

AN ACT

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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To amend the District of Columbia Traffic Act, 1925 to require the Mayor to create rules governing shared fleet devices, to require a shared fleet device permit for the operation of a SFD fleet, to require permitted operators to pay a performance bond to the District in order to pay for damage to public property and other costs, to require permitted operators to provide fleet and trip data and complaint statistics to the Director of the District Department of Transportation, to require permitted operators to maintain at least 3% of its fleet in each ward between 5:00a.m. and 7:00a.m. each day, to prohibit permitted operators from deploying electric mobility devices within 300 feet of elementary, middle schools, or senior wellness centers, unless that space is located on a block face adjacent to a metro rail station entrance, to require permitted operators to maintain a 24-hour toll-free customer service line for the public to report inoperable or illegally parked shared fleet devices and other complaints, to require permitted operators to move the shared fleet devices within 2 hours of being notified that they are parked illegally, to require permitted operators to provide optional, free virtual classes on how to safely operate the shared fleet devices, to require shared fleet devices to have proper lighting and reflectors, to require the Director of the District Department of Transportation to construct signage or create conspicuous pavement markings alerting shared fleet device users when they are entering the Central Business District, to require the Director of the District Department of Transportation to construct at least 1,000 racks a year until 2025 for parking of electric mobility devices, to prohibit the Director of the District Department of Transportation from permitting more than 20,000 electric mobility devices before October 1, 2023, and to require shared fleet device users to park devices in an upright position and, beginning October 1, 2021, locked to an object with at least 3 feet of unobstructed pedestrian walkway; to amend the Pedestrian Protection Amendment Act of 1987 to provide that riders of electric mobility devices shall have the same rights and duties as a pedestrian under the same circumstances; and to amend the Anti-Drunk Driving Act of 1982 to prohibit a person from operating or being in the physical control of any personal mobility device or electric mobility device while under the influence of alcohol or any drug or any combination thereof; and to make conforming amendments.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Shared Fleet Devices Amendment Act of 2020”.

TITLE I. SHARED FLEET DEVICES

Sec. 101. The District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.01 *passim*), is amended as follows:

(a) Section 2 (D.C. Official Code § 50-2201.02) is amended as follows:

(1) New paragraphs (2A) and (2B) are added to read as follows:

“(2A) “Block” means the 2 opposite sides of a street between 2 consecutive street intersections.

“(2B) “Block face” means one side of a block.”.

(2) A new paragraph (5A) is added to read as follows:

“(5A) “Director” means the Director of the District Department of Transportation.”.

(3) A new paragraph (6A) is added to read as follows:

“(6A)(A) “Electric mobility device” means a device weighing less than 60 pounds that:

“(i) Has an electric motor;

“(ii) Is solely powered by the electric motor or human power;

“(iii) Is designed to transport only one person in a standing or seated position, where the rider is not enclosed; and

“(iv) Is no greater than 24 inches wide and 48 inches long.

“(B) The term “electric mobility device” shall not include a motorized bicycle, personal mobility device, motorcycle, or moped.”.

(4) A new paragraph (9A) is added to read as follows:

“(9A) “Lock-to mechanism” means a mechanism on shared fleet devices that locks the device to an object or infrastructure.”.

(5) Paragraph (11) is amended by striking the phrase “personal mobility devices, as defined in paragraph (13) of this section,” and inserting the phrase “electric mobility devices, personal mobility devices, motorized bicycles” in its place.

(6) A new paragraph (11A) is added to read as follows:

“(11A)(A) “Motorized bicycle” means a 2 or 3 wheeled vehicle with all of the following characteristics:

“(i) A post mounted seat or saddle for each person that the device is designed and equipped to carry;

“(ii) A vehicle with 2 or 3 wheels in contact with the ground, which are at least 16 inches in diameter;

“(iii) Fully operative pedals for human propulsion; and

“(iv) A motor incapable of propelling the device at a speed of more than 20 miles per hour on level ground.

“(B) The term “motorized bicycle” shall not include electric mobility devices, personal mobility devices, or a battery-operated wheelchair when operated by a person with a disability.”.

(7) New paragraphs (12A) and (12B) are added to read as follows:

“(12A) “Permitted operator” means a SFD operating company that has a SFD permit.

“(12B) “Personal information” means information that can reasonably be used to contact or distinguish a person, including internet protocol addresses, device identifiers, bank or credit card information, home addresses, email addresses, or phone numbers.”.

(8) Paragraph (13) is amended to read as follows:

“(13)(A) “Personal mobility device” or “PMD” means a motorized propulsion device that is designed to transport only one person that:

“(i) Weighs 60 pounds or more; or

“(ii) Is a self-balancing, two non-tandem wheeled device.

“(B) The term “personal mobility device” shall not include:

“(i) A battery-operated wheelchair;

“(ii) An electric mobility device; or

“(iii) A motorized bicycle.”.

(9) New paragraph (14A), (14B), (14C), and (14D) are added to read as follows:

“(14A) “SFD fleet” means all shared fleet devices of any single type of shared fleet device made available for rent by a permitted operator.

“(14B)(A) “SFD operating company” means a company that provides rental of shared fleet devices for use in the public right-of-way without requiring the installation of any infrastructure within the public right-of-way.

“(B) The term “SFD operating company” shall not include the District Department of Transportation or its contractors operating Capital Bikeshare.

“(14C) “SFD permit” means a public-right-of-way occupancy permit issued by the Director to a shared fleet device operating company to offer shared fleet devices for rental in the public right-of-way in the District.

“(14D) “Shared fleet device” means an electric mobility device, bicycle, or electrically-powered motorized bicycle that is available for short-term rental and is permitted for use in public space.”.

(10) Paragraph (19)(D) is amended by striking the period and inserting the phrase “, but not including shared fleet devices.” in its place.

(b) New sections 6b and 6c are added to read as follows:

“Sec. 6b. Regulations for shared fleet devices.

“(a) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall issue rules implementing the provisions of section 6c, including establishing:

“(1) Terms and conditions for a SFD permit;

“(2) An application process for obtaining a SFD permit;

“(3) A process by which a permit may be revoked if the permitted operator does not comply with the terms and conditions of the SFD permit, section 6c, or regulations issued pursuant to this section;

“(4) The term for which a SFD permit lasts before requiring renewal;

“(5) Penalties and fines for violations of the terms and conditions of the SFD permit, section 6c, or regulations issued pursuant to this section;

“(6) The number of shared fleet devices each permitted operator may operate in the public right-of-way;

“(7) The process a permitted operator shall follow and the criteria a permitted operator shall meet, including an explanation of how each criterion is weighted, in order to increase its fleet size;

“(8) Insurance requirements for permitted operators, which:

“(A) Shall include liability insurance in an amount not less than \$1 million per incident, that each permitted operator shall carry; and

“(B) May include a required minimum aggregate amount of liability insurance; and

“(9) The amount of the performance bond permitted operators shall provide to operate in the District.

“Sec. 6c. Operation of shared fleet devices.

“(a) No SFD operating company shall offer shared fleet devices for rental without a SFD permit issued by the Director.

“(b)(1) To obtain a SFD permit, a SFD operating company shall submit an application to the Director, in a form and manner determined by the Director by rule.

“(2) The Director shall require a separate SFD permit for each SFD fleet offered by a permitted operator in the District.

“(3) The Director may limit the number of permitted operators in the District to any number greater than 2.

“(4) The Director shall require permitted operators to provide a performance bond in an amount and form specified by the Director by rule, the funds of which shall be applied to costs including:

“(A) Damage to public property caused by a permitted operator’s shared fleet devices;

“(B) Fines for violations of the terms and conditions of the SFD permit, this section, or regulations pursuant to section 6b; and

“(C) The relocation of a permitted operator’s shared fleet device that is parked illegally.

“(c)(1) On the 7th day of each month, or the next business day if the 7th day of the month does not fall on a business day, a permitted operator shall collect and submit to the Director

information regarding its SFD fleet and trip activity within the District during the previous calendar month, including:

“(A) The time, route, starting location, and ending location of all trips;

“(B) A description of all complaints made against the permitted operator via the customer service phone number required by section 6c(f)(3) or online; and

“(C) Any other data the Director determines is pertinent to managing permitted operators or providing safe streets and infrastructure.

“(2)(A) The information required by paragraph (1)(A) of this subsection shall:

“(i) Constitute personal information;

“(ii) Be stored in a secure fashion with controlled access granted only to District Department of Transportation staff or third-party contractors essential to the implementation of this section and the rules issues pursuant to section 6b.

“(B) Any third-party contractors granted access to the information required by paragraph (1)(A) of this subsection shall be bound by non-disclosure agreements.

“(3) Except as provided in paragraph (4) of this subsection, the Director shall not disclose to the public personal information provided by a permitted operator under this subsection, including in response to a request pursuant to the Freedom of Information Act of 1976, effective March 13, 2004 (D.C. Law 15-105; D.C. Official Code § 2-531 *et seq.*).

“(4) The Director may enter into confidential data sharing agreements with researchers and research entities; except, that the Director shall only provide information in a quantity and at a level of detail that is reasonably necessary to conduct the analysis specified in the confidential data sharing agreement.

“(5) Within 48 hours after a permitted operator determines that a breach of its data system has occurred that has placed user personal information at risk, the permitted operator shall notify DDOT, and all past and present users of its shared fleet devices who may be affected by the breach, of the breach and the likely consequences of it.

“(d) The Director shall not permit the aggregate number of electric mobility devices available for rent from permitted operators in the District to increase above 20,000 before October 1, 2023.

“(e) The Director shall construct signage or create conspicuous pavement markings on major shared fleet device routes into and inside of the Central Business District, as that term is defined in section 9901 of Title 18 of the District of Columbia Municipal Regulations (18 DCMR § 9901), alerting users that they may not operate shared fleet devices on sidewalks within the Central Business District and of the fine amount for such a violation.

“(f) By October 1 of each year, for the calendar years 2021, 2022, 2023, and 2024, the Director shall construct, at a minimum, 1000 racks across the District suitable for the parking of shared fleet devices.

“(g) A permitted operator shall:

“(1) Have at least 3% of its fleet deployed in each ward cumulatively between 5:00 a.m. and 7:00 a.m. each day and in any other priority areas identified by the Director;

except, that a permitted operator with less than 200 permitted shared fleet devices need not comply with this paragraph;

“(2) Refrain from deploying shared fleet devices within 300 feet of an elementary, middle school, or senior wellness center, unless that space is located on a block face adjacent to a metro rail station entrance;

“(3) Operate a 24-hour toll-free customer service phone number for users, the general public, and District officials to report shared fleet devices that are inoperable or suspected of being operated or parked in an apparent violation of the law, and to file complaints;

“(4) Remove or reposition its shared fleet devices that are parked illegally within 2 hours of being notified of a violation by DDOT, any other government agency, or the public;

“(5) By October 1, 2021, require users to use the lock-to mechanism on the shared fleet device in order to end a ride and make failure to do so subject to a penalty;

“(6) Leave a shared fleet device involved in an accident in which the police have been called at the scene of the accident until the police have consented to the removal of the device and, if necessary, allow the police to take the device as evidence.

“(7) Compile crash and injury data reported from the users of its shared fleet devices and share the data, which shall be aggregated so that identification of specific individuals is indeterminable, with the Director and the public on its website or mobile application;

“(8) Display a plainly visible logo or name on its shared fleet devices to assist the public in identifying which shared fleet devices belong to which permitted operator;

“(9) Display the customer service phone number required by paragraph (3) of this subsection on its shared fleet devices, including in braille, to inform the public whom to contact to reposition the device;

“(10) Provide the public with data via its website or mobile application regarding how much of its SFD fleet and what parts, if any, of its shared fleet devices are reused or recycled at the end of the shared fleet device’s useful life;

“(11) Ensure its shared fleet devices are equipped with a headlight and taillight to be used when the safe operation of the device requires it;

“(12) Ensure its shared fleet devices are equipped with reflective markings on its sides;

“(13) Ensure its shared fleet devices are equipped with an audible signal to allow users to alert pedestrians to their presence while the device is in use;

“(14) Offer an optional free class, in person or virtually, at least once a month, to educate users regarding the law and safe practices applicable to operating and parking a shared fleet device;

“(15) By October 1, 2021, ensure its shared fleet devices are equipped with a lock-to mechanism for safe and legal parking;

“(16) Offer to ship a helmet to any user who requests it for a price determined by the Director after consultation with the permitted operator;

“(17) Ensure its electric mobility devices are equipped with a speed governor that does not allow the electric mobility devices to travel at a speed greater than the speed limit for electric mobility devices on a paved level surface as determined by the Director;

“(18) Not display third party advertising on its shared fleet devices; except, that a permitted operator may display the name and logo of its parent company;

“(19) Educate users regarding the law and safe practices applicable to operating and parking a shared fleet device by requiring each user to watch a video with closed captioning, or to participate in other media approved by the Director, through the permitted operator’s mobile application when using the mobile application for the first time that explains:

“(A) Users must be at least 16 years of age, or any older age that a permitted operator may determine it would prefer to set as its own guidelines;

“(B) Users under 18 years of age shall wear helmets;

“(C) Users shall park legally, which includes using the lock-to mechanism after October 1, 2021;

“(D) Users shall not ride with passengers;

“(E) Users shall yield to pedestrians;

“(F) Users shall park electric mobility devices in corrals when available;

“(G) Users shall ride electric mobility devices in protected bike lanes when available; and

“(H) Users shall not ride on sidewalks within the Central Business District; and

“(20) Comply with all other requirements established by the Director for the operation of shared fleet devices.

“(h) A person shall not operate an electric mobility device in excess of the speed limit determined by the Director.

“(i) A person shall operate an electric mobility device in a protected bike lane if available and safe for operating the electric mobility device.

“(j) A person shall not operate a shared fleet device:

“(1) If the person is under 16 years of age;

“(2) Upon a sidewalk within the Central Business District, as the term is defined in section 9901 of Title 18 of the District of Columbia Municipal Regulations (18 DCMR § 9901);

“(3) With a passenger;

“(4) While carrying any package, bundle, or other article that hinders the person from keeping both hands on the handlebars; or

“(5) While the person is wearing a headset, headphone, or earphone, unless the device is used to improve the hearing of a person with a hearing impairment or the device covers or is inserted in one ear only.

“(k) A person shall park a shared fleet device:

“(1) In an upright position;

“(2) After October 1, 2021, using the lock-to mechanism; and

“(3) In such a manner as to:

“(A) Afford at least 3 feet of unobstructed pedestrian walkway;

“(B) Maintain unimpeded access to entrances to private property and driveways; and

“(C) Maintain unimpeded access to handicap accessible ramps or parking spots.”.

Sec. 102. Section 2(b-1) of the Pedestrian Protection Amendment Act of 1987, effective October 9, 1987 (D.C. Law 7-34; D.C. Official Code § 50-2201.28(b-1)), is amended to read as follows:

“(b-1) A person on a bicycle, personal mobility device, or electric mobility device upon or along a sidewalk or while crossing a roadway in a crosswalk shall have the rights and duties applicable to a pedestrian under the same circumstances; provided, that:

“(1) The bicyclist, personal mobility device operator, or electric mobility device operator yields to pedestrians on the sidewalk or crosswalk; and

“(2) Riding a bicycle on the sidewalk is permitted.”.

Sec. 103. The Anti-Drunk Driving Act of 1982, effective September 14, 1982 (D.C. Law 4-145; D.C. Official Code § 50-2206.01 *et seq.*), is amended as follows:

(a) Section 3a (D.C. Official Code § 50-2206.01) is amended as follows:

(1) A new paragraph (6A) is added to read as follows:

“(6A) “Electric mobility device” shall have the same meaning as provided in section 2(6A) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.01(6A)).”.

(2) Paragraph (16) is amended to read as follows:

“(16) “Personal mobility device” shall have the same meaning as provided in section 2(13) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.01(13)).”.

(b) A new section 3g-1 is added to read as follows:

“Sec. 3g-1. Operating under the influence of alcohol or a drug; personal mobility device and electric mobility device.

“(a) No person shall operate or be in the physical control of any personal mobility device or electric mobility device while under the influence of alcohol or any drug or any combination thereof.

“(b) A person violating the provisions of this section shall, upon conviction, be fined not more than \$150.”.

## TITLE II. CONFORMING AMENDMENTS



Sec. 201. Section 3(17) of the Compulsory/No Fault Motor Vehicle Insurance Act of 1982, effective September 18, 1982 (D.C. Law 4-155; D.C. Official Code § 31-2402(17)), is amended to read as follows:

"(17) The term "motor vehicle" means any device propelled by an internal-combustion engine, electricity, or steam. The term "motor vehicle" shall not include traction engines used exclusively for drawing vehicles in fields, road rollers, vehicles propelled only upon rails and tracks, personal mobility devices, as the term is defined in section 2(13) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(13)), electric mobility devices, as the term is defined in section 2(6A) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(6A)), motorized bicycles, as the term is defined in section 2(11A) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(11A)), or a battery-operated wheelchair when operated by a person with a disability."

Sec. 202. Section 1(6) of An Act To provide for the regulation of finance charges for retail installment sales of motor vehicles in the District of Columbia, and for other purposes, approved April 22, 1960 (74 Stat. 69; D.C. Official Code § 50-601(6)), is amended to read as follows:

"(6) "Motor vehicle" means any automobile, mobile home, motorcycle, truck, truck tractor, trailer, semi-trailer, or bus. The term "motor vehicle" shall not include any boat trailer, any vehicle propelled or drawn exclusively by muscular power, any vehicle designed to run only on rails or tracks, a personal mobility device, as the term is defined in section 2(13) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(13)), electric mobility devices, as the term is defined in section 2(6A) of the District of Columbia Traffic Act, 1925 approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(6A)), motorized bicycles, as the term is defined in section 2(11A) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(11A)), or a battery-operated wheelchair when operated by a person with a disability."

Sec. 203. Section 8 of An Act To provide for the annual inspection of all motor vehicles in the District of Columbia, effective March 15, 1985 (D.C. Law 5-176; D.C. Official Code § 50-1108), is amended to read as follows:

"Sec. 8. As used in this act, the term "motor vehicle" means all vehicles propelled by internal-combustion engines, electricity, or steam. The term "motor vehicle" shall not include traction engines, road rollers, vehicles propelled only upon rails or tracks, personal mobility devices, as the term is defined in section 2(13) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(13)), electric mobility devices, as the term is defined in section 2(6A) of the District of Columbia Traffic Act, 1925,

approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(6A)), motorized bicycles, as the term is defined in section 2(11A) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(11A)), or a battery-operated wheelchair when operated by a person with a disability."

Sec. 204. Section 1(9) of An Act To provide for the recording and releasing of liens by entries on certificates of title for motor vehicles and trailers, and for other purposes, approved July 2, 1940 (54 Stat. 736; D.C. Official Code § 50-1201(9)), is amended to read as follows:

"(9) "Motor vehicle" means all vehicles propelled by internal-combustion engines, electricity, or steam. The term "motor vehicle" shall not include traction engines, road rollers, vehicles propelled only upon rails or tracks, personal mobility devices, as the term is defined in section 2(13) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(13)), electric mobility devices, as the term is defined in section 2(6A) of the District of Columbia Traffic Act, 1925 approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(6A)), motorized bicycles, as the term is defined in section 2(11A) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(11A)), or a battery-operated wheelchair when operated by a person with a disability."

Sec. 205. Section 2(4) of the Motor Vehicle Safety Responsibility Act of the District of Columbia, approved May 25, 1954 (68 Stat. 120; D.C. Official Code § 50-1301.02(4)), is amended to read as follows:

"(4) Motor vehicle" means every vehicle that is self-propelled and every vehicle that is propelled by electric power obtained from overhead trolley wires, but not operated upon rails. The term "motor vehicle" shall not include personal mobility devices, as the term is defined in section 2(13) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(13)), electric mobility devices, as the term is defined in section 2(6A) of the District of Columbia Traffic Act, 1925 approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(6A)), motorized bicycles, as the term is defined in section 2(11A) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(11A)), or a battery-operated wheelchair when operated by a person with a disability."

Sec. 206. Section 1(a) of Title IV of the District of Columbia Revenue Act of 1937, approved August 17, 1937 (50 Stat. 679; D.C. Official Code § 50-1501.01(1)), is amended as follows:

"(a) The term "motor vehicle" means any vehicle propelled by internal-combustion engine, electricity, or steam. The term "motor vehicle" shall not include a traction engine, road roller, vehicle propelled only upon rails or tracks, personal mobility devices, as the term is defined in section 2(13) of the District of Columbia Traffic Act, 1925, approved March 3,

1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(13)), electric mobility devices, as the term is defined in section 2(6A) of the District of Columbia Traffic Act, 1925 approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(6A)), motorized bicycles, as the term is defined in section 2(11A) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(11A)), or a battery-operated wheelchair when operated by a person with a disability."

Sec. 207. Section 2(b) of the Rental Vehicle Tax Reform Act of 1978, effective March 6, 1979 (D.C. Law 2-157; D.C. Official Code § 50-1505.01(2)), is amended to read as follows:

"(b) The term "motor vehicle" means any device propelled by an internal-combustion engine, and designed to carry passengers. The term "motor vehicle" shall not include road rollers, farm tractors, trucks, motorcycles, motorized bicycles, vehicles with a seating capacity of 10 or more persons, vehicles propelled only upon rails and tracks, personal mobility devices, as the term is defined in section 2(13) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(13)), electric mobility devices, as the term is defined in section 2(6A) of the District of Columbia Traffic Act, 1925 approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(6A)), or a battery-operated wheelchair when operated by a person with a disability."

Sec. 208. Section 1(14) of the District of Columbia Implied Consent Act, approved October 21, 1972 (86 Stat. 1016; D.C. Official Code § 50-1901(14)), is amended to read as follows:

"(14) The term "motor vehicle" means all vehicles propelled by internal combustion engines, electricity, or steam. The term "motor vehicle" shall not include personal mobility devices, as the term is defined in section 2(13) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(13)), electric mobility devices, as the term is defined in section 2(6A) of the District of Columbia Traffic Act, 1925 approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(6A)), motorized bicycles, as the term is defined in section 2(11A) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(11A)), or a battery-operated wheelchair when operated by a person with a disability."

Sec. 209. Section 102(5A) of the District of Columbia Traffic Adjudication Act of 1978, effective September 12, 1978 (D.C. Law 2-104; D.C. Official Code § 50-2301.02(5A)), is amended to read as follows:

"(5A) The term "motor vehicle" means all vehicles propelled by an internal-combustion engine, electricity, or steam. The term "motor vehicle" shall not include traction engines, road rollers, vehicles propelled only upon stationary rails or tracks, personal mobility devices, as the term is defined in section 2(13) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(13)), electric mobility

devices, as the term is defined in section 2(6A) of the District of Columbia Traffic Act, 1925 approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(6A)), motorized bicycles, as the term is defined in section 2(11A) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(11A)), or a battery-operated wheelchair when a person with a disability."

Sec. 210. Section 2(5) of the District of Columbia Motor Vehicle Parking Facility Act of 1942, approved February 16, 1942 (56 Stat. 91; D.C. Official Code § 50-2602(5)), is amended to read as follows:

"(5) The term "motor vehicle" means any device propelled by an internal combustion engine, electricity, or steam. The term "motor vehicle" shall not include traction engines, road rollers, vehicles propelled only upon rails or tracks, personal mobility devices, as the term is defined in section 2(13) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(13)), electric mobility devices, as the term is defined in section 2(6A) of the District of Columbia Traffic Act, 1925 approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(6A)), motorized bicycles, as the term is defined in section 2(11A) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(13)), or a battery-operated wheelchair when operated by a person with a disability."

### **TITLE III. APPLICABILITY; FISCAL IMPACT STATEMENT; EFFECTIVE DATE**

#### **Sec. 301. Applicability**

(a) The amendatory section 6c(f) within section 101(b) shall apply upon the date of inclusion of its fiscal effect in an approved budget and financial plan.

(b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in an approved budget and financial plan, and provide notice to the Budget Director of the Council for certification.

(c)(1) The Budget Director shall cause the notice of the certification to be published in the District of Columbia Register.

(2) The date of publication of the notice of the certification shall not affect the applicability of the provision identified in subsection (a) of this section.

#### **Sec. 302. Fiscal impact statement.**

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

**ENROLLED ORIGINAL**

Sec. 303. Effective date.

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

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Chairman  
Council of the District of Columbia

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Mayor  
District of Columbia