



COUNCIL OF THE DISTRICT OF COLUMBIA
THE JOHN A. WILSON BUILDING
1350 PENNSYLVANIA AVENUE, NW
WASHINGTON, D.C. 20004

CHRISTINA HENDERSON
Councilmember, At-Large
Chairperson, Committee on Health

Committee Member
Hospital and Health Equity
Judiciary and Public Safety
Transportation and the Environment

Statement of Introduction
License Suspension Reform Amendment Act of 2023
July 6, 2023

Today, I am introducing the License Suspension Reform Amendment Act of 2023, along with Councilmembers Charles Allen, Brianna K. Nadeau, Janeese Lewis George, Zachary Parker, and Brooke Pinto.

Current law mandates that drivers' licenses be suspended following conviction of certain traffic violations, including driving under the influence of drugs or alcohol, operating a vehicle under the age of 21 under the influence of any drugs or alcohol, and killing another individual while driving a vehicle. However, the path to conviction is lengthy, and certain traffic violations are so egregious and devastating that a scofflaw driver should not be allowed to operate a vehicle while waiting for a conviction to be handed down. Under current law, and unless a judge orders otherwise, a person who causes irreparable harm while driving a vehicle can be released on their own recognizance while awaiting trial and could continue driving despite their offenses. The Code must be updated to contemplate decisive limitations on the privilege of driving for individuals whose behavior while operating several-thousand-pound vehicles jeopardizes the safety of the District residents and visitors who use our roads.

To that end, this legislation would suspend the license and registration of all vehicles owned by or registered in the name of any person charged with the following:

- Negligent homicide where death is due to operation of a vehicle;
- Leaving the scene of an accident in which the motor vehicle driven by the person is involved and in which there is personal injury;
- Driving while intoxicated or while under the influence of intoxicating liquor or any drug or any combination, or charged with operating a motor vehicle under the age of 21 when the individual's blood, breath, or urine contains any measurable amount of alcohol.

The legislation also makes conforming amendments to suspend the license and registration of all vehicles owned by or registered in the name of any person who is charged with violating the provisions of:

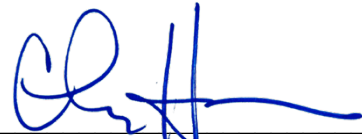
- The District of Columbia Traffic Act, 1925 by leaving the scene of an accident in which the motor vehicle driven by the person is involved and in which there is personal injury;
- An Act To establish a code of law for the District of Columbia by committing negligent homicide; and
- The Anti-Drunk Driving Act of 1982 by driving under the influence of alcohol or drugs.

Further, it also makes conforming changes aligned with the statutory changes to Chapters 301 and 302 of Title 18 of the District of Columbia Municipal Regulations.

In the United States and in the District, infrastructure investments have historically been made with cars and drivers in mind. Lately, too, we have discovered dissonance between agency administrative processes and data transmission, and functionality gaps in agency tracking of offenses. These issues must be resolved, and at the same time we must continue to invest in infrastructure changes that force good behavior from roadway users. However, traffic fatalities continue to increase—MPD’s traffic fatality data as of July 6, 2023 reveals a 35% increase in traffic fatalities compared to the same date last year. There are also far too many accidents and near misses that cause lasting harm and are not reflected in available data. The Council can and must address the penalty gap for drivers whose decisions cause irreparable harm to others in the meantime, and implementing this legislation with fidelity is one of a number of reforms that will enable us to realize better traffic safety outcomes for the District.

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2 Councilmember Charles Allen



Councilmember Christina Henderson

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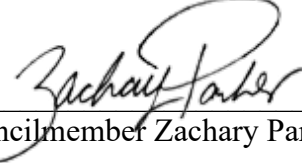
5 Councilmember Brianne K. Nadeau



Councilmember Brooke Pinto

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9 Councilmember Janeese Lewis George



Councilmember Zachary Parker

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15 A BILL

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19 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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24 To amend the Motor Vehicle Safety Responsibility Act of the District of Columbia to suspend
25 the license and registration of all vehicles owned by or registered in the name of any
26 person that is charged with negligent homicide where death is due to operation of a
27 vehicle, leaving the scene of an accident in which the motor vehicle driven by the person
28 is involved and in which there is personal injury, driving while intoxicated or while under
29 the influence of intoxicating liquor or any drug or any combination thereof, or charged
30 with operating a motor vehicle under the age of 21 when the individual’s blood, breath,
31 or urine contains any measurable amount of alcohol; to amend the District of Columbia
32 Traffic Act, 1925 to suspend the license and registration of all vehicles owned by or
33 registered in the name of any person who is charged with leaving the scene of an accident
34 in which the motor vehicle driven by the person is involved and in which there is
35 personal injury; to amend An Act To establish a code of law for the District of Columbia
36 to suspend the license and registration of all vehicles owned by or registered in the name
37 of any person who is charged with negligent homicide; to amend the Anti-Drunk Driving
38 Act of 1982 to suspend the license and registration of all vehicles owned by or registered
39 in the name of any person who is charged with driving under the influence of alcohol or
40 drugs; and to amend Chapters 301 and 302 of Title 18 of the District of Columbia
41 Municipal Regulations to make conforming changes.

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43 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
44 act may be cited as the “License Suspension Reform Amendment Act of 2023”.

45 Sec. 2. Section 37 of the Motor Vehicle Safety Responsibility Act of the District of
46 Columbia, approved May 25, 1954 (68 Stat. 130; D.C. Official Code § 50-1301.37), is amended
47 as follows:

48 (a) Subsection (a) is amended as follows:

49 (1) Strike the phrase “or shall have forfeited any bond or collateral given to secure
50 appearance for trial for a violation of any of the following provisions of law:” and inserting the
51 phrase “charged with, or shall have forfeited any bond or collateral given to secure appearance
52 for trial for a violation of any of the following provisions of law:” in its place.

53 (2) Strike the phrase “(6) a conviction of, or forfeiture of bail or collateral” and
54 insert the phrase “(6) a conviction or charge of, or forfeiture of bail or collateral” in its place.

55 (3) Strike the phrase “(2) if a conviction arose” and insert the phrase “(2) if a
56 conviction or charge arose” in its place.

57 (4) Strike the phrase “if, at the time of the conviction or forfeiture” and insert the
58 phrase “if, at the time of the conviction, charge, or forfeiture” in its place.

59 (b) Subsection (b) is amended by striking the phrase “for a conviction or forfeiture under”
60 and inserting the phrase “for a conviction, charge, or forfeiture under” in its place.

61 Sec. 3. Section 10c of the District of Columbia Traffic Act, 1925, effective April 27,
62 2013 (D.C. Law 19-266; D.C. Official Code § 50-2201.05c), is amended by adding new
63 subsections (c-1) and (c-2) to read as follows:

64 “(c-1) A person charged with violating subsection (a)(1) of this section shall have their
65 license and registration of all vehicles registered in the name of the person suspended.

66 “(c-2) The Mayor shall reinstate the license and registration of all vehicles registered in
67 the name of a person who was charged with violating subsection (a)(1) of this section but was
68 not convicted, subject to the payment of a reinstatement fee set by the Mayor.”.

69 Sec. 4. Section 802(a) of An Act To establish a code of law for the District of Columbia,
70 approved March 3, 1901 (31 Stat. 1189; D.C. Official Code § 50-2203.01), is amended to read as
71 follows:

72 “(a) A person commits the felony of negligent homicide when they operate any vehicle in
73 a careless, reckless, or negligent manner, though not willfully or wantonly, and cause the death
74 of another person, including a pedestrian or rider as defined in § 50-2201.02(14A) in a marked
75 crosswalk, or unmarked crosswalk at an intersection.

76 “(b) The Mayor shall suspend the license and registration of all vehicles owned by or
77 registered in the name of any person charged with negligent homicide. A person convicted of
78 negligent homicide shall be punished by imprisonment for not more than 5 years or by a fine of
79 not more than the amount set forth in § 22-3571.01 or both.

80 “(c) The Mayor shall reinstate the license and registration of all vehicles registered in the
81 name of a person who was charged with violating subsection (a) of this section but was not
82 convicted, subject to the payment of a reinstatement fee set by the Mayor.”.

83 Sec. 5. Section 3d(d-1) of the Anti-Drunk Driving Act of 1982, effective April 27, 2013
84 (D.C. Law 19-266; D.C. Official Code § 50-2206.13(d-1)), is amended to read as follows:

85 “(d-1)(1) In addition to any other penalty provided by law, and notwithstanding section
86 10a of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat 1119; D.C.
87 Official Code § 50-2201.05a), and section 3t(a-1)(1), a person who is charged with any provision
88 of section 3b or 3c shall have their driver's license and the registration of all vehicles owned by

89 or registered in the name of the person revoked until such time as the Department may reinstate
90 the person's driver's license or privilege to operate a motor vehicle in the District pursuant to
91 paragraph (2) of this subsection.

92 “(2) The Mayor may reinstate the license and registration of all vehicles registered in the
93 name of a person whose driver's license or privilege to operate in the District was revoked upon
94 charging pursuant to paragraph (1) of this subsection, but was not convicted, subject to the
95 payment of a reinstatement fee set by the Mayor.”.

96 Sec. 6. Chapter 3 of Title 18 of the District of Columbia Municipal Regulations is
97 amended as follows:

98 (a) Section 301 is amended as follows:

99 (1) The lead-in language of subsection 301.1 is amended to read as follows:

100 “301.1 The Director shall permanently suspend the license and registration of all
101 vehicles owned by or registered in the name of any person upon receiving a record of such
102 person's conviction or administrative action by the Director resulting from the occurrence of any
103 of the following offenses:”.

104 (2) A new subsection 301.4 is added to read as follows:

105 “301.4 The Director shall suspend the license and registration of all vehicles owned by or
106 registered in the name of any person who is charged with any of the following offenses:

107 “(a) Operating or being in control of a motor vehicle while a person's alcohol
108 concentration is 0.08 grams or more either per 100 milliliters of blood or per 210 liters of breath
109 or is 0.10 grams or more per 100 milliliters of urine, or while under the influence of intoxicating
110 liquor or any drug or any combination thereof; or while the ability to operate a vehicle is
111 impaired by the consumption of intoxicating liquor;

112 “(b) If a person is under twenty-one (21) years of age, operating a motor vehicle
113 while the person’s blood, breath, or urine contains any measurable amount of alcohol.

114 “(c) Any homicide committed by means of a motor vehicle; or

115 “(d) Leaving the scene of an accident in which the motor vehicle driven by a
116 person was involved and in which there is personal injury without the driver giving assistance or
117 making known their identity and address and the identity and address of the owner of the
118 vehicle.”.

119 (b) Section 302 is amended by adding new subsections 302.16, 302.17, and 301.18 to
120 read as follows:

121 “302.16 Being charged with operating or being in control of a motor vehicle while a
122 person's alcohol concentration is 0.08 grams or more either per 100 milliliters of blood or per
123 210 liters of breath or is 0.10 grams or more per 100 milliliters of urine, or while under the
124 influence of intoxicating liquor or any drug or any combination thereof, or while the ability to
125 operate a vehicle is impaired by the consumption of intoxicating liquor, shall result in license
126 suspension or revocation.

127 “302.17 Being charged with operating a motor vehicle while the blood, breath, or urine of
128 a person under twenty-one (21) years of age contains any measurable amount of alcohol shall
129 result in license suspension or revocation.

130 “302.18 Being charged with leaving the scene of an accident in which the motor vehicle
131 driven by a person was involved and in which there is personal injury without the driver giving
132 assistance or making known their identity and address and the identity and address of the owner
133 of the vehicle.”.

134 Sec. 7. Fiscal impact statement.

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

138 Sec. 8. Effective date.

139 This act shall take effect following approval by the Mayor (or in the event of veto by the
140 Mayor, action by the Council to override the veto), a 30-day period of Congressional review as
141 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
142 24, 1973 (87 Stat. 813: D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
143 Columbia Register.