

Council of the District of Columbia
COUNCILMEMBER BRIANNE K. NADEAU
Chairperson, COMMITTEE ON PUBLIC WORKS & OPERATIONS
1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004

TO: Chairman Phil Mendelson
FROM: Councilmember Brienne K. Nadeau *Brianne K. Nadeau*
RE: Request to Agendize Measures for the December 3, 2024 Legislative Meeting
DATE: November 27, 2024

I request that the following measures be agendized for the December 3, 2024 Legislative Meeting.

Permanent Legislation:

- **B25-0319 – Fairness in Human Rights Administration Amendment Act of 2024**

The Fairness in Human Rights Administration Amendment Act of 2024 enhances protections under the D.C. Human Rights Act of 1977 by broadening the scope of unlawful discriminatory practices under the statute’s definition of sexual harassment to explicitly include those based on sex, gender, sexual orientation, and gender identity or expression. The bill also strengthens the authority of the D.C. Office of Human Rights by enabling it to investigate withdrawn complaints, issue cease-and-desist orders, and impose remedies for violations. It also clarifies and streamlines the administrative procedures for filing, mediating, investigating, and resolving discrimination complaints, making the process more transparent and equitable, especially for pro se complainants.

The bill was approved unanimously by the Committee on Public Works & Operations on November 21st and filed timely with the Office of the Secretary.

- **B25-0416 – Department of For-Hire Vehicles Delivery Vehicle Traffic Enforcement Expansion Amendment Act of 2024 (now known as “Carrier-for-Hire Oversight and Enforcement Act of 2024”)**

The primary purpose of B25-0416 as introduced is to grant the Department of For-Hire Vehicles the authority to enforce traffic violations against food and parcel delivery operators – hereafter referred to as “carriers-for-hire.” Council voted on three occasions to approve emergency and temporary legislation identical to B25-0416 as introduced.

The Committee Print of B25-0416 carries forward the intent of the emergency and temporary to grant DFHV full regulatory and enforcement authority over carriers-for-hire. To do so, the print closely mirrors existing statute on private vehicles-for-hire.

There is a significant amount of crossover between vehicles-for-hire – which are regulated by DFHV – and carriers-for-hire, which are not. It is common for operators to switch between the two, alternating between transporting passengers and transporting meals, parcels, or groceries.

When an operator makes this switch (or switches to another delivery app), they effectively switch from an activity that is regulated by D.C. Government to one that is largely unregulated. As a major industry that currently is not housed under the oversight of any one part of D.C. Government, there exists a clear need to clarify and strengthen agency oversight; the Committee believes that DFHV is the appropriate regulatory and enforcement agency to do so.

The bill was approved unanimously by the Committee on Public Works & Operations on November 21st and filed timely with the Office of the Secretary.

- **B25-0435 – Fraudulent Vehicle Tag Enforcement Amendment Act of 2023 (now known as “Fraudulent Vehicle Tag and Parking Enforcement Modernization Amendment Act of 2024”)**

The intent of B25-0435 as introduced is to “address the significant proliferation of long-expired temporary tags (or ‘dealer plates’) as well as outright counterfeit vehicle identification tags and the intentional obscuring of plates to avoid accountability.”

The Committee Print maintains provisions of the bill as introduced and re-organizes existing law into a comprehensive statute governing parking enforcement, immobilization/impoundment, and abandoned and dangerous vehicles (approximately 70 percent of substantive text in the Committee Print is reorganization of existing statute).

In addition to re-organizing and consolidating parking enforcement statute, the Committee Print includes new substantive provisions compared to B25-0435 as introduced. Most significantly, the existing standard that determines if a vehicle is boot/tow eligible – two unpaid tickets of any kind – is eliminated entirely. In its place, the print sets a schedule of “vehicle infraction points” for parking violations, building off of a system first established for ATE moving violations Strengthening Traffic Enforcement, Education, and Responsibility (“STEER”) Amendment Act of 2024. The Committee Print defines a new category of “safety-sensitive parking violations” that receive double the points of a typical parking infraction; vehicles with legitimate but expired tags, including temporary tags, are issued points that quickly escalate the longer the expiration date has passed.

The Committee Print establishes a definition for “unidentifiable vehicles” that would be deemed immediately eligible for immobilization and impoundment, establishing clear and more immediate consequences for owners of vehicles that have expressed a clear intent to evade other traffic enforcement – whether by falsifying, obscuring, or forgoing use of a tag.

The bill amends the District of Columbia Theft and White Collar Crimes Act of 1982 to clarify that intentionally falsifying a vehicle identification tag is considered an act of forgery; the Mayor and Attorney General are directed to coordinate and pursue investigations, enforcement, and

prosecution against such forgery offenses – targeting the most intensive enforcement against organized dealers and sellers of fraudulent tags rather than individual vehicle owners.

Existing law is amended to establish clear and easily-enforceable standards for the display of vehicle tags where none previously existed, bringing the District into conformance with laws in Maryland and Virginia. Furthermore, it clarifies the prohibition on plate covers and other obstructions, including a general prohibition on plate covers of any kind, “regardless of the legibility of the information on the vehicle identification tag”.

Consistent with Council Rule 426, I request a waiver of Rule 231(c) with regard to this measure, and that the measure be agendized for the December 3, 2024 Legislative Meeting. Alternatively, I request a waiver of Committee of the Whole Rule 403(b) and that the measure be agendized for an Additional Meeting of the Committee of the Whole, should one be scheduled. The bill was approved unanimously by the Committee on Public Works & Operations on November 21st and timely filed with the Office of the Secretary at 5:28 p.m. on Nov. 26th.

- **B25-0131 – Containing Litter and Ensuring Adequate (CLEAN) Collections Amendment Act of 2024**

B25-0131 seeks to address trash overflow and rodent infestation across the District by requiring adequate trash and recycling cans and more regular waste collection in multifamily buildings. Specifically, the CLEAN Collections Act would require multifamily buildings to provide trash cans or dumpsters that can hold at least 32 gallons of solid waste per residential unit. DC law currently calls for “adequate” solid waste container space but does not define that standard, leaving many multifamily apartments with fewer and smaller trash cans or dumpsters than needed.

The legislation would also require trash at multifamily buildings to be collected at least twice per week. Current DC law has no frequency requirement for trash collection. Semiweekly collection will prevent overflow and reduce the harmful effects of trash piling up over an entire week. Additionally, it makes these services more equitable by providing apartment building residents the same frequency of trash collection that many homeowners receive.

The committee print also seeks to alleviate issues of littering in residential areas abutting commercial corridors by requiring DPW to install public litter containers in areas zoned for residential use, provided certain requirements are met. It also tasks DPW with undertaking a study on commercial waste zones and the CFO with providing information related to the condominium and cooperative trash collection real property tax credit.

The bill was approved unanimously by the Committee on Public Works & Operations on November 25th and filed timely with the Office of the Secretary.

- **B25-0449 – Amplified Sound Mitigation Regulation Amendment Act of 2024**

The Amplified Sound Mitigation Regulation Amendment Act of 2024 aims to protect the vibrant musical and cultural history of neighborhoods, while establishing reasonable protections for

residents from excessive amplified sound. The bill sets measurable sound standards for electronically amplified sound in public space and updates required specifications for sound-level meters to modern standards.

The Committee Print seeks to address enforcement concerns. It requires that anyone using an amplified sound device on public space must first obtain an amplified sound device license from the Department of Licensing and Consumer Protection. This license was designed to be low-barrier and DLCP enforcement staff will be required to provide a warning prior to issuing any fines for violations. The Committee Print also adds language on clarification for enforcement of different types of sound enforcement, modeled after language included in the introduced version of B25-0750, the “Harmonious Living Amendment Act of 2024”. Finally, the Committee Print removes penalties for excessive sound levels because enforcement will now be covered by the licensure structure.

The bill was approved unanimously by the Committee on Public Works & Operations on November 25th and filed timely with the Office of the Secretary.

Confirmation Resolutions:

- **PR25-993 – Director of the Office of Human Rights Kenneth L. Saunders Confirmation Resolution of 2024**

This measure would confirm the appointment of Kenneth L. Saunders as the Director of the Office of Human Rights. The resolution was approved unanimously by the Committee on Public Works & Operations on November 25th and filed timely with the Office of the Secretary.

Emergency Contract Legislation at the request of the Mayor:

- **Multiyear Contract No. CW121294 with CDW Government LLC Emergency Declaration Resolution of 2024**
- **Multiyear Contract No. CW121294 with CDW Government LLC Emergency Approval Resolution of 2024**

The following summary has been provided by the Executive:

There exists an immediate need to approve multiyear Contract No. CW121294 with CDW Government LLC for Microsoft products and services, and to authorize payment for the goods and services to be received under the contract. CDW Government LLC seeks to provide Microsoft Products and services to ensure the District’s software is kept updated and patched to the latest version.

I understand that the measures have been filed by the Executive in the Secretary's office, and drafts of the measures as well as the E-filing packet are attached.

Please contact Ariel Ardura, Committee Director, at aardura@dccouncil.gov if you have any questions.

cc: Members, Council of the District of Columbia
Office of the Secretary
Office of the General Counsel
Mayor's Office of Policy and Legislative Affairs