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2 
3 Councilmember Charles Allen


Chairman Phil Mendelson

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7 A BILL
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12 IN THE DISTRICT OF COLUMBIA
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17 To amend the Motor Vehicle Safety Responsibility Amendment Act of the District of Columbia
18 to allow a plaintiff to use an alternative method of service of process when serving
19 defendants in motor vehicle cases who reside in the District of Columbia.
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21 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this act
22 may be cited as the "Alternative Service of Process on District of Columbia Residents Amendment
23 Act of 2019".

24 Sec. 2. The Motor Vehicle Safety Responsibility Act of the District of Columbia, approved
25 May 25, 1954 (68 Stat. 123; D.C. Official Code § 50-1301.01 *et seq.*), is amended by adding a
26 new section 7a to read as follows:

27 "Sec. 7a. Service of process on District of Columbia resident.

28 "(a) Service of process may be made pursuant to the rules of the Superior Court on a
29 defendant who is a District of Columbia resident and who was the owner or operator of a motor
30 vehicle at the time such vehicle was involved in an accident or collision on any public highway of
31 the District of Columbia.

32 "(b) When proof is made by affidavit that good faith efforts to serve a defendant pursuant
33 to subsection (a) of this section have not succeeded, the court may order any other means of service

that it deems appropriate in the circumstances and reasonably calculated to give actual notice; provided, that the court may order that service be made upon the liability carrier to the defendant, the attorney the liability carrier retained, or the claims adjuster assigned to the claim.

“(c) Notice of service made pursuant to subsection (b) of this section shall include a copy of the summons and complaint and shall be sent by certified mail without return receipt requested by the plaintiff, or his attorney, to the defendant at his last known address. The plaintiff has a duty to exercise due diligence in the investigation of the last known address of the defendant. Such service shall be of the same legal force and validity as if served upon the defendant personally in the District of Columbia.

“(d) The methods of service provided in this section are in addition to and not exclusive of any other means of service that may be provided by statute or rule for obtaining jurisdiction over a defendant.

“(e) For the purposes of this section the term “resident” shall include any person who is a resident of the District of Columbia at the time of the accident or collision or who was not a resident of the District of Columbia at the time of the accident or collision but subsequently became a resident of the District of Columbia and is a resident thereof at the time process is sought to be served on the him or her as a result of such accident or collision.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

56 This act shall take effect following approval by the Mayor or in the event of veto by the
57 Mayor, action by the Council to override the veto, a 30-day period of congressional review as
58 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
59 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1), and publication in the District of
60 Columbia Register.

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