocation of a proprietary school license or agent's permit under these regulations, the Commissioner shall first serve upon the applicant or licensee a written notice specifying with particularity the violations in question, and informing the applicant or licensee of the right to request, within seven days from service of notice, a hearing before the Commissioner at which time he may show cause why his application should not be denied, or his license suspended or revoked. The notice to the applicant or licensee shall also specify what action, whether it be denial, suspension, or revocation, is contemplated and that such proposed action shall be taken if no hearing is requested.

(b) Appeals. If action adverse to the applicant or licensee is taken by the Commissioner after the hearing held pursuant to subsection (a) of this section, the applicant or licensee shall have the right to appeal, to the Board of Appeals and Review, the Commissioner's decision to refuse, suspend, or revoke the license. The request for such an appeal shall be made within 21 days following the Commissioner's action.

Section 11. Tuition, fees, and refund policy.

(a) Each school shall furnish the Commissioner with a schedule of its tuition and fees and its prepaid tuition plan and refund policy. Each student shall be provided 72 hours to rescind any contract and repayment of all fees and tuition; this period will commence from the date of the signing but will not include nor end on any Saturday or Sunday or legal holiday. Each student shall be provided, on a separate sheet, notice of his right to rescind the contract within 72 hours of signing and upon such rescission, the student will be returned all monies advanced to the school. Each

REGULATION 71-30

..6..of..7..

1 student shall be provided a copy of the school's tuition plan and refund policy at the
2 time of enrollment. Each school's refund policy shall be approved by the Commissioner
3 only when it is such that the amount retained by the school does not exceed an amount
4 calculated in accordance with the following standards:

5
6 (1) the enrollment or registration fee shall be separately stated
7 and the non-refundable portion thereof shall either be 20 percent of the total cost of
8 the course or \$50.00, whichever is less provided that this refund policy shall apply
9 only after the 72 hour period immediately following signing has expired;

10
11 (2) all monies paid in excess of the non-refundable portion of the
12 enrollment or registration fee shall be refunded when an enrolled student requests,
13 in the manner provided in the contract, cancellation before his scheduled class begins,
14 provided this provision shall not apply to non-immigrant alien students as defined in
15 Section 2(f)(2) hereof: and

16
17 (3) in the event that a student enters training and withdraws or
18 is discontinued therefrom prior to completion of 75 percent of the scheduled program,
19 the school shall refund to the student a sum which does not vary more than ten percent
20 (10%) from the exact pro rata portion of refundable tuition unexpended by the student.
21 The proration amount shall be determined by the ratio of the number of weeks or lessons
22 in series serviced by the school of instruction completed by the student to the total
23 number of weeks of instruction offered. Any portion of a week's attendance by a student
24 shall be considered a full week's attendance for the purpose of this section. In the case
25 of correspondence schools, any portion of a lesson in series shall be considered as a
26 completed series.

27
28 (b) No school shall request nor accept more than 10% of the total tuition
29 prior to commencement of the program or schedule except this requirement shall not
30 apply to non-immigrant alien students.

31
32 (c) Each school shall make every effort to insure that enrolled students
33 intend to complete the respective schedules or wish to withdraw. Adequate records
34 shall be kept to insure that students who delay in requesting a refund are accommodated;
35 Provided, that the school is not required to honor a refund request submitted
36 subsequent to the end of the scheduled program for which the student was enrolled.

37
38 (d) Any refund required to be made to a non-immigrant alien student by
39 the provisions of this section 11 shall be payable to such student.

40
41 (1) within 30 days after the Immigration and Naturalization Service
42 of the United States has certified to the school which is obligated to make the refund
43 that the non-immigrant alien student has departed from the United States, and only

44
45 (2) in the legal currency of the country of which the non-immigrant
46 alien student is a citizen.

47
48 Section 12. Credit transactions.

49
50 (a) A school shall not use any contract provision, oral or written
51 representation, or other device or means to deny or abridge the benefits of any
52 applicable Federal or District law intended to protect consumers or credit purchasers.

53
54 (b) A school shall not negotiate or assign a promissory note, or other
55 instrument of indebtedness executed by or on behalf of a student, his parents or
56 guardians, without first endorsing on the face thereof a legend stating: "Any holder
57 takes this instrument subject to the terms and conditions of the contract which gave
58 rise to the debt evidenced hereby."

59
60

REGULATION 71-30

7 of 7

Section 13. Penalties.

Any person violating any provision of these regulations shall upon conviction be fined not more than \$300 or imprisoned for not more than 90 days.

Section 14. Separability of provisions.

If any provision of these regulations is adjudged unconstitutional, or the applicability thereof to any person or circumstance is held invalid, the validity of the remainder of the regulations and the applicability of such provision to other persons and circumstances shall not be affected thereby.

Section 15. This regulation shall be effective 120 days after enactment.

5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60

Regulation No. 71-31



October 8, 1971
Enactment Date

Regulation of the District of Columbia

TITLE REGULATION TO AMEND REGULATIONS PERTAINING TO THE D. C. INCOME AND FRANCHISE TAX ACT OF 1947

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

1 WHEREAS, it is necessary to increase the percentage of D. C. income
2 tax withheld for those employers basing D. C. withholding on a percentage of
3 Federal tax withheld;

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

7
8 Section 1. The regulations pertaining to the District of Columbia income
9 and franchise taxes promulgated under authority of the District of Columbia
10 Income and Franchise Tax Act of 1947, are amended as follows:

11 "Method (c) of Section 12.8(b)-(c) of said regulations (16 DCRR 310.13(c)),
12 is amended to read as follows:

13
14 "(c) Method (c) - Based Upon a Percentage of Federal Income
15 Tax Withheld.

16
17 Employers may elect to withhold on the basis of a fixed percentage of the
18 amount of Federal income tax withheld by the employer as determined for Federal
19 income tax purposes under provisions of Section 3402 of the Internal Revenue
20 Code of 1954, or comparable provision in effect at the time with respect to the
21 withholding of Federal income tax. This fixed percentage shall be as follows:

22
23 1. Twenty-three percent on single persons with an annual salary under
24 \$10,000.

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					HAYWOOD	X					VEAZEY	X				
TUCKER	X					MOORE	X					WILLARD				X	
ANDERSON	X					ROBINSON	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 21, 1971
Adopted on second and final reading October 5, 1971

Presented to the Mayor-Commissioner October 5, 1971
Date
Approved [Signature]
Mayor-Commissioner

[Signature]
Secretary of the City Council
OCT 8 - 1971
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 2. Twenty-eight percent on single persons with an annual salary of
2 \$10,000 or over.

3
4 3. Twenty-five percent on married persons with an annual salary under
5 \$10,000.

6
7 4. Thirty percent on married persons with an annual salary of \$10,000
8 or over."

9
10 Section 2. This regulation shall be effective immediately.

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60

Regulation No. 71-32



October 27, 1971
Enactment Date

Regulation

of the

District of Columbia

TITLE REGULATION ESTABLISHING A SPECIAL LICENSE PLATE FOR THE HONORABLE WALTER E. FAUNTROY

The Committee of the Whole Presents the following regulation:

1 WHEREAS, the Council believes that the representative of the District of
2 Columbia to the United States Congress should have automobile tags evidencing his
3 high office; and

4
5 WHEREAS, the Council is authorized to prescribe the design of automobile
6 identification tags;

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

9
10 Section 1. The Director of the Department of Motor Vehicles is hereby au-
11 thorized and directed to prepare two District of Columbia automobile identification
12 tags bearing the designation "Member U. S. Congress 1" as shown on the attached
13 drawing.

14
15 Section 2. The Director of the Department of Motor Vehicles is hereby au-
16 thorized and directed to issue such automobile identification tags to the then incum-
17 bent representative from the District of Columbia to the United States Congress.

18
19 Section 3. Section 3.307 of Title 32, Department of Motor Vehicles, of the
20 Rules and Regulations of the District of Columbia, is amended in its entirety to read
21 as follows:

22
23 "Section 3.307 - REGISTRATION NOT TRANSFERABLE BY OWNER. Identification
24 tags issued in connection with the registration of a motor vehicle or trailer may not be

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					HAYWOOD	X					VEAZEY	X				
TUCKER	X					MOORE	X					WILLARD	X				
ANDERSON	X					ROBINSON	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 5, 1971

Adopted on second and final reading October 19, 1971

Presented to the Mayor-Commissioner October 19, 1971

David H. Schwartz
Secretary of the City Council

Approved *Walter E. Fauntroy*
Mayor-Commissioner

10/27/71
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 71-32

1 transferred to another owner or owners, except for identification tags "1", "2", and
2 "3", assigned respectively to the Commissioner of the District of Columbia, the
3 Chairman of the District of Columbia Council, and the Assistant to the Commissioner,
4 and except for tags bearing the identification, "City Councilman 1" through "City
5 Councilman 9" inclusive, assigned to members of the District of Columbia Council,
6 and tags bearing the identification "Member U. S. Congress 1" issued to the Dis-
7 trict of Columbia's representative to the United States Congress."

8

9

Section 4. This regulation shall take effect immediately.

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36

37

38

39

40

41

42

43

44

45

46

47

48

49

50

51

52

53

54

55

56

57

58

59

60

MEMBER U.S. CONGRESS

1

DISTRICT OF COLUMBIA

Regulation No. 71-33



November 12, 1971
Enactment Date

Regulation

of the
District of Columbia

TITLE PRIVATE ENVIRONMENTAL LITTER CONTAINERS REGULATION

Vice-Chairman Sterling Tucker Presents the following regulation:

1 WHEREAS, the District of Columbia Council is authorized to make all rea-
2 sonable regulations for the protection of the health and welfare of the citizens,
3 pursuant to Sec. 402(4) of the Reorganization Plan No. 3 of 1967 and D. C. Code
4 Sec. 1-226; and

5
6 WHEREAS, the District of Columbia Council is authorized by Sec. 402(4) of
7 the Reorganization Plan No. 3 of 1967 and D. C. Code Secs. 1-231 and 1-232 to
8 require licenses regarding outdoor advertising and, pursuant to D. C. Code
9 Sec. 47-2344, to require business licenses; and

10
11 WHEREAS, the Council has determined that it is in the public interest to
12 encourage private organizations, subject to proper regulation, licenses, contracts
13 or franchises, to maintain trash receptacles in public space, with advertising
14 thereon, to assist in protection of the environment, especially at busy intersec-
15 tions, and to provide an incentive to private organizations to assist the City to
16 keep the streets clean without cost to the City; and

17
18 WHEREAS, the Council has determined that the licensing, contracting and
19 franchising authority over private efforts to assist in protection of the environment
20 ought to be consolidated in one agency of government.

21 NOW, THEREFORE, BE IT ENACTED by the District of Columbia Council that:
22
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					HAYWOOD	X					VEAZEY	X				
TUCKER	X					MOORE	X					WILLARD	X				
ANDERSON				X		ROBINSON	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 19, 1971

Adopted on second and final reading November 2, 1971

Presented to the Mayor-Commissioner November 4, 1971 David H. Schwartz
Date Secretary of the City Council

Approved [Signature] 11/12/71
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

REGULATION 71-33

3 of 4

- 1 (2) A description of the Environmental Litter Container to be used
2 and projected plans for maintenance, and security of containers.
3
- 4 (3) The number of containers.
5
- 6 (4) Type of advertising that is proposed for the containers.
7
- 8 (5) Copies of any agreement or tentative agreement that the
9 applicant has made with any other person relating to the environmental litter program.
10
- 11 (6) A current financial statement.
12
- 13 (7) A proposed plan demonstrating the effectiveness of the program
14 and for the provision of additional containers as needed, including a proposed sched-
15 ular of implementation of such program.
- 16
- 17 (8) The application shall include a declaration by the applicant
18 that the application is true and complete and that the applicant will submit further
19 information as may be required by the Council or the Director.
- 20
- 21 (9) The extent of employment opportunities to be provided.
22
- 23 (e) Procedure for Awarding Franchise
- 24
- 25 (1) The Council shall have final authority in the granting of an
26 Environmental Litter Container Franchise.
- 27
- 28 (2) The Director shall certify to the Council that there is a need
29 for environmental litter containers.
- 30
- 31 (3) Upon receipt of such certification the Council shall solicit
32 applications. A period of 30 days shall be allowed for the submission of applications,
33 upon notice of Council intent. Applications shall be submitted to the Director who
34 shall screen the applications and make his recommendations to the Council. Upon
35 receipt of the Director's recommendations, the Council shall hold public hearings.
36 All bona fide applicants may participate and be represented at the hearings along
37 with any interested party, citizen or agency.
- 38
- 39 (4) After hearing all the evidence, the Council shall award the
40 franchise to the applicant who would best serve the public interest and in accordance
41 with the purpose of this Section. The franchise shall be awarded in the form of a
42 regulation and may, in the Council's discretion, require that the final contract to
43 be executed between the franchisee and the District be negotiated by the Director
44 and the franchisee. The regulation awarding the franchise may also require specific
45 provisions to be included in the contract dealing with the following enumerated
46 subjects:
- 47
- 48 (i) term of franchise
- 49
- 50 (ii) operation - maintenance - supervision
- 51
- 52 (iii) surety provisions
- 53
- 54 (iv) liability for damages
- 55
- 56 (v) opportunities for employment
- 57
- 58 (vi) cancellation provisions
- 59
- 60

REGULATION 71-33

4 of 4

1 (g) In addition to any penalty provided elsewhere in this chapter, any
 2 person violating any provision of this Section shall be subject to a fine of no more
 3 than \$300 or to imprisonment of no more than ten days, or both, for each violation.

4
 5
 6
 7
 8
 9
 10
 11
 12
 13
 14
 15
 16
 17
 18
 19
 20
 21
 22
 23
 24
 25
 26
 27
 28
 29
 30
 31
 32
 33
 34
 35
 36
 37
 38
 39
 40
 41
 42
 43
 44
 45
 46
 47
 48
 49
 50
 51
 52
 53
 54
 55
 56
 57
 58
 59
 60

Regulation No. 71-34



November 29, 1971
Enactment Date

Regulation

of the

District of Columbia

TITLE SUSPENSION OF HACKERS' LICENSES

Reverend Jerry A. Moore, Jr. Presents the following regulation:

WHEREAS, pursuant to Reorganization Plan No. 3 of 1967, the District of Columbia Council is authorized to make regulations for suspension or revocation of hackers' licenses; and

WHEREAS, the District of Columbia Council deems it to be in the public interest for the Hackers' License Appeal Board to have the authority to enforce certain parts of the Taxicab Regulations promulgated by the Public Service Commission.

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

Section 1. A hacker's Identification License may be suspended or revoked by the Hackers' License Appeal Board for violation of any provision of the following Parts of the Taxicab Regulations promulgated by the Public Service Commission: Part 305 - Rates, Fares and Charges; Part 310 - Group Riding; Part 335 - Cruising Lights; Part 340 - Display of License, Rate Chart, Etc.; Signs; Ads; Part 345 - Operating Rules - General; Part 350 - Operating Rules - Personal Requirement for Drivers; Part 355 - Operating Rules - Miscellaneous; or Part 360 - Taxicab Stands. Copies of all such regulations are attached hereto and incorporated herein by reference.

Section 2. This regulation shall take effect immediately 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					HAYWOOD	X					VEAZEY	X				
TUCKER	X					MOORE	X					WILLARD	X				
ANDERSON	X					ROBINSON				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 2, 1971

Adopted on second and final reading November 16, 1971

Presented to the Mayor-Commissioner November 19, 1971

David H. Schwartz
Secretary of the City Council

Approved [Signature]
Mayor-Commissioner

11/29/71
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