



Councilmember Charles Allen

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the District Department of the Environment Establishment Act of 2005 to clarify that the Mayor may promulgate rules and regulations to implement the provisions of the District Department of the Environment Establishment Act of 2005, and to eliminate the requirement that all rules and regulations be submitted to the Council for a 45-day active review period.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Department of Energy and Environment Rulemaking Clarification Congressional Review Emergency Declaration Resolution of 2025”.

Sec. 2. (a) The Autonomous Vehicle Testing Program Amendment Act of 2020, effective December 23, 2020 (D.C. Law 23-156; D.C. Official Code § 50-2351 *et seq.*), allowed autonomous vehicle (“AV”) companies to test AVs on District roadways without an AV testing permit until the District Department of Transportation (“DDOT”) makes the permit application available, after which the AV company must apply for an AV testing permit or cease testing.

(b) To maintain interim requirements with which AV testing companies must comply as DDOT finalizes its rulemaking on the AV testing, the Council passed the Autonomous Vehicle Testing Permit Requirement Second Emergency Amendment Act of 2024, effective December 24, 2024 (D.C. Act 25-674; 72 DCR 14) (“emergency legislation”). The emergency legislation is set to expire on March 24, 2025. The Council also passed the Autonomous Vehicle Testing Permit

34 Requirement Second Temporary Amendment Act of 2024, enacted on January 15, 2025 (D.C. Act
35 25-708; 72 DCR 832) (“temporary legislation”). The projected law date for the temporary
36 legislation is March 27, 2025.

37 (c) The Public Life and Activity Zones Amendment (“PLAZA”) Act of 2024, enacted on
38 March 27, 2025 (D.C. Act 25-175; 72 DCR 1085) (“permanent law”) incorporates and makes
39 permanent provisions from the emergency and temporary legislation. The projected law date for
40 the permanent act is March 27, 2025.

41 (d) Without provisions of the emergency legislation, temporary legislation, or permanent
42 law in place, DDOT cannot conduct proper oversight over AV operations in the District, presenting
43 safety challenges for all roadway users.

44 (e) This congressional review emergency legislation is necessary to prevent a gap in the
45 law between the expiration emergency legislation and the effective date of the temporary
46 legislation and permanent law.

47 Sec. 3. The Council finds that the circumstances enumerated in section 2 constitute
48 emergency circumstances making it necessary that the Autonomous Vehicle Testing Permit
49 Requirement Congressional Review Emergency Amendment Act of 2025 be adopted after a single
50 reading.

51 Sec. 4. This resolution shall take effect immediately.