

Council of the District of Columbia
COMMITTEE ON PUBLIC WORKS AND OPERATIONS
NOTICE OF PUBLIC HEARING
1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004

COUNCILMEMBER BRIANNE K. NADEAU, CHAIRPERSON
COMMITTEE ON PUBLIC WORKS AND OPERATIONS

ANNOUNCES A PUBLIC HEARING ON

B25-0005, “UNIFORM COMMERCIAL CODE AMENDMENT ACT OF 2023”;

B25-0151, “OPEN MOVIE CAPTIONING REQUIREMENT ACT OF 2023”;

AND

**B25-0456, “TENANT AND ROWHOUSE SHORT-TERM RENTAL CLARIFICATION
AMENDMENT ACT OF 2023”**

ON

Thursday, October 12, 2023, 9:30 a.m.
Virtual Public Hearing via Zoom

Watch live at:

<https://www.brianneknadeau.com/live>

DC Council Website (dccouncil.gov)

Council Channel 13 (Cable Television Providers)

Office of Cable Television Website (entertainment.dc.gov)

On **Thursday, October 12, 2023**, Councilmember Brianne K. Nadeau, Chairperson of the Committee on Public Works and Operations, will convene a public hearing to consider B25-0005, the “Uniform Commercial Code Amendment Act of 2023”; B25-0151, the “Open Movie Captioning Requirement Act of 2023”; and B25-0456, the “Tenant and Rowhouse Short-Term Rental Clarification Amendment Act of 2023”. The hearing will be held virtually via the Zoom platform beginning at 9:30 a.m.

The stated purpose of **Bill 25-0005** is to amend the Uniform Commercial Code (Subtitle I of Title 28 of the D.C. Official Code) (“UCC”) to incorporate amendments approved by the National Conference of Commissioners on Uniform State Laws. The UCC has been enacted in every jurisdiction of the United States in essentially the same form and is the backbone of commerce in the country. These new amendments to the UCC address transactions involving

digital assets, including cryptocurrency, non-fungible tokens, and electronic promises to pay. The amendments are needed to ensure that these digital assets are negotiable and to provide for the creation of security interests in them so that they may be used as collateral for loans. The enactment of these UCC Amendments by the Council is especially important because the District of Columbia is default filing jurisdiction for commercial transactions for which no jurisdiction's law is specified to govern.

An overview and more detailed summary of the UCC amendments is included along with the introduced version of B25-0005.

B25-0005 was introduced at the end of Council Period 24 as Bill 24-1052, soon after the amendments were finalized, but did not have time to be enacted before the period ended.

The stated purpose of **B25-0151** is to require, at movie theaters with more than one screen, that at least 12 percent of each movie's weekly showings be screened with open captions. Further, the bill requires that at least half of those required open caption screenings be scheduled during "peak movie attendance hours." A violation of these requirements is classified as an unlawful discriminatory practice pursuant to the District of Columbia's "Human Rights Act of 1977". B25-0151 would also require a movie theater to advertise the date and time of showings with open captions.

The stated purpose of **B25-0456** is to amend the "Short-Term Rental Regulation Act of 2018", which began to be implemented and enforced by the Department of Consumer and Regulatory Affairs in early 2022; the functions of short-term rental enforcement now fall under the Department of Licensing and Consumer Protection. The bill would make the operation of a property under the short-term rental law available to District residents that are currently excluded – namely, rental tenants and owners of a two-unit property in certain zoning districts.

B25-0456 permits a tenant to operate a short-term rental so long as they obtain written permission from their landlord and provide sufficient proof of residency. Prior to the implementation of the District's short-term rental law, tenants were not precluded from operating a short-term rental in their residence, which some residents used as an additional source of income.

Further, B25-0456 clarifies Section 102 of the "Short Term Rental Regulation Act of 2018" to rectify an interpretation of the law that has caused owners of largely identical properties to be treated differently. A rowhouse with a basement/ground level apartment is a very common housing type in the District and exists in many different zoning districts. However, if such a property is in a Residential ("R") zone, it is classified as a one-unit property with an accessory dwelling unit (the basement apartment); if it is in a Residential Flat ("RF") zone, it is considered a two-unit property, meaning that the basement unit would not be eligible for a short-term rental license under the current interpretation of the law. This would mean, to use a specific example, that the owner of a property on the north side of Webster Street, N.W. – the dividing line between an R-3 and an RF-1 zone – would be permitted to list a basement apartment as a short-term rental, whereas the owner of a nearly-identical property on the south side of the street would not.

Those who wish to testify must register using the Council's Hearing Management System at <https://lims.dccouncil.gov/hearings> by **5:00 p.m. on Wednesday, October 11, 2023**. Representatives of organizations will be allowed a maximum of five minutes for oral testimony, and individuals (and any subsequent representatives of the same organizations) will be allowed a maximum of three minutes. Witnesses who anticipate needing spoken language interpretation, or require sign language interpretation, are requested to inform the Committee office of the need as soon as possible but no later than five business days before the proceeding by emailing publicworks@dccouncil.gov. We will make every effort to fulfill timely requests. Witnesses will receive instructions on how to participate by Zoom prior to the hearing. If you have additional questions, please email publicworks@dccouncil.gov or contact Sabrin Qadi, Legislative Aide, at (202) 834-8093.

Public witnesses will participate virtually via the Internet on the Zoom Video Conference platform. Testimony should be submitted through the Council's Hearing Management System <https://lims.dccouncil.gov/hearings> in advance of the hearing. Testimony will be publicly accessible upon Committee review. If you are unable to testify at the hearing, written statements are encouraged and will be made a part of the official record. Statements for the record should be submitted through the Hearing Management System.

The record will close at 5:00 p.m. on Thursday, October 26, 2023.