

Council of the District of Columbia
COMMITTEE ON TRANSPORTATION & THE ENVIRONMENT
MEMORANDUM

1350 Pennsylvania Avenue, NW, Washington, DC 20004

TO: Chairman Phil Mendelson
FROM: Councilmember Charles Allen *CA*
RE: Request to agendaize B25-425 at the January 9, 2024 Legislative Meeting
DATE: January 4, 2024

Pursuant to Council Rule 426, regarding a waiver of Rule 231(c), I request that the following measure be agendaized for the January 9, 2024 Legislative Meeting. I also request a waiver of Committee of the Whole Rule 403(b) so that this measure be agendaized for an Additional Meeting of the Committee of the Whole should one be scheduled. This measure was approved by the Committee on December 6, 2023 and timely filed with the Secretary.

- B25-425, the “Strengthening Traffic Enforcement, Education, and Responsibility (“STEER”) Amendment Act of 2023”

Bill 25-425 would strengthen DC’s laws against dangerous driving in several ways, and it includes components from two bills introduced by Councilmember Christina Henderson that were considered during public hearings alongside the STEER Amendment Act earlier this fall. The bill:

- **Empowers the Office of the Attorney General (“OAG”) to go after both in-state and out-of-state dangerous drivers.** OAG will have authority to bring civil suits to recover unpaid fines from drivers, or associated with vehicles, that have a demonstrated history of driving at unsafe speeds. OAG can also seek the immobilization of the vehicle—that is, request that the vehicle be booted, or towed and impounded. Through the Full Faith and Credit Clause of the US Constitution, OAG can seek the enforcement of any judgments obtained in any driver’s home state. This means that *this innovative new approach will ensure that both DC residents and out-of-state residents alike will be held accountable, despite the lack of reciprocity with neighboring states.*
- **Creates a new Immobilization Framework to run in parallel with the current point system administered by the Department of Motor Vehicles (“DMV”).** Under the DMV’s current point system, drivers who accumulate a certain number of points can have their licenses suspended or revoked. Under the new Immobilization Framework created by the bill, the Department of Public Works (“DPW”) may boot, or tow and impound, vehicles against which a certain number of points have been assessed, based on the accumulation of tickets over a 6-month period, whether or not the tickets were paid. Unlike the DMV’s current point system—which does not assess points against vehicles based on Automated Traffic Enforcement (“ATE”) system violations—the Immobilization Framework is explicitly required to consider ATE citations when assessing points. And the existing point system targets individual driver’s insurance and could lead to suspension of a license, while the new Immobilization Framework is tied only to booting and/or impounding a vehicle. Furthermore, because the Immobilization Framework only looks at the number and

severity of traffic infractions over a six-month window – and does not consider whether the associated fines were paid or unpaid – the Immobilization Framework is narrowly focused on dangerous driving behavior and does not impose additional consequences on someone due to an inability to pay their fines.

- **Establishes a new Intelligent Speed Assistance Program – capping the ability of a driver to drive over a certain speed - for drivers whose license was suspended or revoked because of excessive speeding (including reckless driving).** Modeled after the Ignition Interlock Program, where those who drive under the influence and endanger others are prevented from driving drunk, this program would *put “speed governors” on the cars of people who commit serious speeding crimes, preventing them from driving over a certain speed in the future.* The first time a driver is required to enroll in the Intelligent Speed Assistance Program, they will have to remain in compliance for one year. The length of enrollment increases by one year for each subsequent conviction, and a fourth conviction can result in a requirement to enroll permanently. Drivers with low-incomes would have speed governors on their cars paid for by the District for the first conviction.
- **Improves DUI enforcement by resolving DMV notification failures around Ignition Interlock enrollment.** Currently, enrollment in the Ignition Interlock Program is required after the commission of a DUI-related crime. The bill resolves concerns raised in the press and at the Committee’s oversight hearings by clarifying when MPD must notify the DMV when someone has committed a DUI-related crime, how notice must be provided to the driver about a proposed license suspension, and the timing of and standards governing the hearing about the suspension.
- **Improves communication between agencies to stop people convicted of DUIs and who should have their licenses suspended from driving without consequences.** The bill adds reporting requirements among Superior Court, DMV, and OAG for DUI convictions. This is an attempt to avoid repeats of what appear to be long-standing communication failures between the Superior Court and DMV, uncovered by the Committee on Transportation and the Environment through oversight. These communications failures led to, what appears to be, hundreds of drivers who were convicted of a DUI not having their license suspended and not enrolling in the Ignition Interlock Program..
- **Supports victims by clarifying that driving tickets from stolen vehicles won’t be sent to car owners:** The bill requires MPD to notify DMV of a stolen car and clarifies that no ATE violations will be issued against that car until MPD tells DMV that the car has been returned. At Councilmember Henderson’s suggestion, it also adds a similar requirement for stolen tags.
- **Creates alternatives to fines for accountability and improving driver behavior:** The bill requires the DMV to create a safe driver curriculum, to allow DMV to waive up to \$500 per year of traffic fines. A person is also required to take the class if their car is booted or towed due to paid speeding violations accumulated over six months, before they can retrieve their car or have a boot removed

The filed Committee Report for the measure is attached. Please contact Chris Laskowski, Committee Director, at claskowski@dccouncil.gov, with any questions.

cc: Members, Council of the District of Columbia
Office of the Budget Director
Office of the General Counsel
Office of the Secretary