



## States' Biofuels Statutes

## DISTRICT OF COLUMBIA

*This project was undertaken in partnership with the USDA Office of the Chief Economist, The Office of Energy Policy and New Uses. For information on the full project, visit [States' Biofuels Statutory Citations](#). These statutes are placed in reverse chronological order using the date of the most recent amendment to the statute. Many biofuels laws were enacted as amendments to previously passed laws.*

*Current through the 2013 Legislative Session of the District of Columbia General Assembly.*

**§ 50-2201.03. Mayor to make rules; Department of Transportation; Director; Congressional and Council parking; title fees; common carriers; penalties; prosecutions; publication of regulations; excise tax; impoundment for outstanding violations.**

(a) The Mayor is authorized and empowered to make, modify, repeal, and enforce rules relating to and concerning the following:

(1) The control of traffic and the movement of traffic;

(2)(A) The length, weight, height, and width of vehicles; and

(B) The brakes, horns, lights, mufflers, and other equipment of vehicles and the inspection of same;

(3)(A) The registration and reregistration of vehicles;

(B) The titling and retitling of motor vehicles and trailers, and the transfer of titles to motor vehicles and trailers; and

(C) The revocation, suspension, restoration, and reinstatement of the registration for motor vehicles and trailers and of certificates of title to motor vehicles and trailers;

(4) The issuance, suspension, revocation, restoration, and reinstatement of operator's permits and operating privileges; provided, that the fee for restoration or reinstatement shall be \$98;

(5) The establishment and location of hack stands; and

(6) The speed, routing, and parking of vehicles; provided, that the Mayor shall establish and locate parking areas in the vicinity of government establishments for use only by members of Congress and governmental officials when on official business.

(b) There is established in the government of the District of Columbia a Department of Transportation, which under the direction of the Mayor, shall have charge of the issuance and revocation of operators' permits, the registration and titling of motor vehicles, the making of traffic studies and plans, the establishment and designation of arterial and other public highways, providing for the equipment of any street, road, or highway with control lights or other devices, or both, for the regulation of traffic, the installation and maintenance of traffic signs, signals, and markers, and of such other matters as may be determined by the Mayor. The Mayor shall appoint a Director of Vehicles and Traffic, who shall be in charge of said Department, and such other personnel as he or she may deem necessary to perform the duties thereof and as may be appropriated for by Congress. The Director of Vehicles and Traffic shall be responsible directly to the Mayor for the faithful performance of his or her duties and shall be subject to removal by the Mayor for cause.

(c) Members of Congress or the Council may park their vehicles in any available curb space in the District of Columbia, when:

(1) The vehicle is used by the member of Congress or the Council on official business;

(2) The vehicle is displaying a Congressional or Council registration tag or parking placard issued for the current session or by the District.

(3) The vehicle is not parked in violation of a loading zone, rush hour, firehouse, or fire plug limitation.

(d) The Mayor shall cause to be levied, collected, and paid a \$26 fee for each titling, duplicate titling, and retitling, and he or she shall not, after the 1st day of January, 1932, register or renew the registration of any motor vehicle or trailer unless and until the owner thereof shall make application in the form prescribed by the Mayor and be granted an official certificate of title for such vehicle. No registration or titling fee shall be charged for vehicles owned by the District government. The owner of a motor vehicle or trailer registered in the District of Columbia shall not, after the 1st day of January, 1932, operate or permit or cause to be operated any such vehicle upon any public highway in the District without first obtaining a certificate of title therefor, nor shall any individual knowingly permit any certificate of title to be obtained in his or her name for any vehicle not in fact owned by him or her, and any individual violating any provision of this subsection or any regulations promulgated thereunder shall be fined not more than the amount set forth in § 22-3571.01 or imprisoned not more than one year, or both. If the properly designated agent of the Mayor shall determine that an applicant for a certificate of title is not entitled thereto, such certificate of title may be refused, and in that event unless such determination is reversed upon written application to the Mayor by the individual affected, such individual shall be entitled to proceed further as provided under § 50-1403.01(a); provided, that reasonable time for hearing be given the applicant in the first instance.

(e) As to all common carriers by vehicle which enter, operate in, or leave the District of Columbia, the power to route small vehicles within the District of Columbia, to regulate their equipment other than that specifically named elsewhere in this part, to regulate their schedules and their loading and unloading, to locate their stops and all platforms and loading zones, and to require the appropriate marking thereof is vested in the Public Service Commission of the District of Columbia.

(f) Except as otherwise provided in this part or in the District of Columbia Traffic Adjudication Act of 1978 (§ 50-2301.01 et seq.), any person violating any provision of this part or any rule promulgated hereunder shall, upon conviction thereof, be fined not more than the amount set forth in § 22-3571.01 or imprisoned for not more than 90 days, or both. Prosecution for violations shall be in the Superior Court of the District of Columbia upon information or indictment filed by the Corporation Counsel of the District of Columbia or any of his or her assistants.

(g) All regulations promulgated under the authority of this part shall be published in accordance with the requirements of title 1 of the District of Columbia Administrative Procedure Act (§ 2-501 et seq.).

(h) Repealed.

(i) Repealed.

(j)(1) In addition to the fees and charges levied under other provisions of this part, there is levied and imposed an excise tax on the issuance of every original certificate of title for a motor vehicle or trailer in the District of Columbia and every subsequent certificate of title issued in the District of Columbia in the case of a sale, resale, or gift, except in the case of a bona fide gift of a vehicle already titled in the District given between spouses, parent and child, or domestic partners, as that term is defined in § 32-701(3), or other transfer at the following percentage of the fair market value of the motor vehicle or trailer at the time the certificate of title is issued:

<b>Weight Class</b>	<b>Registration Fee</b>
Class I (3,499 pounds or less) .....	6%
Class II (3,500--4,999 pounds).....	7%
Class III (5,000 pounds or greater) .....	8%

(2) For the purpose of this section, the Mayor or his or her duly authorized representative shall determine the fair market value of a motor vehicle or trailer. As used in this section, the term “original certificate of title” shall mean the first certificate of title issued by the District of Columbia for any particular motor vehicle or trailer. No certificate of title so issued shall be delivered or furnished to the person entitled thereto until the tax has been paid in full. The Assessor of the District of Columbia may require every applicant for a certificate to title to supply such information as he or she deems necessary as to the time of purchase, the purchase price, and other information relative to the determination of the fair market value of any motor vehicle or trailer for which a certificate of title is required and issued.

(3) The issuance of certificates of title for the following motor vehicles and trailers shall be exempt from the tax imposed by this subsection:

(A) Motor vehicles and trailers owned by the United States or the District of Columbia;

(B) Repealed;

(C) Repealed;

(D) Motor vehicles and trailers owned by a utility or public service company for use in furnishing a commodity or service; provided, that the receipts from furnishing such commodity or service are subject to a gross receipts or mileage tax in force in the District of Columbia at the time of a certificate of title for any such vehicle or trailer is issued.

(E) New motor vehicles acquired from dealers as replacements for defective vehicles purchased new not more than 60 days prior to the date of such replacement, except that if the fair market value of any replacement vehicle is greater than that of the vehicle which it replaces, then the tax imposed by this section shall be paid on such difference in value. If the fair market value of any replacement vehicle is less than that of the vehicle which it replaces, then the Mayor or his or her designated agent is authorized to refund to the owner of the replacement vehicle an amount equal to the difference between the excise tax paid on the defective vehicle and the excise tax paid on the replacement vehicle.

(F) Rental or leased motor vehicles or trailers; provided, that the rental or leasing of such vehicles is subject to the gross receipts tax described in § 47-2002(3)(C).

(G) Taxis or taxicabs as defined in § 50-303(8).

(H) Motor vehicles and trailers registered or titled in another state or United States jurisdiction by a nonresident before the nonresident established or maintained residency in the District.

(I) Commercial vehicles having the characteristics specified in § 47-2352(c) that are owned or leased by a company with an established place of business (as defined in § 47-2302(13)) located within the District of Columbia, if such vehicles are used to furnish a commodity or service; provided, that, the receipts from furnishing such commodity or service are subject to a gross receipts or mileage tax in force in the District of Columbia at the time a certificate of title is issued for the vehicle.

(J) Motor vehicles, excluding motorcycles and motor-driven cycles, with an estimated average miles per gallon ("MPG") for city driving at or above 40 MPG, as determined in accordance with 40 CFR §§ 600.001-08, and published in the Fuel Economy Guide by the United States Environmental Protection Agency and the United States Department of Energy or other alternative fueled vehicles as determined by the Department of Motor Vehicles through rulemaking.

(K) Motor vehicles following the death of one co-owner; provided, that the title is issued to a surviving owner.

(L) Motor vehicles whose ownership is determined by a decree of divorce or separation or pursuant to a written instrument incident to such divorce or separation; or, in the case of former domestic

partners, ownership is either determined by a court order or one co-owner transfers his or her interest to the other co-owner provided that the applicant also submits the termination statement provided for in § 32-702(d)(1); and

(M) Motor vehicles re-titled by an insurance company in connection with an insurance claim or pursuant to Chapter 13A of this title.

(N) Any vehicle for which the certificate of title issued is a scrap title issued pursuant to § 50-2705.

(O) Repealed.

(P) Vehicles for which a District of Columbia title is being issued to the lienholder because of repossession or was re-issued to the owner after repossession.

(Q) Vehicles designated as non-repairable or salvage pursuant to Chapter 13A of this title.

(k)(1) Any unattended motor vehicle found parked at any time upon any public highway of the District of Columbia against which there are 2 or more unpaid notices of infraction or vehicle conveyance fees that the owner was deemed to have admitted or that were sustained after a hearing, pursuant to § 50-2303.05, § 50-2303.06, or § 50-2209.02, or against which there have been issued 2 or more warrants may, by or under the direction of a law enforcement officer or member of the Metropolitan Police force or the United States Park Police force or an employee of the District of Columbia Department of Transportation, either by towing or otherwise, be removed or conveyed to and impounded in any place designated by the Mayor or immobilized in such manner as to prevent its operation; except, that no such vehicle shall be immobilized by any means other than by the use of a device or other mechanism which will cause no damage to such vehicle unless it is moved while such device or mechanism is in place.

(2) The notice, reclamation, and disposition procedures set forth in §§ 50-2421.06 through 50-2421.10, shall apply to any vehicle impounded pursuant to this section. In any case involving immobilization of a vehicle pursuant to this subsection, such member or law enforcement officer or employee shall cause to be placed on such vehicle, in a conspicuous manner, notice sufficient to warn any individual to the effect that such vehicle has been immobilized and that any attempt to move such vehicle might result in damage to such vehicle.

(3) Repealed.

(4) The owner of an immobilized vehicle shall be subject to a booting fee of \$75 for such immobilization.

(5) Before the removal of an immobilization mechanism on a motor vehicle or the release of a motor vehicle from impoundment, the owner shall pay all outstanding fees, charges, civil fines, or penalties incurred pursuant to this section and §§ 50-1401.01 and 50-1401.02, § 31-2413(b)(2)(A), §§ 50-1101 and 50-1106, §§ 50-1501.02 and 50-1501.03, § 50-2301.05 and 50-2303.04a, and § 50-2421.09a, against the owner or any motor vehicle in which the owner has an ownership interest or had an ownership interest when a notice of infraction was issued.

(l) The Director of the Department of Motor Vehicles may establish a fee discount of up to 10% on any service obtained through the telephone, Internet, mail, or other method that does not involve an in-person visit to the Department. This subsection shall not apply to the payment of the motor vehicle title tax.

**Credits:** (Mar. 3, 1925, 43 Stat. 1121, ch. 443, § 6; July 3, 1926, 44 Stat. 814, ch. 739, § 4; Feb. 27, 1931, 46 Stat. 1424, ch. 317, §§ 3, 4; Dec. 19, 1932, 47 Stat. 750, ch. 5; Apr. 1, 1942, 56 Stat. 190, ch. 207, § 1; July 2, 1945, 59 Stat. 313, ch. 222; May 27, 1949, 63 Stat. 128, title III, ch. 146, § 301; Oct. 28, 1949, 63 Stat. 972, title XI, ch. 782, § 1106(a); July 24, 1956, 70 Stat. 633, ch. 695, § 1; Sept. 2, 1957, 71 Stat. 598, Pub. L. 85-273, § 3; Oct. 3, 1962, 76 Stat. 742, Pub. L. 87-745, § 1; July 8, 1963, 77 Stat. 77, Pub. L. 88-60, § 1; Aug. 30, 1964, 78 Stat. 634, Pub. L. 88-503, § 21; Sept. 30, 1966, 80 Stat. 856, Pub. L. 89-610, title II, § 201; 1967 Reorg. Plan No. 3, 81 Stat. 980, § 503(c); Dec. 4, 1967, 81 Stat. 532, Pub. L. 90-172, § 1; Oct. 31, 1969, 83 Stat. 172, 174, Pub. L. 91-106, titles II, IV, §§ 201, 404; Dec. 12, 1969, 83 Stat. 343, Pub. L. 91-145, § 101; July 29, 1970, 84 Stat. 570, 583, Pub. L. 91-358, title I, §§ 155(a), 163(g)(2); Dec. 15, 1971, 85 Stat. 657, Pub. L. 92-196, title VII, § 705; Oct. 21, 1972, 86 Stat. 1015, Pub. L. 92-518, title III, § 301(a); Nov. 1, 1973, 87 Stat. 531, Pub. L. 93-145, § 101; Oct. 21, 1975, D.C. Law 1-23, title I, § 102, 22 DCR 2094; Jan. 22, 1976, D.C. Law 1-42, § 7(b), 22 DCR 6317; June 15, 1976, D.C. Law 1-70, title II, § 201, 23 DCR 536; Apr. 19, 1977, D.C. Law 1-124, title I, § 102, 23 DCR 8749; Apr. 26, 1977, D.C. Law 1-133, title IV, § 402, 23 DCR 9697; Sept. 12, 1978, D.C. Law 2-104, §§ 501, 601, 25 DCR 1275; Mar. 3, 1979, D.C. Law 2-139, § 3205(l), 25 DCR 5740; Mar. 6, 1979, D.C. Law 2-157, § 5, 25 DCR 6995; Apr. 3, 1982, D.C. Law 4-97, § 5, 29 DCR 765; Sept. 14, 1982, D.C. Law 4-145, § 7, 29 DCR 3138; June 22, 1983, D.C. Law 5-14, §§ 803, 804, 30 DCR 2632; Nov. 15, 1983, D.C. Law 5-42, § 2(b), 30 DCR 4999; May 1, 1990, D.C. Law 8-103, § 2, 37 DCR 1615; Sept. 26, 1990, D.C. Law 8-170, § 2, 37 DCR 4839; Aug. 17, 1991, D.C. Law 9-30, § 4(a), 38 DCR 4215; May 5, 1992, D.C. Law 9-96, § 4(b), 38 DCR 7274; Mar. 26, 1999, D.C. Law 12-175, § 802, 45 DCR 7193; April 5, 2000, D.C. Law 13-80, § 2, 46 DCR 10463; Oct. 19, 2002, D.C. Law 14-213, § 34, 49 DCR 8140; June 5, 2003, D.C. Law 14-307, § 1706(a), 49 DCR 11664; Oct. 28, 2003, D.C. Law 15-35, § 13(b), 50 DCR 6579; Mar. 16, 2005, D.C. Law 15-239, § 2(a), 51 DCR 9600; Apr. 8, 2005, D.C. Law 15-307, § 402, 52 DCR 1700; Oct. 20, 2005, D.C. Law 16-33, § 6002, 52 DCR 7503; June 16, 2006, D.C. Law 16-129, § 2, 53 DCR 4716; June 22, 2006, D.C. Law 16-139, § 10, 53 DCR 3682; Mar. 2, 2007, D.C. Law 16-191, § 89, 53 DCR 6794; Mar. 14, 2007, D.C. Law 16-279, §§ 202(a), 401(a), 54 DCR 903; Aug. 16, 2008, D.C. Law 17-219, § 6006, 55 DCR 7598; Sept. 12, 2008, D.C. Law 17-231, § 42, 55 DCR 6758; Mar. 20, 2009, D.C. Law 17-303, § 3(b), 55 DCR 12803; Apr. 23, 2013, D.C. Law 19-272, § 2, 60 DCR 1729; Apr. 27, 2013, D.C. Law 19-266, § 102(b), 59 DCR 12957; Apr. 27, 2013, D.C. Law 19-290, § 5(a), 60 DCR 2343; June 11, 2013, D.C. Law 19-317, § 271(a), 60 DCR 2064; Dec. 24, 2013, D.C. Law 20-61, §§ 6012, 6133, 60 DCR 12472.)