

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on an emergency basis, the CleanEnergy DC Omnibus Amendment Act of 2018 to revise the timeline for phase-in of smaller buildings into the Building Energy Performance Standards Program implemented by the Department of Energy and Environment, to require the Department of Energy and Environment to establish new building energy performance standards every 6 years instead of every 5 years, to clarify language requiring buildings to comply with the building energy performance standards, to provide that the strategic energy management plan for District buildings shall be delivered by January 1, 2022, and to require that vehicle-for-hire companies submit greenhouse gas emission reduction plans to the Department of Energy and Environment; and to amend the District of Columbia Traffic Act, 1925 to provide that changes to the vehicle excise tax shall be revenue neutral or revenue positive.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “CleanEnergy DC Omnibus Technical Amendment Emergency Amendment Act of 2021”.

Sec. 2. The CleanEnergy DC Omnibus Amendment Act of 2018, effective March 22, 2019 (D.C. Law 22-257; 66 DCR 1344), is amended as follows:

(a) Section 301 (D.C. Official Code § 8-1772.21) is amended as follows:

(1) Subsection (a) is amended as follows:

(A) Paragraph (2) is amended by striking the phrase “January 1, 2023” and inserting the phrase “January 1, 2027” in its place.

37 (B) Paragraph (3) is amended by striking the phrase “January 1, 2026” and
38 inserting the phrase “January 1, 2033” in its place.

39 (2) Subsection (b)(1)(A) is amended to read as follows:

40 “(b)(1)(A) No later than January 1, 2021, and every 6 years thereafter, DOEE shall, by
41 rulemaking or publication on the DOEE website, establish property types and building energy
42 performance standards for each property type, or an equivalent metric for buildings that do not
43 receive an ENERGY STAR score.”.

44 (3) Subsection (c) is amended to read as follows:

45 “(c) All buildings below the energy performance standard for their property type,
46 established pursuant to subsection (b)(1) and (2) of this section, shall have 5 years from the date
47 the performance standards are established to meet the building energy performance requirements
48 established by DOEE.”.

49 (b) The lead-in language in section 303 (D.C. Official Code § 8-1772.22) is amended by
50 striking the phrase “January 1, 2021” and inserting the phrase “January 1, 2022” in its place.

51 (c) Section 502(e)(2) (D.C. Official Code § 50-741(e)(2)) is amended by striking the
52 phrase “Public Service Commission and to the chairperson of the Council committee with
53 oversight of the Public Service Commission” and inserting the phrase “Department of Energy
54 and Environment (“DOEE”) and to the chairperson of the Council committee with oversight of
55 DOEE” in its place.

56 Sec. 3. Section 6(j)(1A)(E) of the District of Columbia Traffic Act, 1925, approved
57 March 3, 1925 (43 Stat. 1121; D.C. Official Code § 50-2201.03(j)(1A)(E)), is amended to read
58 as follows:

59 “(E) Changes to the vehicle excise tax made pursuant to this paragraph
60 shall be revenue neutral or revenue positive.”.

61 Sec. 4. Fiscal impact statement.

62 The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact
63 statement required by section 4a of the General Legislative Procedures Act of 1975, approved
64 October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

65 Sec. 5. Applicability date.

66 This act shall apply as of October 27, 2021.

67 Sec. 6. Effective date.

68 This act shall take effect following approval by the Mayor (or in the event of veto by the
69 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than
70 90 days, as provided for emergency acts of the Council of the District of Columbia in section
71 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
72 D.C. Official Code § 1-204.12(a)).