

A BILL

23-359

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the District of Columbia Traffic Act, 1925 to create definitions for electric mobility devices, shared fleet devices, and motorized bicycles, to direct 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 ban permitted operators from deploying electric mobility devices within 300 feet of elementary, middle schools, or senior wellness centers, 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 and to move the devices within two hours of being notified of their alleged violation of the law, to require permitted operators to provide optional free virtual classes on how to safely operate the devices, to require shared fleet devices to have proper lighting and reflectors, to require the Director 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 to construct at least 200 racks a year until 2025 for parking of electric mobility devices, to restrict the Director permitting more than 20,000 electric mobility devices before October 1, 2023, 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 three feet of unobstructed pedestrian walkway; to amend the Pedestrian Protection Amendment Act of 1987 to establish that riders of electric mobility devices have the same rights and duties as a pedestrian under the same circumstances; to amend the Anti-Drunk Driving Act of 1982 to make driving a shared fleet device while under the influence illegal; 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”.

39 TITLE I. SHARED FLEET DEVICES

40 Sec. 101. The District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat.
41 1119; D.C. Official Code § 50-2201.01 *passim*), is amended as follows:

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

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

44 “(5A) “Director” means the Director of the District Department of
45 Transportation.”.

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

47 “(6A)(A) “Electric mobility device” means a device weighing less than 60 pounds
48 that:

49 “(i) Has an electric motor;

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

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

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

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

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

57 “(9A) “Lock-to mechanism” means a mechanism on shared fleet devices that
58 locks the device to an object or infrastructure.”.

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

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

63 “(11A)(A) “Motorized bicycle” means a 2 or 3 wheeled vehicle with all of the
64 following characteristics:

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

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

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

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

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

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

76 “(12A) “Permitted operator” means a SFD operating company that has a SFD
77 permit.

78 “(12B) “Personal information” means information that can reasonably be used to
79 contact or distinguish a person, including internet protocol addresses, device identifiers, bank or
80 credit card information, home addresses, email addresses, or phone numbers.”.

81 (7) Paragraph (13) is amended to read as follows:

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

84 “(i) Weighs 60 pounds or more; or

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

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

87 “(i) A battery-operated wheelchair;

88 “(ii) An electric mobility device; or

89 “(iii) A motorized bicycle.”.

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

91 “(14A) “SFD fleet” means all shared fleet devices of any single type of shared
92 fleet device made available for rent by a permitted operator.

93 “(14B)(A) “SFD operating company” means a company that provides rental of
94 shared fleet devices for use in the public right-of-way without requiring the installation of any
95 infrastructure within the public right-of-way.

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

98 “(14C) “SFD permit” means a public-right-of-way occupancy permit issued by
99 the Director to a shared fleet device operating company to offer shared fleet devices for rental in
100 the public right-of-way in the District.

101 “(14D) “Shared fleet device” means an electric mobility device, bicycle, or
102 electrically-powered motorized bicycle that is available for short-term rental and is permitted for
103 use in public space.”.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

149 “(c)(1) On the 7th day of each month, or the next business day if the 7th day of the month
150 does not fall on a business day, a permitted operator shall collect and submit to the Director
151 information regarding its SFD fleet and trip activity within the District during the previous
152 calendar month, including:

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

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

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

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

159 “(i) Constitute personal information;

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

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

165 “(3) Except as provided in paragraph 4 of this subsection, the Director shall not
166 disclose to the public personal information provided by a permitted operator under this
167 subsection, including in response to a request pursuant to the Freedom of Information Act of
168 1976, effective March 13, 2004 (D.C. Law 15-105; D.C. Official Code § 2-531 *et seq.*).

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

173 “(5) Within 48 hours after a permitted operator determines that a breach of its data
174 system has occurred that has placed user personal information at risk, the permitted operator

175 shall notify DDOT, and all past and present users of its shared fleet devices who may be affected
176 by the breach, of the breach and the likely consequences of it.

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

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

185 “(f) By October 1 of each year, for the calendar years 2021, 2022, 2023, and 2024, the
186 Director shall construct, at a minimum, ~~200~~ 1000 racks across the District suitable for the
187 parking of shared fleet devices.

188 “(g) A permitted operator shall:

189 “(1) Have at least 3% of its fleet deployed in each ward cumulatively between
190 5:00 a.m. and 7:00 a.m. each day and in any other priority areas identified by the Director;
191 provided, that a permitted operator with less than 200 permitted shared fleet devices need not
192 comply with this paragraph;

193 “(2) Refrain from deploying shared fleet devices within 300 feet of an elementary,
194 middle school, or senior wellness center;

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

198 “(4) Remove or reposition its shared fleet devices that are parked illegally within
199 2 hours of being notified of a violation by DDOT, any other government agency, or the public;

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

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

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

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

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

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

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

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

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

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

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

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

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

ENGROSSED ORIGINAL

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

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

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

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

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

243 “(D) Users shall not ride with passengers;

244 “(E) Users shall yield to pedestrians;

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

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

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

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

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

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

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

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

258 “(2) Upon a sidewalk within the Central Business District, as the term is defined
259 in section 9901 of Title 18 of the District of Columbia Municipal Regulations (18 DCMR §
260 9901);

261 “(3) With a passenger;

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

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

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

268 “(1) In an upright position;

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

270 “(3) In such a manner as to:

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

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

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

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

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

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

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

285 Sec. 103. The Anti-Drunk Driving Act of 1982, effective September 14, 1982 (D.C. Law
286 4-145; D.C. Official Code § 50-2206.01 *et seq.*), is amended as follows:

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

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

289 “(6A) “Electric mobility device” shall have the same meaning as provided in
290 section 2(6A) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat.
291 1119; D.C. Official Code § 50-2201.01(6A)).”.

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

293 “(16) “Personal mobility device” shall have the same meaning as provided in
294 section 2(13) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat.
295 1119; D.C. Official Code § 50-2201.01(13)).”.

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

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

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

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

304 TITLE II. CONFORMING AMENDMENTS

305 Sec. 201. Section 3(17) of the Compulsory/No Fault Motor Vehicle Insurance Act of
306 1982, effective September 18, 1982 (D.C. Law 4-155; D.C. Official Code § 31-2402(17)), is
307 amended to read as follows:

308 "(17) The term “motor vehicle” means any device propelled by an internal-
309 combustion engine, electricity, or steam. The term “motor vehicle” shall not include traction
310 engines used exclusively for drawing vehicles in fields, road rollers, vehicles propelled only
311 upon rails and tracks, personal mobility devices, as the term is defined in section 2(13) of the

ENGROSSED ORIGINAL

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

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

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

332 Code § 50-2201.02(11A)), or a battery-operated wheelchair when operated by a person with a
333 disability."

334 Sec. 203. Section 8 of An Act To provide for the annual inspection of all motor vehicles
335 in the District of Columbia, effective March 15, 1985 (D.C. Law 5-176; D.C. Official Code § 50-
336 1108), is amended to read as follows:

337 "Sec. 8. As used in this act, the term "motor vehicle" means all vehicles propelled by
338 internal-combustion engines, electricity, or steam. The term "motor vehicle" shall not include
339 traction engines, road rollers, vehicles propelled only upon rails or tracks, personal mobility
340 devices, as the term is defined in section 2(13) of the District of Columbia Traffic Act, 1925,
341 approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(13)), electric mobility
342 devices, as the term is defined in section 2(6A) of the District of Columbia Traffic Act, 1925,
343 approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(6A)), motorized
344 bicycles, as the term is defined in section 2(11A) of the District of Columbia Traffic Act, 1925,
345 approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(11A)), or a battery-
346 operated wheelchair when operated by a person with a disability."

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

350 "(9) "Motor vehicle" means all vehicles propelled by internal-combustion
351 engines, electricity, or steam. The term "motor vehicle" shall not include traction engines, road

352 rollers, vehicles propelled only upon rails or tracks, personal mobility devices, as the term is
353 defined in section 2(13) of the District of Columbia Traffic Act, 1925, approved March 3, 1925
354 (43 Stat. 1119; D.C. Official Code § 50-2201.02(13)), electric mobility devices, as the term is
355 defined in section 2(6A) of the District of Columbia Traffic Act, 1925 approved March 3, 1925
356 (43 Stat. 1119; D.C. Official Code § 50-2201.02(6A)), motorized bicycles, as the term is defined
357 in section 2(11A) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43
358 Stat. 1119; D.C. Official Code § 50-2201.02(11A)), or a battery-operated wheelchair when
359 operated by a person with a disability.”.

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

363 “(4) Motor vehicle” means every vehicle that is self-propelled and every vehicle
364 that is propelled by electric power obtained from overhead trolley wires, but not operated upon
365 rails. The term “motor vehicle” shall not include personal mobility devices, as the term is defined
366 in section 2(13) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat.
367 1119; D.C. Official Code § 50-2201.02(13)), electric mobility devices, as the term is defined in
368 section 2(6A) of the District of Columbia Traffic Act, 1925 approved March 3, 1925 (43 Stat.
369 1119; D.C. Official Code § 50-2201.02(6A)), motorized bicycles, as the term is defined in
370 section 2(11A) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat.

371 1119; D.C. Official Code § 50-2201.02(11A)), or a battery-operated wheelchair when operated
372 by a person with a disability.".

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

376 "(a) The term "motor vehicle" means any vehicle propelled by internal-
377 combustion engine, electricity, or steam. The term "motor vehicle" shall not include a traction
378 engine, road roller, vehicle propelled only upon rails or tracks, personal mobility devices, as the
379 term is defined in section 2(13) of the District of Columbia Traffic Act, 1925, approved March 3,
380 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(13)), electric mobility devices, as the term
381 is defined in section 2(6A) of the District of Columbia Traffic Act, 1925 approved March 3,
382 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(6A)), motorized bicycles, as the term is
383 defined in section 2(11A) of the District of Columbia Traffic Act, 1925, approved March 3, 1925
384 (43 Stat. 1119; D.C. Official Code § 50-2201.02(11A)), or a battery-operated wheelchair when
385 operated by a person with a disability.".

386 Sec. 207. Section 2(b) of the Rental Vehicle Tax Reform Act of 1978, effective March 6,
387 1979 (D.C. Law 2-157; D.C. Official Code § 50-1505.01(2)), is amended to read as follows:

388 "(b) The term "motor vehicle" means any device propelled by an internal-
389 combustion engine, and designed to carry passengers. The term "motor vehicle" shall not include
390 road rollers, farm tractors, trucks, motorcycles, motorized bicycles, vehicles with a seating

ENGROSSED ORIGINAL

391 capacity of 10 or more persons, vehicles propelled only upon rails and tracks, personal mobility
392 devices, as the term is defined in section 2(13) of the District of Columbia Traffic Act, 1925,
393 approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(13)), electric mobility
394 devices, as the term is defined in section 2(6A) of the District of Columbia Traffic Act, 1925
395 approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(6A)), or a battery-
396 operated wheelchair when operated by a person with a disability."

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

400 "(14) The term "motor vehicle" means all vehicles propelled by internal
401 combustion engines, electricity, or steam. The term "motor vehicle" shall not include personal
402 mobility devices, as the term is defined in section 2(13) of the District of Columbia Traffic Act,
403 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(13)), electric
404 mobility devices, as the term is defined in section 2(6A) of the District of Columbia Traffic Act,
405 1925 approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(6A)), motorized
406 bicycles, as the term is defined in section 2(11A) of the District of Columbia Traffic Act, 1925,
407 approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(11A)), or a battery-
408 operated wheelchair when operated by a person with a disability."

ENGROSSED ORIGINAL

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

412 "(5A) The term "motor vehicle" means all vehicles propelled by an internal-
413 combustion engine, electricity, or steam. The term "motor vehicle" shall not include traction
414 engines, road rollers, vehicles propelled only upon stationary rails or tracks, personal mobility
415 devices, as the term is defined in section 2(13) of the District of Columbia Traffic Act, 1925,
416 approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(13)), electric mobility
417 devices, as the term is defined in section 2(6A) of the District of Columbia Traffic Act, 1925
418 approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(6A)), motorized
419 bicycles, as the term is defined in section 2(11A) of the District of Columbia Traffic Act, 1925,
420 approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(11A)), or a battery-
421 operated wheelchair when a person with a disability."

422 Sec. 210. Section 2(5) of the District of Columbia Motor Vehicle Parking Facility Act of
423 1942, approved February 16, 1942 (56 Stat. 91; D.C. Official Code § 50-2602(5)), is amended to
424 read as follows:

425 "(5) The term "motor vehicle" means any device propelled by an internal
426 combustion engine, electricity, or steam. The term "motor vehicle" shall not include traction
427 engines, road rollers, vehicles propelled only upon rails or tracks, personal mobility devices, as
428 the term is defined in section 2(13) of the District of Columbia Traffic Act, 1925, approved

429 March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(13)), electric mobility devices,
430 as the term is defined in section 2(6A) of the District of Columbia Traffic Act, 1925 approved
431 March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(6A)), motorized bicycles, as the
432 term is defined in section 2(11A) of the District of Columbia Traffic Act, 1925, approved March
433 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(13)), or a battery-operated wheelchair
434 when operated by a person with a disability.”.

435 TITLE III. APPLICABILITY; FISCAL IMPACT STATEMENT; EFFECTIVE DATE

436 Sec. 301. Applicability

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

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

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

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

446 Sec. 302. Fiscal impact statement.

ENGROSSED ORIGINAL

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

450 Sec. 303. Effective date.

451 This act shall take effect following approval by the Mayor (or in the event of veto by the
452 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
453 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
454 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
455 Columbia Register.