



District of Columbia

REGISTER

HIGHLIGHTS

- D.C. Council passes law 20-139, Sexual Assault Victims' Rights Act of 2014
- D.C. Council enacts Act 20-495, Transaction Modernization Electronic Delivery or Posting Act of 2014
- D.C. Council schedules a public roundtable on truancy and the implementation of truancy reform initiatives
- Board of Elections proposes timeframe for conducting special elections to fill vacancies
- Department of Motor Vehicles changes the requirement for notifying the DMV of a change of address to sixty (60) days
- Department of Housing and Community Development notifies the public of the Alternative Selection Procedure for the Inclusionary Zoning Program
- D.C. Taxicab Commission proposes updates to the requirements for wheelchair accessible public vehicles-for-hire

DISTRICT OF COLUMBIA REGISTER

Publication Authority and Policy

The District of Columbia Office of Documents and Administrative Issuances (ODAI) publishes the *District of Columbia Register* (ISSN 0419-439X) (*D.C. Register*) every Friday under the authority of the *District of Columbia Documents Act*, D.C. Law 2-153, effective March 6, 1979 (25 DCR 6960). The policies which govern the publication of the *D.C. Register* are set forth in Title 1 of the District of Columbia Municipal Regulations, Chapter 3 (Rules of the Office of Documents and Administrative Issuances.) Copies of the Rules may be obtained from the Office of Documents and Administrative Issuances. Rulemaking documents are also subject to the requirements of the *District of Columbia Administrative Procedure Act*, District of Columbia Official Code, §§2-501 *et seq.*, as amended.

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COUNCIL OF THE DISTRICT OF COLUMBIA

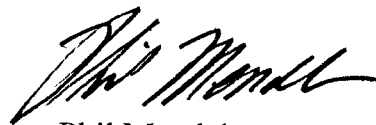
NOTICE

D.C. LAW 20-138

"Heat Wave Safety Temporary Amendment Act of 2014"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 20-817 on first and second readings June 3, 2014 and June 24, 2014, respectively. Following the signature of the Mayor on July 10, 2014, pursuant to Section 404(e) of the Charter, the bill became Act 20-369 and was published in the July 18, 2014 edition of the D.C. Register (Vol. 61, page 7185). Act 20-369 was transmitted to Congress on July 21, 2014 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 20-369 is now D.C. Law 20-138, effective November 18, 2014.



Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

| | |
|-----------|--------------------------------------|
| July | 21, 22, 23, 24, 25, 28, 29, 30, 31 |
| August | 1, 4, 5, 6, 7, 8 |
| September | 8, 9, 10, 11, 12, 15, 16, 17, 18, 19 |
| October | 15 |
| November | 12, 13, 14, 17 |

COUNCIL OF THE DISTRICT OF COLUMBIA

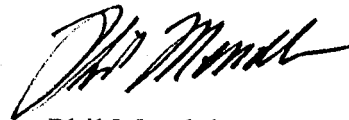
NOTICE

D.C. LAW 20-139

"Sexual Assault Victims' Rights Act of 2014"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 20-417 on first and second readings April 8, 2014 and May 6, 2014, respectively. Following the signature of the Mayor on June 4, 2014, pursuant to Section 404(e) of the Charter, the bill became Act 20-348 and was published in the June 13, 2014 edition of the D.C. Register (Vol. 61, page 5913). Act 20-348 was transmitted to Congress on June 10, 2014 for a 60-day review, in accordance with Section 602(c)(2) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 60-day Congressional review period has ended, and Act 20-348 is now D.C. Law 20-139, effective November 20, 2014.



Phil Mendelson
Chairman of the Council

Days Counted During the 60-day Congressional Review Period:

| | |
|-----------|--|
| June | 10, 11, 12, 13, 16, 17, 18, 19, 20, 23, 24, 25, 26, 27, 30 |
| July | 1, 2, 3, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 21, 22, 23, 24, 25, 28, 29, 30, 31 |
| August | 1, 4, 5, 6, 7, 8 |
| September | 8, 9, 10, 11, 12, 15, 16, 17, 18, 19 |
| October | 15 |
| November | 12, 13, 14, 17, 18, 19 |

ENROLLED ORIGINAL

AN ACT

D.C. ACT 20-493

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DECEMBER 8, 2014

To require the Office of the Chief Financial Officer of the District of Columbia to calculate and report on the District of Columbia median family income, to require affordable housing units to be marketed utilizing affordability data expressed both in terms of area median income and actual income, to require the District of Columbia to express data about affordable housing in terms of area median income and actual income, to require the District's affordable housing database to track affordable housing data both by area median income and District of Columbia median family income, and to require the tax abatement financial analyses provided to the Council to include the calculation of levels of housing affordability in terms of area median income, actual income, and District of Columbia median family income.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Truth in Affordability Reporting Act of 2014".

Sec. 2. Definitions.

For the purposes of this act, the term:

(1) "Actual income" means the cash equivalent of any affordable housing level expressed as a percentage of area median income.

(2) "Affordable housing development" means any structure or building in the District that is publically subsidized utilizing federal or local funds for the purpose of providing affordable housing.

(3) "Area median income" means the area median income of the Washington Metropolitan Statistical Area as set forth in the periodic calculation provided by the U.S. Department of Housing and Urban Development.

(4) "District of Columbia median family income" means the median family income solely for the District of Columbia, as calculated by the Office of the Chief Financial Officer of the District of Columbia.

ENROLLED ORIGINAL

Sec. 3. Calculation and reporting of affordability.

(a) No less frequently than annually, the Office of the Chief Financial Officer of the District of Columbia shall calculate and publish the District of Columbia median family income on the basis of household size.

(b) Affordable housing development projects that are publicly financed or subsidized by the District of Columbia shall be marketed utilizing affordability data expressed both in terms of area median income and actual income.

(c) When expressing data about affordable housing, the District of Columbia shall reference levels of affordability both in terms of area median income and actual income.

(d) The District's affordable housing database shall track affordable housing both by area median income and District of Columbia median family income.


(e) A tax abatement financial analysis required by Chapter 47 of Title 47 of the District of Columbia Official Code for the subsidy of affordable housing shall include the calculation of levels of housing affordability in terms of area median income, actual income, and District of Columbia median family income.

Sec. 4. Fiscal impact statement.

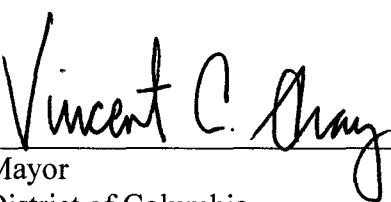
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. 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.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
December 8, 2014

ENROLLED ORIGINAL

AN ACT

D.C. ACT 20-494

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DECEMBER 8, 2014

To provide equitable real property tax relief to St. Matthews Evangelical Lutheran Church, a tax-exempt religious organization, for the real property located at Lot 301, Square 546 so long as the real property is used as a community garden.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "St. Matthews Evangelical Lutheran Church Community Garden Equitable Real Property Tax Relief Act of 2014".

Sec. 2. Equitable tax relief.

The Council of the District of Columbia orders that all real property taxes, interest, penalties, fees, and other related charges assessed against real property located at Lot 301, Square 546 be forgiven for the period of tax years 2009 through 2015, and that any payments made for this period be refunded, so long as the property is used as a community garden.

Sec. 3. Applicability.

This act shall apply upon the inclusion of its fiscal effect in an approved budget and financial plan, as certified by the Chief Financial Officer to the Budget Director of the Council in a certification published by the Council in the District of Columbia Register.

Sec. 4. Fiscal impact statement.

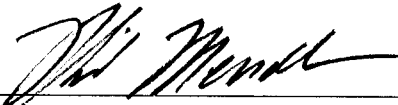
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code §1-206.02(c)(3)).

Sec. 5. Effective date.

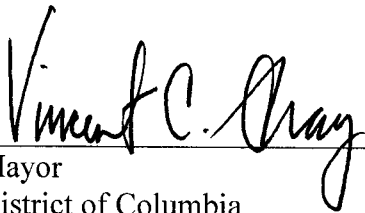
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

ENROLLED ORIGINAL

24, 1973 (87 Stat. 813; D.C. Official Code §1-206.02(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
December 8, 2014

ENROLLED ORIGINAL

AN ACT

D.C. ACT 20-495

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DECEMBER 8, 2014

To authorize insurers to transmit electronic notices of documents related to insurance and insurance policies under certain circumstances with consent of the recipient and to electronically post property and casualty insurance policies and endorsements where certain conditions are met.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Transaction Modernization Electronic Delivery or Posting Act of 2014".

Sec. 2. Definitions.

For the purposes of this act, the term:

(1) "Delivered by electronic means" means delivery to an electronic mail address at which a party has consented to receive notices or documents or the posting on an electronic network or site accessible via the Internet, mobile application, computer, mobile device, tablet, or any other electronic device, together with separate notice of the posting, which shall be provided by electronic mail to the address at which the party has consented to receive notice or by any other delivery method that has been consented to by the party.

(2) "Insurance document" means any notice or document required in an insurance transaction or that is evidence of insurance coverage.

(3) "Party" means a recipient of an insurance document, including an applicant, an insured, a policyholder, or an annuity contract holder.

Sec. 3. Electronic notices and documents.

(a) An insurance document may be delivered, stored, and presented by electronic means; provided, that it meets the requirements of Chapter 49 of Title 28 of the D.C. Official Code.

(b) Delivery of an insurance document in accordance with this section shall be considered the equivalent to any delivery method required under applicable law, including delivery by first class mail; first class mail, postage prepaid; certified mail; certificate of mail; or certificate of mailing.

(c) An insurance document may be delivered by electronic means to a party under this section if:

ENROLLED ORIGINAL

(1) The party has affirmatively consented to that method of delivery and has not withdrawn consent to such delivery;

(2) The party, before giving consent, is provided with a clear and conspicuous statement informing the party:

(A) Of the right or option of the party to have an insurance document provided or made available in paper or another non-electronic form;

(B) The right of the party to withdraw consent to have an insurance document delivered by electronic means and of any conditions or consequences that may be imposed on the party if consent is withdrawn;

(C) That no fees may be imposed as a condition or consequence of withdrawal of consent;

(D) As to whether the party's consent applies only to the particular transaction or to identified categories of insurance documents that may be delivered by electronic means during the course of the relationship between the sender of the insurance documents and the party;

(E) Of the means, after consent for delivery by electronic means is given, by which a party may also obtain a paper copy of an insurance document and a statement that no fee shall be imposed for providing the requested paper copy; and

(F) Of the procedure a party must follow to withdraw consent to have any or all insurance documents delivered by electronic means and of how to update information needed to contact the party electronically;

(3) The party:

(A) Before giving consent, is provided with a statement of the hardware and software requirements for access to and retention of an insurance document delivered by electronic means; and

(B) Consents electronically, or confirms consent electronically, in a manner that reasonably demonstrates that the party can access information in the electronic form that will be used for insurance documents delivered by electronic means; and

(4) After consent of the party is given, in the event a change in the hardware or software requirements needed to access or retain an insurance document delivered by electronic means creates a material risk that the party will not be able to access or retain a subsequent insurance document to which the party's consent applies, the insurer:

(A) Provides the party with a statement regarding the revised hardware and software requirements that will be necessary for access to and retention of an insurance document delivered by electronic means and of the right of the party to withdraw consent without the imposition of any fee, condition, or consequence that was not disclosed under paragraph (2)(B) of this subsection; and

(B) Complies with paragraph (2) of this subsection.

(d) This section shall not affect requirements related to content or timing of any insurance document required under applicable law.

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(e) If a provision of this act or applicable law requiring an insurance document to be provided to a party expressly requires verification or acknowledgement of receipt of the insurance document, the insurance document may be delivered by electronic means only if the method used provides for verification or acknowledgement of receipt.

(f) The legal effectiveness, validity, or enforceability of any contract or policy of insurance executed by a party shall not be denied solely because of the failure to obtain electronic consent or confirmation of consent of the party in accordance with subsection (c)(3)(B) of this section.

(g)(1) A withdrawal of consent by a party does not affect the legal effectiveness, validity, or enforceability of an insurance document delivered by electronic means to the party before the withdrawal of consent is effective.

(2) A withdrawal of consent by a party is effective within a reasonable period of time after receipt by the insurer of a party's withdrawal of consent that insurance documents may be delivered by electronic means.

(3) Failure by an insurer to comply with subsection (c)(4) of this section may be treated, at the election of the party, as a withdrawal of consent pursuant to this section.

(h) This section does not apply to an insurance document delivered by an insurer in an electronic form to a party who before the effective date of this act had consented to receive notices or documents pertaining to an insurance transaction in an electronic form allowed by a law other than this act.

(i) If the consent of a party to receive certain notices or documents in an electronic form is on file with the insurer before the effective date of this act, and, pursuant to this section, an insurer intends to deliver additional notices or documents electronically, the insurer shall notify the party of:

(1) The insurance documents that may be delivered by electronic means pursuant to this section that were not previously delivered electronically; and

(2) The party's right to withdraw consent to have insurance documents delivered by electronic means.

(j)(1) Except as otherwise provided by law, if an oral communication has been recorded and can be reliably stored and reproduced by an insurer, the oral communication or recording may qualify as an insurance document delivered by electronic means pursuant to this section.

(2) If a provision of this act or other applicable law requires a signature or for an insurance document to be notarized, acknowledged, verified, or executed under oath, the requirement shall be satisfied if the electronic signature of the person authorized to perform the action, together with all other information required to be included, is attached to or logically associated with the signature and the insurance document.

(k) This section shall not be construed to modify, limit, or supersede the provisions of the Electronic Signatures in Global and National Commerce Act, approved June 30, 2000 (114 Stat. 464; 15 U.S.C. § 7001).

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Sec. 4. Posting of policies on the Internet.

Notwithstanding any provision of section 3, standard property and casualty insurance policies and endorsements that do not contain personally identifiable information may be mailed, delivered, or posted on the insurer's website. If the insurer elects to post insurance policies and endorsements on its website in lieu of mailing or delivering them to the insured, the insurer shall:

(1) Ensure that the policy and endorsements are accessible and remain that way for as long as the policy is in force;

(2) After the expiration of the policy, archive its expired policies and endorsements for a period of 5 years and make them available upon request;

(3) Post the policies and endorsements in a manner that enables an insured to print and save the policy and endorsements using programs or application that are widely available on the Internet and free to use;

(4) Provide the following information in, or simultaneous with, each declaration page provided at the time of issuance of the initial policy and any renewals of that policy:

(A) A description of the exact policy and endorsement forms purchased by the insured;

(B) A method by which the insured may obtain, upon request and without charge, a paper copy of their policy; and

(C) The Internet address where the policy and endorsements are posted; and

(5) Provide notice, in the format preferred by the insured, of any changes to the forms or endorsements, the insured's right to obtain, upon request and without charge, a paper copy of the forms or endorsements, and the Internet address where the forms or endorsements are posted.

Sec. 5. 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. 6. Effective date.

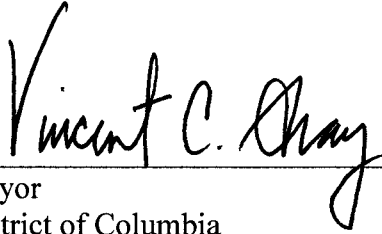
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

ENROLLED ORIGINAL

24, 1973 (87 Stat. 813; D.C. Official Code §1-202.02(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
December 8, 2014

ENROLLED ORIGINAL

AN ACT

D.C. ACT 20-496

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DECEMBER 8, 2014

To order the closing of a portion of the public alley system in Square 368, bounded by N Street, N.W., 9th Street, N.W., M Street, N.W., and 10th Street, N.W., in Ward 2.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Closing of a Portion of the Public Alley System in Square 368, S.O. 13-09586, Act of 2014".

Sec. 2. (a) Pursuant to section 404 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-204.04), and consistent with the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-201.01 *et seq.*), the Council finds that the portion of the public alley system in Square 368, as shown on the Surveyor's plat filed under S.O. 13-09586, is unnecessary for alley purposes and orders it closed, with title to the land to vest as shown on the Surveyor's plat.

(b) The Council approves this closing on the condition that the applicant and any future owner of an establishment on the site are sensitive to concerns of the surrounding neighborhood regarding noise, both during construction and in the operation of any final establishment.

Sec. 3. Transmittal.

The Chairman of the Council of the District of Columbia shall transmit a copy of this act, upon its effective date, to the Office of the Surveyor and the Office of the Recorder of Deeds.

Sec. 4. Fiscal impact statement.

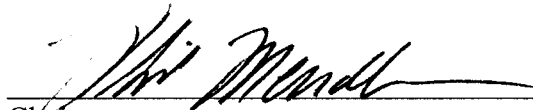
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

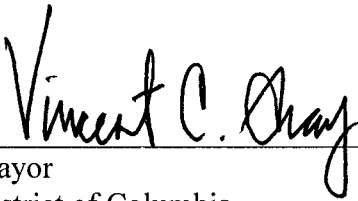
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as

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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.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
December 8, 2014

ENROLLED ORIGINAL

AN ACT

D.C. ACT 20-497

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DECEMBER 8, 2014

To amend the Captive Insurance Company Act of 2004 to strike references to segregated accounts, to clarify certain statutory requirements for protected cell captive insurers and protected cells, including with respect to capital and surplus levels and annual reports, to confirm the confidentiality of captive insurers' license application materials and clarify when they may be shared with other regulators and officials, to permit the Commissioner of the Department of Insurance, Securities and Banking to extend or waive the requirement to conduct a financial examination of captive insurers every 5 years upon the satisfaction of specified criteria, and to make the Insurance Trade and Economic Development Amendment Act of 2000 applicable to District-domiciled risk retention groups; and to amend the Risk Retention Act of 1993 to require the filing of quarterly statements by risk retention groups licensed as captive insurers.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Captive Insurance Company Amendment Act of 2014".

Sec. 2. The Captive Insurance Company Act of 2004, effective March 17, 2005 (D.C. Law 15-262; D.C. Official Code § 31-3931.01 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 31-3931.01) is amended as follows:

(1) Paragraph (5) is amended to read as follows:

"(5) "Association captive insurer" means a captive insurer that only insures risks of the member organizations of an association and the affiliated companies of those members, including:

"(A) Groups formed pursuant to the Product Liability Risk Retention Act of 1981, approved September 25, 1981 (95 Stat. 949; 15 U.S.C. § 3901 *et seq.*), and the employee benefit plans or trusts of such organizations or companies; and

"(B) Risk retention groups chartered pursuant to the Risk Retention Act of 1993, effective October 21, 1993 (D.C. Law 10-46; D.C. Official Code § 31-4101 *et seq.*)".

(2) Paragraph (6) is amended by striking the phrase "insurance company" and inserting the word "insurer" in its place.

(3) Paragraph (9) is amended by striking the phrase "segregated account" and inserting the phrase "branch captive insurer, protected cell" in its place.

(4) A new paragraph (13A) is added to read as follows:

ENROLLED ORIGINAL

“(13A) “Incorporated protected cell” means a protected cell that is established as a corporation or other legal entity separate from the protected cell captive insurer of which it is a part.”.

(5) Paragraphs (18) and (19) are amended by striking the phrase “segregated account” wherever it appears and inserting the phrase “protected cell” in its place.

(6) New paragraphs (20A) and (20B) are added to read as follows:

“(20A) “Protected cell” means a separate account established and maintained by a protected cell captive insurer and includes an incorporated protected cell.

“(20B) “Protected cell captive insurer” means a captive insurer that:

“(A) Is formed and licensed under the provisions of this act;

“(B) Insures the risks of separate participants through a contract; and

“(C) Segregates each participant's liability through one or more protected cells.”.

(7) Paragraph (26) is repealed.

(b) Section 5 (D.C. Official Code § 31-3931.04) is amended as follows:

(1) Subsection (a) is amended by striking the word “section” and inserting the word “act” in its place.

(2) Subsection (b) is amended as follows:

(A) Paragraphs (2) and (3) are repealed.

(B) Paragraph (8) is amended by striking the word “The” and inserting the phrase “In addition to the requirements in section 4(b), the” in its place.

(C) Paragraph (13) is amended by striking the phrase “(6), (8), or (9)” and inserting the phrase “(9), (10), (11), or (12)” in its place.

(c) Section 7 (D.C. Official Code § 31-3931.06) is amended as follows:

(1) Subsection (a) is amended to read as follows:

“(a)(1) In addition to any other capital required to be maintained pursuant to subsection (c) of this section, a captive insurer (except a protected cell captive insurer) authorized to do business in the District shall at all times maintain a minimum unimpaired capital of \$100,000.

“(2) The Commissioner shall, in the Commissioner’s discretion, establish the required minimum capital for a protected cell captive insurer, and for each protected cell, based on the type, volume, and nature of insurance that is transacted by the insurer and by the cell; provided, that the required minimum capital for a protected cell captive insurer may be zero so long as each of its protected cells maintains the minimum capital required for that cell.”.

(2) Subsection (c) is amended by striking the phrase “segregated account” and inserting the phrase “protected cell” in its place.

(3) Subsection (d) is amended by striking the phrase “segregated account” and inserting the phrase “protected cell” in its place.

(4) Subsection (e) is amended by striking the phrase “segregated account” wherever it appears and inserting the phrase “protected cell” in its place.

(5) Subsection (f)(6) is amended to read as follows:

“(6) For each protected cell captive insurer, and for each protected cell, not less than an amount to be established by the Commissioner in the Commissioner’s discretion; provided, that a

ENROLLED ORIGINAL

protected cell captive insurer that does not write any insurance business in the District shall not be required to maintain any surplus so long as each of its protected cells maintains the required surplus for that cell.”.

(6) Subsection (h) is amended by striking the phrase “segregated account” and inserting the phrase “protected cell” in its place.

(7) Subsection (i) is amended by striking the phrase “segregated account” and inserting the phrase “protected cell” in its place.

(8) Subsection (k) is amended by striking the phrase “segregated account” wherever it appears and inserting the phrase “protected cell” in its place.

(d) Section 8(b) (D.C. Official Code § 31-3931.07(b)) is amended by striking the phrase “segregated account” and inserting the phrase “protected cell” in its place.

(e) Section 9 (D.C. Official Code § 31-3931.08) is amended by striking the phrase “segregated account” wherever it appears and inserting the phrase “protected cell” in its place.

(f) Section 10 (D.C. Official Code § 31-3931.09) is amended as follows:

(1) Strike the phrase “segregated account” wherever it appears and insert the phrase “protected cell” in its place.

(2) Subsection (e) is amended by striking the phrase “segregated accounts” and inserting the phrase “protected cells” in its place.

(3) A new subsection (g) is added to read as follows:

“(g)(1) Documents, materials, and other information submitted pursuant to this section shall be confidential and shall be exempt from any otherwise applicable freedom of information law, including the Freedom of Information Act of 1976, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-531 *et seq.*), public records law, public records disclosure law, or other similar statute and shall not be subject to subpoena or discovery or admissible in evidence in a private civil action, and shall not be divulged to any person except either as provided for in this subsection or with the written consent of the captive insurer or protected cell.

“(2) The Commissioner may use documents, materials, and other information submitted pursuant to this section in the furtherance of any regulatory or legal action brought as a part of the Commissioner’s official duties.

“(3) To assist in the performance of the Commissioner’s duties, the Commissioner may share documents, materials, or other information submitted pursuant to this section with state, federal, and international regulatory agencies, the National Association of Insurance Commissioners, including its affiliates and subsidiaries, and with state, federal, and international law enforcement authorities; provided, that the recipient agrees in writing, and has the legal authority to so agree, to maintain the confidentiality of the documents, materials, and other information.”.

(g) Section 12 (D.C. Official Code § 31-3931.11) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “segregated account” and inserting the phrase “protected cell” in its place.

(2) Subsection (e) is repealed.

(h) Section 14(a) (D.C. Official Code § 31-3931.13(a)) is amended to read as follows:

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“(a)(1) On or before March 2 of each year, a captive insurer, including, if applicable, each protected cell, shall submit to the Commissioner, on a form prescribed by the Commissioner, a report of its financial condition, as prepared by a certified public accountant. A captive insurer shall file a consolidated report on behalf of each of its protected cells.

“(2) A captive insurer, including, if applicable, each protected cell, shall use generally accepted accounting principles and include any useful or necessary modifications or adaptations of these principles that have been approved or accepted by the Commissioner for the type of insurance and kinds of insurers to be reported upon, as supplemented by additional information required by the Commissioner.”

(i) Section 15 (D.C. Official Code § 31-3931.14) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “segregated account” and inserting the phrase “protected cell” in its place.

(2) Subsection (c) is amended to read as follows:

“(c) The provisions of the Law on Examinations Act of 1993, effective October 21, 1993 (D.C. Law 10-49; D.C. Official Code § 31-1401 *et seq.*) (“Examinations Act”), shall apply to examinations conducted pursuant to this section. The Commissioner may waive the requirement in section 3(a) of the Examinations Act that a captive insurer must be examined at least once every 5 years, if the:

“(1) Captive insurer has filed unqualified audited financial statements each year since the captive insurer’s last financial examination or the date of licensure;

“(2) Commissioner determines that the audited financial statements demonstrate that the captive insurer maintains sufficient surplus to satisfy all of its obligations to its policyholders and creditors;

“(3) Captive insurer is in compliance with all applicable District laws and regulations; and

“(4) Captive insurer is not a risk retention group licensed as a captive insurer.”

(3) Subsection (d) is amended by striking the phrase “segregated accounts” and inserting the phrase “protected cells” in its place.

(j) Section 16 (D.C. Official Code § 31-3931.15) is amended as follows:

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

(A) Strike the phrase “captive insurer” and insert the phrase “captive insurer, including, if applicable, a protected cell,” in its place.

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

“(6A) Has violated the Insurance Trade and Economic Development Amendment Act of 2000, effective April 3, 2001 (D.C. Law 13-265; D.C. Official Code § 31-2231.01 *et seq.*); provided, that this paragraph shall apply only to District-domiciled risk retention groups licensed as captive insurers;”

(2) Subsection (b) is amended by striking the phrase “captive insurer” and inserting the phrase “captive insurer, including, if applicable, a protected cell,” in its place.

(k) Section 17(b) (D.C. Official Code § 31-3931.16(b)) is amended to read as follows:

“(b) The terms and conditions set forth in the Insurers Rehabilitation and Liquidation Act of 1993, effective October 15, 1993 (D.C. Law 10-35; D.C. Official Code § 31-1301 *et seq.*)

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("1993 Act"), pertaining to insurer rehabilitation, insolvency, and receiverships shall apply in full to captive insurers licensed under this act and shall apply to the protected cells of a captive insurer on a cell basis. If there is a conflict between the provisions of this act and the 1993 Act, the provisions of this act shall prevail, including the provisions of section 6 for liquidation and rehabilitation of protected cells."

(l) Section 19 (D.C. Official Code § 31-3931.18) is amended by striking the phrase "shall not" and inserting the phrase "shall not be" in its place.

(m) Section 24(b) (D.C. Official Code § 31-3931.23(b)) is amended by striking the phrase "segregated accounts" and inserting the phrase "protected cells" in its place.

Sec. 3. Section 3(a) of the Risk Retention Act of 1993, effective October 21, 1993 (D.C. Law 10-46; D.C. Official Code § 31-4102(a)), is amended as follows:

(a) Paragraph (1) is amended by striking the phrase "insurance companies" and inserting the word "insurers" in its place.


(b) Paragraph (2) is amended by striking the phrase "an annual statement" and inserting the phrase "annual and quarterly statements" in its place.

Sec. 4. Fiscal impact statement.

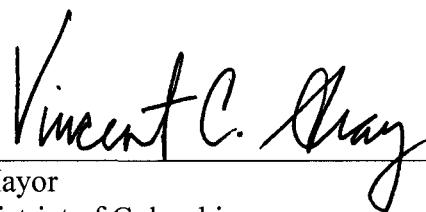
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. 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.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
December 8, 2014

ENROLLED ORIGINAL

AN ACT

D.C. ACT 20-498

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DECEMBER 8, 2014

To standardize licensing and registration application requirements using the Nationwide Mortgage Licensing System and Registry for all non-depository financial institutions regulated through the administration of the Banking Code, to require each applicant to obtain a unique identifier form and apply through the Nationwide Mortgage Licensing System, to authorize the Commissioner to waive or modify by rule any of the requirements of this act or other application requirements in the Banking Code and to establish new requirements as needed to participate in the Nationwide Mortgage Licensing System, to authorize use of the Nationwide Mortgage Licensing System for criminal history background checks and credit checks as necessary, to allow the Commissioner to share confidential information with specified third parties including the Nationwide Mortgage Licensing System, to authorize the Commissioner to contract with third parties to collect fees and share information and maintain records, to authorize license renewal and reinstatement periods, to provide for the payments of non-refundable application fees, to provide that the Commissioner shall report Banking Code violations and enforcement actions to the Nationwide Mortgage Licensing System, to require the Commissioner to establish an information challenge process for data entered into the Nationwide Mortgage Licensing System, and to provide that the Commissioner may promulgate regulations to implement this act, and to provide that the authority to waive certain requirements shall expire 2 years after effective date of this act.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Nationwide Mortgage Licensing System Conformity Act of 2014".

Sec. 2. Definitions.

For the purposes of this act, the term:

(1) "Applicant" means a person filing an initial or renewal application for licensure or registration under the Banking Code.

(2) "Application" means an initial or renewal application for licensure or registration under the Banking Code processed through the Department or its designee, such as the NMLS or any other person or third party prescribed by the Commissioner.

ENROLLED ORIGINAL

(3) “Banking Code” means the statutory provisions concerning banking and financial institutions that are codified in Title 26 of the District of Columbia Official Code, laws administered by the Commissioner, and rules and regulations promulgated pursuant to those statutory provisions.

(4) “Commissioner” means the Commissioner of the Department of Insurance, Securities, and Banking.

(5) “Conference of State Bank Supervisors” or “CSBS” means the professional association of state officials responsible for chartering, regulating, and supervising state-chartered commercial and savings banks and state-licensed branches and agencies of foreign banks.

(6) “Department” means the Department of Insurance, Securities, and Banking.

(7) “Nationwide Mortgage Licensing System and Registry” or “NMLS” means a mortgage licensing system developed and maintained by the Conference of State Bank Supervisors, the American Association of Residential Mortgage Regulators, or their successors, for the licensing and registration of persons engaged in state-regulated financial service industries.

(8) “State Regulatory Registry, LLC” or “SRR” means the entity that owns and operates the NMLS, or its successor.

(9) “Unique identifier” means a number or other identifier assigned through protocols established by the NMLS.

Sec. 3. Unique identifier required.

Each licensee and registrant under the Banking Code shall register with and maintain a valid unique identifier issued by the NMLS.

Sec. 4. Form and contents of application.

(a) An application shall be filed on a form prescribed by the Commissioner.

(b) Solely for purposes of and as needed for participating in the NMLS, the Commissioner is authorized to waive or modify by rule any requirements for applications, fees, or renewals in Chapter 1A, 3, 9, 10, or 11 of the Banking Code and to establish by rule new regulatory requirements as are reasonably necessary to participate in the NMLS.

Sec. 5. Background checks.

The Commissioner may use the NMLS as an agent for requesting information from and distributing information to:

(1) The Federal Bureau of Investigation;

(2) The Department of Justice; or

(3) Other law enforcement agency, regulatory agency, or credit reporting agency.

Sec. 6. Confidential information.

To assist in the performance of the Commissioner’s duties under this act, the Commissioner may:

ENROLLED ORIGINAL

(1) Share documents, materials, or other information, including confidential and privileged documents, materials, or information subject to this act, with state, federal, and international regulatory agencies and law enforcement authorities, and with the CSBS, SRR, and NMLS, or their affiliates or subsidiaries; provided, that the recipient agrees to maintain the confidentiality and privileged status of the documents, materials, or other information;

(2) Receive documents, materials, or information, including confidential and privileged documents, materials, or other information, from state, federal, and international regulatory agencies or law enforcement authorities or from the CSBS, SRR, and NMLS or their affiliates or subsidiaries, and shall maintain as confidential or privileged any documents, materials, or other information received with notice or the understanding that it is confidential or privileged under the laws of the jurisdiction that is the source of the documents, materials, or other information;

(3) Enter into agreements for sharing and using confidential information consistent with this act;

(4) Authorize a national criminal background check and submission of fingerprints and other identifying information submitted through the NMLS and receive criminal history record information from the NMLS, the Metropolitan Police Department, and the Federal Bureau of Investigation for the purposes of facilitating determinations regarding eligibility for licensure or registration under the Banking Code; and

(5) Contract with a third party, including the SRR, or the CSBS, or their affiliates or subsidiaries, to perform any functions, including the collection of licensing, registration, and processing fees, collection of contact information and other identifying information, fingerprints, written consent to a criminal background check, personal history and experience, and conduct of examinations-related activities covered under the Banking Code, that the Commissioner may consider appropriate.

Sec. 7. Renewal.

(a) A license or registration issued under this act shall expire on a date to be determined by the Commissioner. A license or registration may thereafter be renewed for one-year term extensions as provided by this section.

(b) Before a license expires, the applicant may renew the license or registration for additional one-year terms, if the applicant:

(1) Demonstrates that the applicant continues to meet the standards for licensing or registration under this act and under all relevant provisions of the Banking Code;

(2) Pays all applicable fees as prescribed by the Commissioner and all third-party fees; and

(3) Submits to the Commissioner a renewal application on the form that the Commissioner requires.

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Sec. 8. Application fees.

(a) When filing an application, each applicant shall pay the applicable fees prescribed by the Commissioner and any third-party fees. Any fees paid in connection with the processing of an application shall be non-refundable.

(b) The Commissioner may increase or decrease the fees authorized by this section. The fees shall be fixed at such rates as may, in the judgment of the Commissioner, be necessary to defray the approximate costs of carrying out the regulatory functions set forth in this act and the Banking Code. These fees shall not be abated or refunded upon surrender, suspension, cancellation, or revocation of a registration.

Sec. 9. NMLS reporting requirements.

The Commissioner shall regularly report violations of the Banking Code, as well as enforcement actions and other relevant information, to the NMLS. The reports shall be subject to the provisions of section 6.

Sec. 10. NMLS information challenge process.

The Commissioner shall establish by rule a process whereby applicants, licensees, and registrants may challenge information entered into the NMLS by the Commissioner.

Sec. 11. Authority of Commissioner to issue regulations.

The Commissioner, 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.*), may issue rules to implement the provisions of this act.

Sec. 12. Sunset.

Section 4(b) shall expire 2 years after the effective date of this act.

Sec. 13. 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. 14. Effective date.

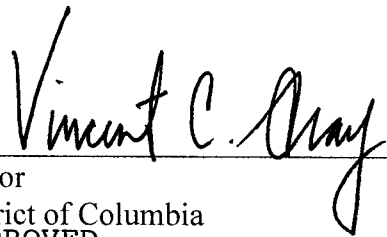
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

ENROLLED ORIGINAL

24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
December 8, 2014

ENROLLED ORIGINAL

A BILL

D.C. ACT 20-499

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DECEMBER 8, 2014

To amend the Omnibus Public Safety Agency Reform Amendment Act of 2004 to extend the period of time during which the Metropolitan Police Department may commence a disciplinary procedure against an employee, to clarify when the time period begins running, and to add additional tolling provisions for criminal investigations occurring in any jurisdiction within the United States and investigations by the Office of the Inspector General and the Office of the District of Columbia Auditor; and to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 and An Act Relating to the Metropolitan police of the District of Columbia to allow the Chief of Police to appoint to command ranks from among the Metropolitan Police Department's lieutenants.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Metropolitan Police Department Commencement of Discipline and Command Staff Appointment Amendment Act of 2014".

TITLE I – COMMENCEMENT OF DISCIPLINE

Sec. 101. Section 502 of the Omnibus Public Safety Agency Reform Amendment Act of 2004, effective September 30, 2004 (D.C. Law 15-194; D.C. Official Code § 5-1031), is amended as follows:

(a) Subsection (a) is amended by striking the phrase "or the Metropolitan Police Department" wherever it appears.

(b) A new subsection (a-1) is added to read as follows:

"(a-1)(1) Except as provided in subsection (b) of this section, no corrective or adverse action against any sworn member or civilian employee of the Metropolitan Police Department shall be commenced more than 90 days, not including Saturdays, Sundays, or legal holidays, after the date that the Metropolitan Police Department had notice of the act or occurrence allegedly constituting cause.

"(2) For the purposes of paragraph (1) of this subsection, the Metropolitan Police Department has notice of the act or occurrence allegedly constituting cause on the date that the Metropolitan Police Department generates an internal investigation system tracking number for the act or occurrence."

(c) Subsection (b) is amended to read as follows:

ENROLLED ORIGINAL

“(b) If the act or occurrence allegedly constituting cause is the subject of a criminal investigation by the Metropolitan Police Department or any law enforcement agency with jurisdiction within the United States, the Office of the United States Attorney for the District of Columbia, or the Office of the Attorney General, or is the subject of an investigation by the Office of the Inspector General, the Office of the District of Columbia Auditor, or the Office of Police Complaints, the 90-day period for commencing a corrective or adverse action under subsection (a) or (a-1) of this section shall be tolled until the conclusion of the investigation.”.

Title II – COMMAND STAFF APPOINTMENT

Sec. 201. The District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*), is amended as follows:

(a) Section 801(d-1) (D.C. Official Code § 1-608.01(d-1)) is amended by striking the phrase “the Assistant and Deputy Chiefs of Police and inspectors shall be selected from among the captains of the force and shall be returned to the rank of captain when the Mayor so determines” and inserting the phrase “the Assistant Chiefs of Police, Deputy Chiefs of Police, and inspectors shall be selected from among the lieutenants and captains of the force and shall be returned to the same civil service rank when the Mayor so determines” in its place.

(b) Section 3203(c) (D.C. Official Code § 1-632.03(c)) is amended by striking the phrase “the Assistant and Deputy Chiefs of Police and inspectors shall be selected from among the captains of the force and shall be returned to the rank of captain when the Mayor so determines” and inserting the phrase “the Assistant Chiefs of Police, Deputy Chiefs of Police, and inspectors shall be selected from among the lieutenants and captains of the force and shall be returned to the same civil service rank when the Mayor so determines” in its place.

Sec. 202. Section 1(a) of An Act Relating to the Metropolitan police of the District of Columbia, approved February 28, 1901 (31 Stat. 819; D.C. Official Code § 5-105.01(a)), is amended by striking the phrase “provided further, that the Assistant and Deputy Chiefs of Police and inspectors shall be selected from among the captains of the force and shall be returned to the rank of captain when the Mayor so determines” and inserting the phrase “provided further, that the Assistant Chiefs of Police, Deputy Chiefs of Police, and inspectors shall be selected from among the lieutenants and captains of the force and shall be returned to the same civil service rank when the Mayor so determines” in its place.

Sec. 203. Sunset.

This title shall expire 2 years after the effective date of the Metropolitan Police Department Commencement of Discipline and Command Staff Appointment Amendment Act of 2014, passed on 2nd reading on November 18, 2014(Enrolled version of Bill 20-810).

TITLE III – FISCAL IMPACT; EFFECTIVE DATE

Sec. 301. Fiscal impact statement.

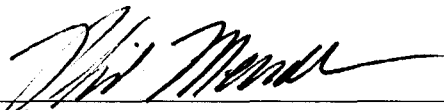
The Council adopts the fiscal impact statement in the committee report as the fiscal

ENROLLED ORIGINAL

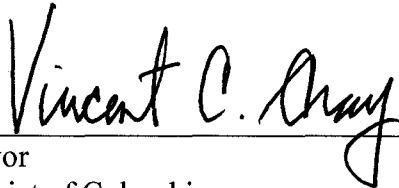
impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 302. 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.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
December 8, 2014

ENROLLED ORIGINAL

AN ACT

D.C. ACT 20-500

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DECEMBER 8, 2014

To amend section 47-1065 of the District of Columbia Official Code to extend the exemption period for certain property owned by Golden Rule Plaza, Inc., Douglas Knoll Cooperative Limited Partnership, 1728 W Street Limited Partnership and Wagner Gainesville Limited Partnership.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Douglas Knoll, Golden Rule, 1728 W Street, and Wagner Gainesville Real Property Tax Exemption Amendment Act of 2014”.

Sec. 2. Section 47-1065 of the District of Columbia Official Code is amended as follows:

(a) Strike the phrase “a period of 15 years” wherever it appears.

(b) A new subsection (e) is added to read as follows:

“(e) The real property described in this section shall be exempt from real property taxation as provided by this section so long as the real property meets the requirements of this section, subject to the provisions of §§ 47-1005, 47-1007, and 47-1009 as if the exemptions were granted administratively.”.

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.

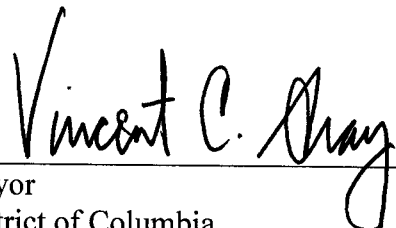
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as

ENROLLED ORIGINAL

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.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
December 8, 2014

ENROLLED ORIGINAL

AN ACT

D.C. ACT 20-501

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DECEMBER 8, 2014

To require a producer of paint sold in the District to establish and implement a paint stewardship program in the District.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Paint Stewardship Act of 2014".

Sec. 2. Definitions.

For the purposes of this act, the term:

(1) "Distributor" means a company that has a contractual relationship with one or more producers to market and sell paint to retailers in the District.

(2) "Environmentally sound management practices" means procedures for the collection, storage, transportation, reuse, recycling, and disposal of paint, to be implemented by the producer, representative organization, or their contracted partners to ensure compliance with applicable federal and District laws and regulations and to protect human health and the environment. These procedures shall address adequate record keeping, tracking, and documenting the fate of materials, and adequate environmental liability coverage for professional services and for the contractors working on behalf of the producer or representative organization.

(3) "Paint" means interior and exterior architectural coatings sold in containers of 5 gallons or less and does not mean industrial, original equipment, or specialty coatings.

(4) "Paint stewardship assessment" means the amount added to the purchase price of paint sold in the District necessary to cover the paint stewardship program's cost of collecting, transporting, and processing the postconsumer paint District-wide.

(5) "Postconsumer paint" means paint not used and no longer wanted by a purchaser.

(6) "Producer" means a manufacturer of paint who sells, offers for sale, or distributes that paint in the District under the producer's own name or brand. The term "producer" does not include a retailer that adds tint, colorant, or other additives to paint at the retail location.

(7) "Recycling" means a process by which discarded products, components, and by-products are transformed into new usable or marketable materials in a manner in which the original products may lose their identity but does not include energy recovery or energy generation by means of incineration or combustion of discarded products, components, and by-products with or without other waste products.

ENROLLED ORIGINAL

(8) “Representative organization” means a nonprofit organization created by producers to implement a paint stewardship plan required by section 3.

(9) “Retailer” means a person or entity that offers paint for sale at retail in the District.

(10) “Reuse” means the return of a product into the economic stream for use in the same kind of application as originally intended, without a change in the product’s identity.

(11) “Sell” or “sale” means any transfer of title for consideration including remote sales conducted through sales outlets, catalogs, or electronic means.

Sec. 3. Producer paint stewardship plan required.

(a) By April 1, 2016, a producer of paint sold at retail in the District, or a representative organization in which the producer is a member, shall submit a plan for the establishment of a paint stewardship program to the Mayor for approval. The plan shall:

(1) Minimize District involvement in the management of postconsumer paint by reducing its generation, promoting its reuse and recycling, and implementing agreements to collect, transport, reuse, recycle, and dispose of postconsumer paint using environmentally sound management practices;

(2) Provide for convenient and available collection of postconsumer paint that, at a minimum, provides for collection rates and convenience equal to or greater than the collection programs available to consumers before the paint stewardship program and addresses coordination of the paint stewardship program with existing household hazardous waste collection infrastructure;

(3) Ensure the program addresses coordination with local nonprofit building material reuse organizations without charge to the organizations;

(4) Identify each producer participating in the program and the brands of paint sold in the District by each producer;

(5) Describe sufficient funding for the paint stewardship program, including a funding mechanism for securing and disbursing funds to cover administrative, operational, and capital costs, including the assessment of charges on paint sold by producers in the District. The funding mechanism shall provide for a paint stewardship assessment for each container of paint sold in the District by producers and the assessment shall be remitted to the representative organization, if applicable; and

(6) Describe how postconsumer paint will be managed in the most environmentally and economically sound manner, including following the sustainable solid waste management hierarchy established in section 102 of the Sustainable Solid Waste Management Amendment Act of 2014, enacted on September 23, 2014 (D.C. Act 20-423; 61 DCR 9971).

(b)(1) A paint stewardship assessment established in accordance with paragraph (2) of this subsection shall be added to the cost of all paint sold to retailers and distributors in the District. Retailers and distributors shall add the assessment to the purchase price of all paint sold in the District.

(2) The paint stewardship assessment shall be approved by the Mayor as part of

ENROLLED ORIGINAL

the plan, and shall be sufficient to recover, but not exceed, the cost of the paint stewardship program. The plan shall require that any surplus funds be put back into the program to reduce the costs of the program, including the assessment amount.

(c) A producer or its representative organization shall implement its paint stewardship program plan within 3 months of the plan's approval by the Mayor.

(d) Beginning September 1, 2016, a producer shall not sell or offer for sale paint to any person in the District unless the producer of the paint or a representative organization of which the producer is a member submitted a paint stewardship plan to the Mayor on or before April 1, 2016, that has not been disapproved, or is implementing an approved paint stewardship program plan as required by this section.

(e) A producer or representative organization shall provide consumers in the District with educational materials regarding the paint stewardship assessment and paint stewardship program, including information regarding available end-of-life management options for paint offered through the paint stewardship program and information notifying consumers that a charge for the operation of the program is included in the purchase price of all paint sold in the District.

(f) On or before October 1, 2017, and annually thereafter, a producer or representative organization shall submit a paint stewardship program report to the Mayor that includes:

- (1) A description of the methods used to collect, transport, and reuse or process postconsumer paint in the District;
- (2) The total volume and type of postconsumer paint collected in the District and the volume by method of disposition;
- (3) The total cost of implementing the program, as determined by an independent financial audit funded from the paint stewardship assessment;
- (4) Samples of educational information provided to consumers of paint and a description of how the information is distributed; and
- (5) Other information as required by the Mayor through rulemaking.

Sec. 4. Retailer obligations.

(a) Beginning September 1, 2016, or within 2 months of the Mayor's first website publication of the list required under section 5(d), whichever is later, a retailer shall not sell or offer for sale paint to a person in the District unless the producer or the paint brand was listed on the website maintained by the Mayor under section 5(d) on the date the paint was ordered from the paint producer or the producer's agent.

(b) A paint retailer may participate on a voluntary basis as paint collection points pursuant to a paint stewardship program.

Sec. 5. Mayor's responsibilities.

(a) The Mayor shall review and determine whether to approve a paint stewardship program plan submitted under section 3 within 120 days of its receipt. The Mayor shall make the plan available for public review for at least 30 days before determining whether to approve the plan.

(b) The Mayor may approve or deny the plan and may make approval of the plan

ENROLLED ORIGINAL

contingent upon the removal, change, or inclusion of specific actions and practices, or the addition of paints covered under section 2(3).

(c) Within 60 days of submission of a report under section 3(f), upon a determination by the Mayor that the implementation of the approved plan fails to meet the requirements of this act or regulations promulgated pursuant to this act, the Mayor may request modifications to the producer of representative organization's paint stewardship program plan. The Mayor may approve or deny the proposed modifications to the plan as set forth in section 5(b). The Mayor may impose civil penalties under section 7 upon a determination that the paint stewardship organization or producer is not complying with the modified plan.

(d) Within 7 days of approving a paint stewardship program plan, the Mayor shall list the producers and brands implementing or participating in the plan on the Mayor's website.

(e) The Mayor shall impose an initial fee to be submitted with a proposed paint stewardship program plan under section 3(a) and an annual fee to be submitted thereafter in an amount sufficient to cover the costs of an agency reviewing a paint stewardship program plan, conducting inspections, and enforcing the provisions of this act. Permit fees collected pursuant to this section shall not exceed the cost of implementing and enforcing this act.

Sec. 6. Immunity from liability; confidential information.

(a) Notwithstanding the provisions of Chapter 45 of Title 28 of the D.C. Official Code, a producer or producers and a representative organization may negotiate, enter into agreements with, share the burdens of their operation with, and conduct business with each other in accordance with this act in ways that may affect competition. No producer or representative organization shall be prosecuted, held liable, or subject to penalties or damages under Chapter 45 of Title 28 of the D.C. Official Code for actions conducted in accordance with this act.

(b) Financial, production, and sales data reported to the Mayor by a producer or representative organization shall not be subject to disclosure under the Freedom of Information Act, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-531 *et seq.*), or any other law or regulation; provided, that the Mayor may release a summary form of the data that does not disclose individual producer information.

Sec. 7. Rules; enforcement.

(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.*), may issue rules to implement the provisions of this act.

(b) The Mayor may impose civil fines and penalties as sanctions for violations of the provisions of this act or any rules issued under the authority of this act, pursuant to the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6- 42; D.C. Official Code § 2-1801.01 *et seq.*) ("Civil Infractions Act"). Enforcement and adjudication of an infraction shall be pursuant to the Civil Infractions Act.

(c) In addition to the enforcement authority provided in subsection (b) of this section, the Mayor may seek injunctive relief or other appropriate remedy in any court of competent jurisdiction to enforce compliance with the provisions of this act.

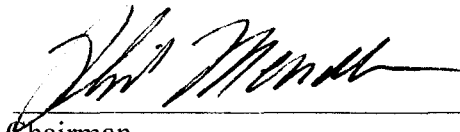
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Sec. 8. Fiscal impact statement.

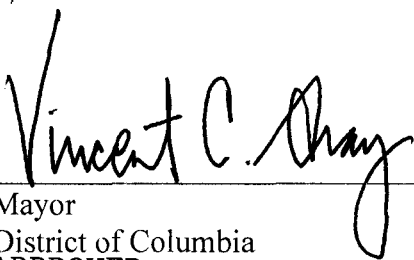
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 9. 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.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
December 8, 2014

ENROLLED ORIGINAL

A RESOLUTION

20-709

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

December 2, 2014

To declare the sense of the Council that the District of Columbia Retirement Board and the Chief Financial Officer should, consistent with their fiduciary obligations, explore all means possible for minimizing the District's involvement with companies with the largest fossil fuel reserves, and to ensure environmentally sound policy and decision-making.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Sense of the Council Encouraging the District's Prudent Investment with Regard to Fossil Fuels Resolution of 2014".

Sec. 2. The Council of the District of Columbia finds that:

(1) The substantial global risks of climate change remain an important concern and immediate threat to our own generation, as well as those that follow. The role that burning fossil fuels plays in climate change is well documented.

(2) On September 17, 2013, Bill 20-481, the Fossil Fuel Divestment Act of 2013 was introduced. Bill 20-481 would require that the District of Columbia Retirement Board ("DCRB") and the Other Post-Employment Benefits Fund ("OPEB Fund") divest from the top 200 companies that have the largest coal, oil, and gas reserves in which the city has direct holdings. The bill would require notice to the companies of their scrutinized status, and would allow each company an opportunity to reduce its fossil fuel reserves to avoid divestment, and failing that, the bill would require mandatory divestment of direct holdings in the top 200 companies within 4 years. Bill 20-481 also would prohibit DCRB and the OPEB Fund from acquiring new securities of the scrutinized companies, and would require that the funds urge investment fund managers to consider alternatives to managed investment funds with indirect holdings in such companies.

(3) Both the DCRB, and the Office of the Chief Financial Officer, which administers the OPEB Fund, expressed multiple concerns with regard to Bill 20-481. Concerns include the precedent of political interference with the mission of these investment agencies, potential violation of fiduciary duties, that the retirement funds are not the appropriate vehicle for the District government to implement social policy, and that divestment by the District would have minimal social impact. Other concerns include the risk of a "slippery slope" of socially targeted interference with investment decisions, diminished investment opportunities, and unwise restrictions on diversification of assets.

ENROLLED ORIGINAL

(4) In light of the fiduciary issues surrounding Bill 20-481, the Committee of the Whole has not yet marked up the legislation. However, recognizing the importance of these issues -- including the use of fossil fuels and the resulting impact on the environment, and the District's role in endorsing or facilitating such use -- the Council makes a statement on this issue.

Sec. 3. It is the sense of the Council of the District of Columbia that:

(1) The DCRB, and OPEB Fund, should, consistent with their fiduciary obligations in investment decision-making, explore all means possible for minimizing the District's involvement with companies with the largest fossil fuel reserves.

(2) DCRB and the OPEB Fund should also explore all means possible to ensure environmentally sound, as well as economically sound, policy and decision-making, both generally and specific to climate change, including through the use of an Environmental, Social, and Governance Policy.

Sec. 4. The Chairman of the Council shall transmit a copy of this resolution, upon its adoption, to the Chief Financial Officer and the District of Columbia Retirement Board.

Sec. 5. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

COUNCIL OF THE DISTRICT OF COLUMBIA
NOTICE OF INTENT TO ACT ON NEW
LEGISLATION

The Council of the District of Columbia hereby gives notice of its intention to consider the following legislative matters for final Council action in not less than **15 days**. Referrals of legislation to various committees of the Council are listed below and are subject to change at the legislative meeting immediately following or coinciding with the date of introduction. It is also noted that legislation may be co-sponsored by other Councilmembers after its introduction.

Interested persons wishing to comment may do so in writing addressed to Nyasha Smith, Secretary to the Council, 1350 Pennsylvania Avenue, NW, Room 5, Washington, D.C. 20004. Copies of bills and proposed resolutions are available in the Legislative Services Division, 1350 Pennsylvania Avenue, NW, Room 10, Washington, D.C. 20004 Telephone: 724-8050 or online at www.dccouncil.us.

COUNCIL OF THE DISTRICT OF COLUMBIA
LEGISLATION

PROPOSED

BILLS

B20-1028 Ann H. Hargrove Park Designation Act of 2014

Intro. 12-2-14 by Councilmember Graham and referred to the Committee of the Whole

RESOLUTIONS

PR20-1152 Hill East Redevelopment – Phase 1: Parcels F-1 and G-1 Surplus
Declaration Resolution of 2014

Intro. 11-25-14 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Government Operations

PR20-1153 Hill East Redevelopment – Phase 1: Parcels F-1 and G-1 Disposition
Approval Resolution of 2014

Intro. 11-25-14 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Economic Development

PR20-1160 New Communities Initiative Timeline Redevelopment Plan Reform
Approval Resolution of 2014

Intro. 11-25-14 by Chairman Mendelson at the request of the Mayor and
referred to the Committee on Economic Development

Council of the District of Columbia
Committee on Human Services

PUBLIC OVERSIGHT ROUNDTABLE

1350 Pennsylvania Avenue, N.W., Room 116, Washington, D.C. 20004

RECONVENING

**THE COMMITTEE ON HUMAN SERVICES
JIM GRAHAM, CHAIRPERSON**

ANNOUNCES A PUBLIC OVERSIGHT ROUNDTABLE ON

**“THE WINTER PLAN: PROTECTING THE LIVES OF HOMELESS PEOPLE IN THE
WINTER OF 2014-2015”**

WEDNESDAY, DECEMBER 17, 2014 - 2:00 P.M.

**ROOM 120
THE JOHN A. WILSON BUILDING
1350 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, D.C. 20004**

On Wednesday, December 17, 2014, at 2:00 p.m., in Room 120 of the John A. Wilson Building, Councilmember Jim Graham, Chair of the Committee on Human Services, announces a continuation of the public oversight roundtable on “The Winter Plan: Protecting the Lives of Homeless People in the Winter of 2014-2015”, previously held on Friday, November 21, 2014, Monday, November 10, 2014, and Wednesday, October 29, 2014. **The purpose of reconvening this public oversight roundtable is to resume testimony from the Executive of the Department of Human Services (DHS) to get detailed information about all plans and contracts for overflow shelter capacity for families for Winter 2014-2015, including the costs of those contracts, the source of the funding and the services that will be provided.**

For questions regarding hearing, please contact Malcolm Cameron of the Committee on Human Services by e-mail at mcameron@dccouncil.us or by telephone at (202) 724-8191.

**COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE OF THE WHOLE
NOTICE OF PUBLIC ROUNDTABLE**
1350 Pennsylvania Avenue, NW, Washington, DC 20004

**CHAIRMAN PHIL MENDELSON
COMMITTEE OF THE WHOLE
ANNOUNCES A PUBLIC ROUNDTABLE**

on

Truancy and the Implementation of Truancy Reform Initiatives

on

**Thursday, December 18, 2014
12:00 p.m., Hearing Room 412, John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004**

Council Chairman Phil Mendelson announces a public roundtable of the Committee of the Whole on Truancy. The public roundtable will be held Thursday, December 18, 2014, at 12:00 p.m. in Hearing Room 412 of the John A. Wilson Building, 1350 Pennsylvania Avenue, NW.

The purpose of this roundtable is to receive testimony from government witnesses and partners, including the Office of the Deputy Mayor for Education, the Children and Family Services Agency, the District of Columbia Public Schools, the Public Charter School Board, Justice Grants Administration, and the Office of the Attorney General, regarding truancy in the District and the continued implementation of truancy reform initiatives required by the South Capitol Street Memorial Amendment Act of 2012 and the Attendance Accountability Amendment Act of 2013.

Those who wish to testify are asked to telephone the Committee of the Whole, at (202) 724-8196, or e-mail Taneka Miller, Legislative Counsel, at tmiller@dccouncil.us and provide their name, address, telephone number, and organizational affiliation, if any, by the close of business Tuesday, December 16, 2014. Persons wishing to testify are encouraged, but not required, to submit 15 copies of written testimony. If submitted by the close of business on December 16, 2014, the testimony will be distributed to Councilmembers before the hearing. Witnesses should limit their testimony to five minutes; less time will be allowed if there are a large number of witnesses.

If you are unable to testify at the hearing, written statements are encouraged and will be made a part of the official record. Copies of written statements should be submitted to the Committee of the Whole, Council of the District of Columbia, Suite 410 of the John A. Wilson Building, 1350 Pennsylvania Avenue, NW, Washington, D.C. 20004. The record will close at 5:00 p.m. on Monday, December 22, 2014.

COUNCIL OF THE DISTRICT OF COLUMBIA
Notice of Reprogramming Requests

Pursuant to DC Official Code Sec 47-361 et seq. of the Reprogramming Policy Act of 1990, the Council of the District of Columbia gives notice that the Mayor has transmitted the following reprogramming request(s).

A reprogramming will become effective on the 15th day after official receipt unless a Member of the Council files a notice of disapproval of the request which extends the Council's review period to 30 days. If such notice is given, a reprogramming will become effective on the 31st day after its official receipt unless a resolution of approval or disapproval is adopted by the Council prior to that time.

Comments should be addressed to the Secretary to the Council, John A. Wilson Building, 1350 Pennsylvania Avenue, NW, Room 5 Washington, D.C. 20004. Copies of reprogramming requests are available in Legislative Services, Room 10.
Telephone: 724-8050

Reprog. 20-275: Request to reprogram \$600,000 of Capital budget authority and allotment from the Office of the Secretary (OS) to the Office of the Chief Technology Officer (OCTO) was filed in the Office of the Secretary on December 1, 2014. This reprogramming is needed to support the development of an IT system to be used by the Office of the Secretary, Office Public Records, as that office prepares to move in to a new archives facility.

RECEIVED: 14 day review begins December 2, 2014

Reprog. 20-276: Request to reprogram \$3,500,000 of Fiscal Year 2015 Local funds budget authority from the District of Columbia Public Charter Schools (DCPSS) to the Department of Transportation (DDOT) was filed in the Office of the Secretary on December 5, 2014. This reprogramming ensures that DDOT will be able to implement streetscape improvements in Ward 8.

RECEIVED: 14 day review begins December 8, 2014

Reprog. 20-277: Request to reprogram \$4,703,952 of Fiscal Year 2015 Local funds budget authority within the Department of Forensic Sciences (DFS) was filed in the Office of the Secretary on December 5, 2014. This reprogramming ensures that DFS' budget is properly aligned for salaries, fringe benefits, equipment, supplies, and contractual costs.

RECEIVED: 14 day review begins December 8, 2014

Reprog. 20-278: Request to reprogram \$626,500 of Fiscal Year 2015 Special Purpose Revenue funds budget authority within the District Department of the Environment (DDOE) was filed in the Office of the Secretary on December 5, 2014. This reprogramming ensures that DDOE is able to establish funding for the attorneys recently transferred from the Office of the Attorney General.

RECEIVED: 14 day review begins December 8, 2014

Reprog. 20-279: Request to reprogram \$103,500 of Capital funds budget authority and allotment from the Office of Planning (OP) to the Reverse Pay-As-You-Go (Paygo) Capital project and subsequently to the Local funds budget of the District Department of Environment (DDOE) was filed in the Office of the Secretary on December 5, 2014. This reprogramming will enable DDOE to move forward with Phase II of the Environmental Literacy Plan, which is a component of the Sustainable DC innovation Challenge.

RECEIVED: 14 day review begins December 8, 2014

Reprog. 20-280: Request to reprogram \$3,564,160 of Pay-As-You-Go (Paygo) Capital funds budget authority and allotment to the Office of the Chief Technology Officer (OCTO) operating budget was filed in the Office of the Secretary on December 5, 2014. This reprogramming will be used to initiate a GIS Sensor Flight project to collect GIS data.

RECEIVED: 14 day review begins December 8, 2014

Reprog. 20-281: Request to reprogram \$927,478 of Capital funds budget authority and allotment from the Department of General Services (DGS) to the Reverse Pay-As-You-Go (Paygo) Capital Project and subsequently to the Local funds budget of DGS was filed in the Office of the Secretary on December 5, 2014. This reprogramming is necessary to pay for the costs associated with non-District owned asset, such as Pepco Park, N Street Park, and O Street Park, as well as for the NOMA Parks foundation project.

RECEIVED: 14 day review begins December 8, 2014

Reprog. 20-282: Request to reprogram \$5,355,572 of Capital Funds budget authority and allotment to the Reverse Pay-As-You-Go (Paygo) Capital project and subsequently to the Local funds budget of the Department of Behavioral Health (DBH) was filed in the Office of the Secretary on December 5, 2014. This reprogramming is needed so DBH can provide subsidies to private development projects through the Department of Housing and Community Development (DHCD) and other housing agencies using operating budget.

RECEIVED: 14 day review begins December 8, 2014

Reprog. 20-283: Request to reprogram \$671,287 of Capital funds budget authority and allotment within the Department of Public Works (DPW) was filed in the Office of the Secretary on December 5, 2014. This reprogramming will be used to acquire heavy duty vehicles and equipment for DPW, which is badly needed to replace old, outdated, and obsolete equipment.

RECEIVED: 14 day review begins December 8, 2014

Reprog. 20-284: Request to reprogram \$2,889,287 of Fiscal Year 2015 Local funds budget authority from the District of Columbia Public Charter Schools (DCPCS) to the Office of the City Administrator (OCA) was filed in the Office of the Secretary on December 5, 2014. This reprogramming is needed to support the District's Pay for Success Intermediary contract, which will help to address teen pregnancy and provide educational opportunities for at-risk high school students.

RECEIVED: 14 day review begins December 8, 2014

Reprog.20-285: Request to reprogram \$537,808 of Fiscal Year 2015 Local funds budget authority within the District Department of the Environment (DDOE) was filed in the Office of the Secretary on December 5, 2014. This reprogramming ensures that DDOE is able to establish funding for the attorneys recently transferred from the Office of the Attorney General.

RECEIVED: 14 day review begins December 8, 2014

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION**NOTICE OF PUBLIC HEARING**

Posting Date: December 12, 2014
Petition Date: January 26, 2015
Hearing Date: February 09, 2015
Protest Hearing: April 22, 2015

License No.: ABRA-097418
Licensee: Roof Top DC, LLC
Trade Name: Bar Deco
License Class: Retail Class "C" Restaurant
Address: 717 6th Street, N.W.
Contact: Ashley E. Wiggins, 202-530-7169

WARD 2

ANC 2C

SMD 2C03

Notice is hereby given that this applicant has applied for a new license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, N.W., 400 South, Washington, DC 20009. Petition and/or request to appear before the Board must be filed on or before the petition date. The Protest Hearing Date is scheduled for 1:30 pm on April 22, 2015.

NATURE OF OPERATION

New Restaurant. Occupancy load is 357. Summer Garden with 48 seats.

HOURS OF OPERATON AND ALCOHOLIC BEVERAGE**SALES/SERVICE/CONSUMPTION FOR PREMISES AND SUMMER GARDEN**

Sunday 9 am -1am, Monday through Thursday 11:30 am-1am, Friday 11:30 am – 2 am, Saturday 9 am – 2 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: December 12, 2014
Petition Date: January 26, 2015
Hearing Date: February 9, 2015

License No.: ABRA-086961
Licensee: T & L Investment Group, LLC
Trade Name: Panda Gourmet
License Class: Retailer’s Class “C” Restaurant
Address: 2700 New York Avenue, N.E.
Contact: T & L Investment Group LLC, 202-832-5800

WARD 5 ANC 5C SMD 5C04

Notice is hereby given that this licensee has applied for a Substantial Change to its license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the hearing date at 10:00 am, 4th Floor, 2000 14th Street, N.W., Washington, DC 20009. Petition and/or request to appear before the Board must be filed on or before the petition date.

NATURE OF SUBSTANTIAL CHANGE

Applicant requests an Entertainment Endorsement to allow a computer-programmed playlist, live DJ, dancing and a jazz band.

CURRENT HOURS OF OPERATION

Sunday 12 pm – 2 am and Monday through Saturday 7 am - 2 am

CURRENT HOURS OF ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION

Sunday through Saturday 12:30 pm – 2 am

HOURS OF LIVE ENTERTAINMENT BEGINNING AFTER 6:00 PM

Sunday through Saturday 6:30 pm – 1 am

DISTRICT DEPARTMENT OF THE ENVIRONMENT

FISCAL YEAR 2015

PUBLIC NOTICE AND NOTICE OF PUBLIC HEARING

Notice is hereby given that, pursuant to 40 C.F.R. Part 51.161, D.C. Official Code §2-505, and 20 DCMR §210, the Air Quality Division (AQD) of the District Department of the Environment (DDOE), located at 1200 First Street NE, 5th Floor, Washington, DC, has received an application for an air quality permit (#6962) from SMART Automotive, to construct and operate an auto body paint spray booth to be located at 2615 Evarts Street NE. DDOE has prepared a draft permit for public review and comment and has scheduled a public hearing to hear comments on the subject. The contact person for the facility is Mengstab Ghebretinsae, President, at (202) 609-9778.

Emissions:

The maximum estimated potential emissions of volatile organic compound (VOC) from the auto body paint spray booth equipment, operating fifty two weeks (52) per year, is expected to be as follows:

| | Maximum Annual Emissions |
|----------------------------------|---------------------------------|
| Pollutant | (tons/yr) |
| Volatile Organic Compounds (VOC) | 5.85 |

The proposed emission limits are as follows:

- a. No chemical strippers containing methylene chloride (MeCl) shall be used for paint stripping at the facility. [20 DCMR 201.1]
- b. Paints and refinishing coatings that contain volatile organic compounds (VOCs) in excess of the limits specified in Table I below, including any VOC containing materials added to the original coating supplied by the manufacturer, shall be prohibited. [20 DCMR 718.3]

Table I: Allowable Content of VOCs in Mobile Equipment Repair and Refinishing Coatings (*as applied*)

| Coating Type | Weight | Limit* |
|----------------------------------|---------------------|-------------------|
| | (Pounds per gallon) | (Grams per liter) |
| Automotive pretreatment primer | 6.5 | 780 |
| Automotive primer-surfacer | 4.8 | 575 |
| Automotive primer-sealer | 4.6 | 550 |
| Automotive topcoat: | | |
| single stage-topcoat | 5.0 | 600 |
| 2 stage basecoat/clearcoat | 5.0 | 600 |
| 3 or 4-stage basecoat/clearcoat | 5.2 | 625 |
| Automotive multi-colored topcoat | 5.7 | 680 |

| Coating Type | Weight | Limit* |
|------------------------------|---------------------|-------------------|
| | (Pounds per gallon) | (Grams per liter) |
| Automotive specialty coating | 7.0 | 840 |

*Weight of VOC per volume of coating (minus water and non-VOC solvents)

- c. An emission into the atmosphere of odorous or other air pollutants from any source in any quantity and of any characteristic, and duration which is, or is likely to be injurious to the public health or welfare, or which interferes with the reasonable enjoyment of life or property is prohibited. [20 DCMR 903.1]
- d. Visible emissions shall not be emitted into the outdoor atmosphere from the paint spray booth. [20 DCMR 201.1, 606.1 and 903.1]

The permit application and supporting documentation, along with the draft permit are available for public inspection at AQD and copies may be made available between the hours of 8:15 A.M. and 4:45 P.M. Monday through Friday. Additionally, the draft permit is available on the DDOE website at <http://ddoe.dc.gov/service/public-notices-hearings>. Interested parties wishing to view the full file at the DDOE office should provide their names, addresses, telephone numbers and affiliation, if any, to Stephen S. Ours at (202) 535-1747.

Interested persons may submit written comments on this subject through January 12, 2015. The written comments must also include the person's name, telephone number, affiliation, if any, mailing address and a statement outlining the air quality issues in dispute and any facts underscoring those air quality issues. All relevant comments will be considered before taking any final action on the permit application.

A public hearing will be held on this subject at the DDOE offices at 1200 First Street NE, Washington DC on Monday, January 12, 2015 at 5:30 PM. Interested parties wishing to testify at this hearing must submit in writing their names, addresses, telephone numbers, and affiliation, if any, to Stephen S. Ours at DDOE by 4:00 PM on Monday, January 12, 2015.

Comments on the proposed permit and requests to testify at the hearing should be addressed to:

Stephen S. Ours
Chief, Permitting Branch
Air Quality Division
District Department of the Environment
1200 First Street NE, 5th Floor
Washington, DC 20002
Stephen.Ours@dc.gov

No written comments postmarked after January 12, 2015 will be accepted.

For more information, please contact Stephen S. Ours at (202) 535-1747.

DISTRICT DEPARTMENT OF THE ENVIRONMENT

FISCAL YEAR 2015

PUBLIC NOTICE AND NOTICE OF PUBLIC HEARING

Notice is hereby given that, pursuant to 40 C.F.R. Part 51.161, D.C. Official Code §2-505, and 20 DCMR §210, the Air Quality Division (AQD) of the District Department of the Environment (DDOE), located at 1200 First Street NE, 5th Floor, Washington, DC, has received an application for an air quality permit (#6963) from T&W Auto Company Inc., to construct and operate an auto body paint spray booth to be located at 1736 Rhode Island Ave. NE. DDOE has prepared a draft permit for public review and comment and has scheduled a public hearing to hear comments on the subject. The contact person for the facility is Teshome Wube, Owner, at (202) 842-5470.

Emissions:

The maximum estimated potential emissions of volatile organic compound (VOC) from the auto body paint spray booth equipment, operating fifty two weeks (52) per year, is expected to be as follows:

| | Maximum Annual Emissions |
|----------------------------------|---------------------------------|
| Pollutant | (tons/yr) |
| Volatile Organic Compounds (VOC) | 5.85 |

The proposed emission limits are as follows:

- a. No chemical strippers containing methylene chloride (MeCl) shall be used for paint stripping at the facility. [20 DCMR 201.1]
- b. Paints and refinishing coatings that contain volatile organic compounds (VOCs) in excess of the limits specified in Table I below, including any VOC containing materials added to the original coating supplied by the manufacturer, shall be prohibited. [20 DCMR 718.3]

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| Automotive primer-sealer | 4.6 | 550 |
| Automotive topcoat: | | |
| single stage-topcoat | 5.0 | 600 |
| 2 stage basecoat/clearcoat | 5.0 | 600 |
| 3 or 4-stage basecoat/clearcoat | 5.2 | 625 |
| Automotive multi-colored topcoat | 5.7 | 680 |

| Coating Type | Weight | Limit* |
|------------------------------|---------------------|-------------------|
| | (Pounds per gallon) | (Grams per liter) |
| Automotive specialty coating | 7.0 | 840 |

*Weight of VOC per volume of coating (minus water and non-VOC solvents)

- c. An emission into the atmosphere of odorous or other air pollutants from any source in any quantity and of any characteristic, and duration which is, or is likely to be injurious to the public health or welfare, or which interferes with the reasonable enjoyment of life or property is prohibited. [20 DCMR 903.1]
- d. Visible emissions shall not be emitted into the outdoor atmosphere from the paint spray booth. [20 DCMR 201.1, 606.1 and 903.1]

The permit application and supporting documentation, along with the draft permit are available for public inspection at AQD and copies may be made available between the hours of 8:15 A.M. and 4:45 P.M. Monday through Friday. Additionally, the draft permit is available on the DDOE website at <http://ddoe.dc.gov/service/public-notices-hearings>. Interested parties wishing to view the full file at the DDOE office should provide their names, addresses, telephone numbers and affiliation, if any, to Stephen S. Ours at (202) 535-1747.

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A public hearing will be held on this subject at the DDOE offices at 1200 First Street NE, Washington DC on Monday, January 12, 2015 at 5:30 PM. Interested parties wishing to testify at this hearing must submit in writing their names, addresses, telephone numbers, and affiliation, if any, to Stephen S. Ours at DDOE by 4:00 PM on Monday, January 12, 2015.

Comments on the proposed permit and requests to testify at the hearing should be addressed to:

Stephen S. Ours
Chief, Permitting Branch
Air Quality Division
District Department of the Environment
1200 First Street NE, 5th Floor
Washington, DC 20002
Stephen.Ours@dc.gov

No written comments postmarked after January 12, 2015 will be accepted.

For more information, please contact Stephen S. Ours at (202) 535-1747.

**BOARD OF ZONING ADJUSTMENT
PUBLIC HEARING NOTICE
TUESDAY, FEBRUARY 24, 2015
441 4TH STREET, N.W.
JERRILY R. KRESS MEMORIAL HEARING ROOM, SUITE 220-SOUTH
WASHINGTON, D.C. 20001**

TO CONSIDER THE FOLLOWING: The Board of Zoning Adjustment will adhere to the following schedule, but reserves the right to hear items on the agenda out of turn.

TIME: 9:30 A.M.

WARD SIX

18921
ANC-6C **Application of Peter Grimm and Kelly Jones**, pursuant to 11 DCMR § 3103.2, for variances from the lot occupancy requirements under § 403.2, the nonconforming structure requirements under § 2001.3(a)(b), and the rear yard occupancy requirements under § 2500.3, to allow the construction of a new third-story addition to an existing single-family dwelling in the R-4 District at premises 640 Lexington Place N.E. (Square 862, Lot 139).

WARD FOUR

18922
ANC-4D **Application of Song Quan Liu Inc.**, pursuant to 11 DCMR § 3104.1, for a special exception from the fast food establishments requirements under § 733, to operate a fast food restaurant in the C-2-A District at premises 5427 5th Street N.W. (Square 3259, Lot 49).

WARD EIGHT

18923
ANC-8C **Application of Geng Chen Enterprise, Inc.**, pursuant to 11 DCMR § 3104.1, for a special exception from the fast food establishments requirements under § 733, to operate a fast food restaurant in the C-2-A District at premises 2918 Martin Luther King Jr. Avenue, S.E. (Square 5951, Lot 30).

WARD ONE

18924
ANC-1A **Application of David Gullick**, pursuant to 11 DCMR § 3103.2, for variances from the lot occupancy requirements under § 772.1, the rear yard requirements under § 774.1, and parking space requirements under § 2100.1, to allow the conversion of a flat to a three-unit apartment building in the GA/C-2-A District at premises 705 Kenyon Street, N.W. (Square 2892, Lot 804).

WARD FOUR

18925
ANC-4A **Application of Hwa Golden**, pursuant to 11 DCMR § 3104.1, for a special exception from the parking lots requirements under § 213, to operate an accessory parking lot containing 40 spaces in the R-1-B District at premises 6400 Georgia Avenue, N.W. (Square 2945, Lot 852).

BZA PUBLIC HEARING NOTICE
FEBRUARY 24, 2015
PAGE NO. 2

WARD TWO

18926 **Application of Church of the Pilgrims**, pursuant to 11 DCMR § 3104.1, for a
ANC-2D special exception from the child development center requirements under § 205, to
operate a child development center of 74 students aged 12 months to six years
including 18 staff, in the R-3 District at premises 2201 P Street, N.W. (Square
2510, Lot 827).

PLEASE NOTE:

Failure of an applicant or appellant to appear at the public hearing will subject the application or appeal to dismissal at the discretion of the Board.

Failure of an applicant or appellant to be adequately prepared to present the application or appeal to the Board, and address the required standards of proof for the application or appeal, may subject the application or appeal to postponement, dismissal or denial. The public hearing in these cases will be conducted in accordance with the provisions of Chapter 31 of the District of Columbia Municipal Regulations, Title 11, and Zoning. Pursuant to Subsection 3117.4, of the Regulations, the Board will impose time limits on the testimony of all individuals. Individuals and organizations interested in any application may testify at the public hearing or submit written comments to the Board.

Except for the affected ANC, any person who desires to participate as a party in this case must clearly demonstrate that the person's interests would likely be more significantly, distinctly, or uniquely affected by the proposed zoning action than other persons in the general public. **Persons seeking party status shall file with the Board, not less than 14 days prior to the date set for the hearing, a Form 140 – Party Status Application Form.** This form may be obtained from the Office of Zoning at the address stated below or downloaded from the Office of Zoning's website at: www.dcoz.dc.gov. All requests and comments should be submitted to the Board through the Director, Office of Zoning, 441 4th Street, NW, Suite 210, Washington, D.C. 20001. Please include the case number on all correspondence.

FOR FURTHER INFORMATION, CONTACT THE OFFICE OF ZONING AT (202) 727-6311.

**LLOYD J. JORDAN, CHAIRMAN, S. KATHRYN ALLEN, VICE CHAIRPERSON,
MARNIQUE Y. HEATH, JEFFREY L. HINKLE AND A MEMBER OF THE ZONING
COMMISSION, CLIFFORD W. MOY, SECRETARY TO THE BZA, SARA A. BARDIN,
DIRECTOR, OFFICE OF ZONING**

Z.C. NOTICE OF RESCHEDULED PUBLIC HEARING
Z.C. CASE NO. 14-07
PAGE 2

Except for the affected ANC, any person who desires to participate as a party in this case must clearly demonstrate that the person’s interests would likely be more significantly, distinctly, or uniquely affected by the proposed zoning action than other persons in the general public. Persons seeking party status shall file with the Commission, not less than 14 days prior to the date set for the hearing, a Form 140 – Party Status Application, a copy of which may be downloaded from the Office of Zoning’s website at: <http://dcoz.dc.gov/services/app.shtm>. This form may also be obtained from the Office of Zoning at the address stated below.

If an affected Advisory Neighborhood Commission (ANC), pursuant to 11 DCMR 3012.5, intends to participate at the hearing, the ANC shall also submit the information cited in § 3012.5 (a) through (i). The written report of the ANC shall be filed no later than seven (7) days before the date of the hearing.

All individuals, organizations, or associations wishing to testify in this case are encouraged to inform the Office of Zoning their intent to testify prior to the hearing date. This can be done by mail sent to the address stated below, e-mail (donna.hanousek@dc.gov), or by calling (202) 727-0789.

The following maximum time limits for oral testimony shall be adhered to and no time may be ceded:

- | | | |
|----|----------------------------------|-------------------------|
| 1. | Applicant and parties in support | 60 minutes collectively |
| 2. | Parties in opposition | 60 minutes collectively |
| 3. | Organizations | 5 minutes each |
| 4. | Individuals | 3 minutes each |

Pursuant to § 3020.3, the Commission may increase or decrease the time allowed above, in which case, the presiding officer shall ensure reasonable balance in the allocation of time between proponents and opponents.

Written statements, in lieu of oral testimony, may be submitted for inclusion in the record. The public is encouraged to submit written testimony through the Interactive Zoning Information System (IZIS) at <http://app.dcoz.dc.gov/Login.aspx>; however, written statements may also be submitted by mail to 441 4th Street, N.W., Suite 200-S, Washington, DC 20001; by e-mail to zcsubmissions@dc.gov; or by fax to (202) 727-6072. Please include the case number on your submission. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

ANTHONY J. HOOD, MARCIE I. COHEN, ROBERT E. MILLER, PETER G. MAY, AND MICHAEL G. TURNBULL ----- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY SARA A. BARDIN, DIRECTOR, AND BY SHARON S. SCHELLIN, SECRETARY TO THE ZONING COMMISSION.

DEPARTMENT OF MOTOR VEHICLES

NOTICE OF FINAL RULEMAKING

The Director of the Department of Motor Vehicles (“Director”), pursuant to the authority set forth in Sections 6, 7, 8a of the District of Columbia Traffic Act of 1925, approved March 3, 1925 (43 Stat. 1121; D.C. Official Code §§ 50-2201.03, 50-1401.01 and 50-1401.03 (2012 Repl.)), Section 8c of the District of Columbia Traffic Act of 1925, approved March 3, 1925 (43 Stat. 1121; D.C. Official Code § 50-1401.05 (2014 Supp.)), and Mayor’s Order 2014-153, dated June 27, 2014, hereby gives notice of the adoption of the following rulemaking that amends Chapter 1 (Issuance of Drivers Licenses) of Title 18 (Vehicles and Traffic) of the District of Columbia Municipal Regulations (“DCMR”).

The rules set forth the criteria for issuance of a Limited Purpose Driver License, Learner Permit, Provisional Permit or Identification Card.

Pursuant to Section 8c of the District of Columbia Traffic Act of 1925, approved March 3, 1925 (43 Stat. 1121; D.C. Official Code § 50-1401.05 (2014 Supp.)) the proposed rules were submitted to the Council of the District of Columbia (“Council”) for a forty-five (45) day period of review (excluding weekends, holidays and days of Council recess). The forty-five (45) day period of review expired on December 1, 2014 and no resolution of disapproval has been introduced. Therefore, the rules are deemed approved.

No comments were received and no changes were made to the text of the proposed rules, as published with a notice of proposed rulemaking in the *D.C. Register* at 61 DCR 7053 on July 11, 2014. The final rules were adopted as final on December 2, 2014 and will be effective upon publication of this notice in the *D.C. Register*.

Title 18, VEHICLES AND TRAFFIC, of the DCMR is amended as follows:

Chapter 1, ISSUANCE OF DRIVER’S LICENSES, is amended as follows:

A new Section 114, LIMITED PURPOSE DRIVER LICENSE, LEARNER PERMIT, PROVISIONAL PERMIT OR IDENTIFICATION CARD, is added to read as follows:

114 LIMITED PURPOSE DRIVER LICENSE, LEARNER PERMIT, PROVISIONAL PERMIT OR IDENTIFICATION CARD

114.1 Each application shall:

- (a) State the applicant’s true and lawful name (which shall include the applicant’s full and complete name, including any given middle name or names); the applicant’s date of birth; sex; the residence address of the applicant; that the applicant has resided in the District of Columbia for longer than six (6) months; that the applicant either has not been assigned a social security number, has been assigned a social security number but

cannot establish legal presence in the United States at the time of application or is ineligible to obtain a social security number; a brief description of the applicant, including, but not necessarily limited to, the applicant's height, weight, color of eyes, and color of hair; and

- (b) Include a certification that the applicant: does not have Alzheimer's disease, glaucoma, cataracts or eye disease; is not an insulin dependent diabetic; has not had seizures or loss of consciousness; and does not have any other mental or physical condition that would impair the ability to drive.

114.2 Each application shall also include any other information that the Director may require in order to determine the competency, eligibility, or identity of the applicant.

114.3 Each applicant shall provide one of the following documents set forth below in order to establish identity and date of birth, including a certified translation if the document is not in English:

- (a) Original valid, unexpired passport;
- (b) Original valid unexpired Consular Identification Card issued by Mexico, Guatemala, Ecuador or any other country approved by the Department of Motor Vehicles;
- (c) Unexpired United States military or dependent identification card;
- (d) Certified copy of birth certificate; or
- (e) For an identification card only, Department of Motor Vehicles' approved letter with picture from the Court Services and Offender Supervision Agency (CSOSA) or DC Department of Corrections certifying identity and date of birth.

114.4 If an applicant is unable to provide the documentation required by § 114.3, the applicant shall submit two of the following, including a certified translation if the document is not in English:

- (a) Certified copy of foreign jurisdiction issued birth certificate;
- (b) Foreign jurisdiction issued driver license or identification card;
- (c) Certified school record; or
- (d) Any other documents adopted as acceptable by the Department of Motor Vehicles through written approval.

- 114.5 Except as stated otherwise, each applicant shall provide two of the documents set forth below in order to establish present residency:
- (a) Utility bill (Water, Gas, Electric, Oil, or Cable) with name and address, issued within the last sixty (60) days;
 - (b) Telephone bill reflecting applicant's name and current address, issued within the last sixty (60) days;
 - (c) Deed or settlement agreement reflecting property address;
 - (d) Unexpired lease or rental agreement with the name of the applicant listed as the lessee, permitted resident or renter (may be a photocopy);
 - (e) District of Columbia Property Tax bill issued within the last twelve months;
 - (f) Unexpired homeowner's or renter's insurance policy reflecting name and address;
 - (g) For an identification card only, Department of Motor Vehicles' approved letter with picture from the Court Services and Offender Supervision Agency (CSOSA) or DC Department of Corrections issued within the last sixty (60) days certifying residence address. A second document is not required;
 - (h) Official Mail received from a Federal or District of Columbia Agency within the last sixty (60) days, other than the District of Columbia Department of Motor Vehicles, that includes the applicant's first and last name and complete address, as well as the envelope and contents;
 - (i) Bank statement issued within the last sixty (60) days reflecting name and address;
 - (j) District of Columbia Department of Motor Vehicles' Proof of Residency Form signed by the person owning or renting the residence where the applicant resides and a copy of this person's unexpired District of Columbia driver license or identification card as well as two of the documents listed in (a)-(i) above in the name of the person owning or renting the residence; or
 - (k) For an identification card only, a District of Columbia Department of Motor Vehicles' approved letter from a certified social service provider issued within the last sixty (60) days. Does not require a second document to establish present residency.

114.6 Except as stated otherwise, each applicant shall provide two of the documents set forth below which are dated at least six (6) months prior to the date of application:

- (a) Utility bill (Water, Gas, Electric, Oil, or Cable) with name and address;
- (b) Telephone bill reflecting applicant's name and address;
- (c) Deed or settlement agreement reflecting property address;
- (d) Unexpired lease or rental agreement with the name of the applicant listed as the lessee, permitted resident or renter (may be a photocopy);
- (e) District of Columbia Property Tax bill;
- (f) Unexpired homeowner's or renter's insurance policy reflecting name and address;
- (g) Official Mail received from a Federal or District of Columbia Agency, other than the District of Columbia Department of Motor Vehicles, that includes the applicant's first and last name and complete address, as well as the envelope and contents;
- (h) Bank statement reflecting name and address;
- (i) District of Columbia Department of Motor Vehicles' Proof of Residency Form signed by the person owning or renting the residence where the applicant resides and a copy of this person's unexpired District of Columbia driver license or identification card as well as two of the documents listed in (a)-(i) above in the name of the person owning or renting the residence.
- (j) For an identification card only, a District of Columbia Department of Motor Vehicles' approved letter from a certified social service provider. A second document is not required.

114.7 Each limited purpose driver license, learner permit, provisional permit or identification card shall include the same information as set forth in §§ 107.2 and 107.3 of this title.

DEPARTMENT OF MOTOR VEHICLES**NOTICE OF FINAL RULEMAKING**

The Director of the Department of Motor Vehicles (“Director”), pursuant to the authority set forth in Sections 1825 and 1826 of the Department of Motor Vehicles Establishment Act of 1998, effective March 26, 1999 (D.C. Law 12-175; D.C. Official Code §§ 50-904 and 50-905 (2012 Repl.)), Sections 6, 7, 8a of the District of Columbia Traffic Act of 1925, approved March 3, 1925 (43 Stat. 1121; D.C. Official Code §§ 50-2201.03, 50-1401.01 and 50-1401.03 (2012 Repl. & 2014 Supp.)), Section 2 of Title IV of the District of Columbia Revenue Act of 1937, approved August 17, 1937 (50 Stat. 680; D.C. Official Code § 50-1501.02 (2012 Repl. & 2014 Supp.)), and Section 801 of the Motor Vehicle and Safe Driving Amendment Act of 2000, effective April 27, 2001 (D.C. Law 13-289; D.C. Official Code § 50-921 (2012 Repl.)), hereby gives notice of the adoption of the following rulemaking that amends Chapter 1 (Issuance of Drivers Licenses) and Chapter 4 (Motor Vehicle Title and Registration) of Title 18 (Vehicles and Traffic) of the District of Columbia Municipal Regulations (“DCMR”).

The rules amend the requirement for notifying the Department of Motor Vehicles of a change of address so that the time period will be sixty (60) days.

Pursuant to D.C. Official Code § 50-921 (2012 Repl.) the proposed rules were submitted to the Council of the District of Columbia (“Council”) for a forty-five (45) day period of review (excluding weekends, holidays and days of Council recess). The forty-five (45) day period of review expired on December 1, 2014 and no resolution of disapproval has been introduced by three (3) members of the Council. Therefore, the rules are deemed approved.

No comments were received and no changes were made to the text of the proposed rules, as published with a notice of proposed rulemaking in the *D.C. Register* at 61 DCR 9874 on September 26, 2014. The final rules were adopted as final on December 2, 2014 and will be effective upon publication of this notice in the *D.C. Register*.

Title 18, VEHICLES AND TRAFFIC, of the DCMR is amended as follows:

Chapter 1, ISSUANCE OF DRIVER’S LICENSES, is amended as follows:

Section 109, DUPLICATE OR MODIFIED LICENSES AND SPECIAL IDENTIFICATION CARDS, is amended as follows:

Subsection 109.3 is amended to read as follows:

109.3 Whenever any person, after applying for a driver's license or special identification card, moves from the address set forth in the application, that person shall, within sixty (60) days thereafter, notify the Director in writing of both the old and new addresses.

Subsection 109.4 is amended to read as follows:

109.4 Whenever any person, after receiving a driver's license or special identification card, moves from the address set forth in the license or special identification card, that person shall, within sixty (60) days thereafter, notify the Director in writing of both the old and new addresses and of the number of the license or special identification card.

Chapter 4, MOTOR VEHICLE TITLE AND REGISTRATION, is amended as follows:

Section 414, CHANGE OF ADDRESS OF REGISTRANT, is amended as follows:

Subsection 414.1 is amended as to read as follows:

414.1 If a registrant changes his or her address, that registrant shall, not more than sixty (60) days after relocating to the new address, surrender the old registration card to the Director and apply for an updated registration card.

DEPARTMENT OF BEHAVIORAL HEALTH**NOTICE OF PROPOSED RULEMAKING**

The Director of the Department of Behavioral Health (“the Department”), pursuant to the authority set forth in Sections 5113, 5115, 5117 and 5118 of the Department of Behavioral Health Establishment Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code §§ 7-1141.02, 7-1141-04, 7-1141.06 and 7-1141.07 (2014 Supp.)), hereby gives notice of his intent to amend Chapter 5 (Use of Restraints and Seclusion) of Subtitle A (Mental Health) of Title 22 (Health) of the District of Columbia Municipal Regulations (DCMR).

The purpose of these amendments is to reflect changes in the use of restraints in Title 22-A DCMR, Subsections 503, 505 and 513. The proposed amendments to Subsection 503 address the change to the District’s public adult psychiatric facility, Saint Elizabeth’s Hospital, which has transitioned from multiple maximum security and non-maximum security facilities on several acres to a single facility, which includes maximum, moderate and minimum security units. The regulations are amended to reflect the use of restraints to transport maximum security individuals to areas of the hospital that are less secure. In addition, the proposed amendment to this section amends the definition of “drugs used as a restraint” to be consistent with federal regulations.

The proposed amendments to Subsection 505 allow the use of ambulatory restraints for the sole purpose of transporting a restrained individual to a safe location within a facility.

The proposed amendments to Subsection 513 clarify that leather anklets and wristlets can be used, in addition to metal restraints, and allow for the use of the legally mandated restraints within a single facility consistent with the proposed amendments to Subsection 503.

The Director gives notice of his intent to take final rulemaking action to adopt the proposed rules in not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*.

Chapter 5, USE OF RESTRAINTS AND SECLUSION, of 22-A DCMR, MENTAL HEALTH, is amended as follows:**Subsection 503.6 is amended to read as follows:**

503.6 Legally mandated restraints are the mechanical restraint of an adult maximum security consumer during transport to or from a facility, or within a facility, including a hospital, to District of Columbia Superior or Federal Court, applied in accordance with the order of a U.S. Marshal, a judge, or other law enforcement official or forensic services policy.

Subsection 503.8 is amended to read as follows:

503.8 A drug used as a restraint is a medication that is used as a restriction to manage the patient's behavior or restrict the patient's freedom of movement and is not a standard treatment or dosage for the patient's condition.

Subsection 505.1(b) is amended to read as follows:

- 505.1 In employing restraints and seclusion, the following measures are strictly prohibited:
- (b) Ambulatory restraints (restraints which allow the consumer to walk around while restrained, such as wristlets or anklets) except as part of a legally mandated restraint, or for the limited purpose of transporting a restrained consumer to a safe location;

Subsection 513.1 and 513.2 are amended to read as follows:

- 513.1 This chapter does not govern the use of legally mandated restraints. Legally mandated restraints are restraints ordered by a court of law or restraints that are applied, monitored, and removed at the discretion of a law enforcement officer, such as a Deputy United States Marshal, an agent of the Secret Service, or an officer of the Metropolitan Police Department, with custody of a consumer, or restraints applied by facility or hospital staff to a maximum security consumer when being transported within or outside of a facility or hospital, in accordance with forensic services policy approved by the Medical Director of the hospital.
- 513.2 Metal or leather wristlets and anklets can be used in the case of a restrained consumer requiring transport to a safe location consistent with Section 505. Metal or leather handcuffs, wristlets and anklets can be used with maximum security consumers who are secured by forensic services personnel in accordance with forensic services policy approved by the Medical Director of the facility, or the order of a judge, U.S. Marshall, or other law enforcement agency with appropriate jurisdiction for transport:
- (a) To the District of Columbia Superior Court or Court of Appeals;
 - (b) To any Federal Court; and
 - (c) Within a facility or a hospital, including areas on or outside the facility or hospital grounds.

All persons desiring to comment on the subject matter of this proposed rulemaking should file comments in writing not later than thirty (30) days after the date of publication of this notice in the *D.C. Register*. Comments should be filed with Deon Merene, Deputy General Counsel, Office of General Counsel for the Department of Behavioral Health at 1100 Alabama Ave, SE, 2nd Floor, Washington, D.C. 20032, telephone (202) 299-5580, or Deon.Merene@dc.gov. Copies of the proposed rules may be obtained from www.dbh.dc.gov or from the Department of Behavioral Health at the address above.

METROPOLITAN POLICE DEPARTMENT**NOTICE OF PROPOSED RULEMAKING**

The Chief of the Metropolitan Police Department (Chief), pursuant to the authority under Section 1106 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978 (CMPA), effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-611.06 (2012 Repl.)) and Mayor's Order 2012-28, dated February 21, 2012, hereby gives notice of her intent to adopt an amendment to Chapter 1 (Organization of the Metropolitan Police Department) of Title 6, Subtitle A (Police Personnel) of the District of Columbia Municipal Regulations (DCMR), by adding a new Section 117 (Shift Differential).

The proposed rulemaking would provide evening and night differential to Metropolitan Police Department Captains and Lieutenants in accordance with § 1104(d) of the CMPA (D.C. Official Code § 1-611.04(d) (2012 Repl.)).

In accordance with D.C. Official Code § 1-611.06, the rules will be transmitted to the Council of the District of Columbia for a sixty (60) day review period. The Chief also gives notice of her intent to take final rulemaking action in not less than sixty (60) days of the date of publication of this notice in the *D.C. Register*.

Chapter 1, ORGANIZATION OF THE METROPOLITAN POLICE DEPARTMENT, of Title 6-A, POLICE PERSONNEL, of the DCMR is amended by adding a new Section 117 to read as follows:

117 SHIFT DIFFERENTIAL

117.1 Captains and Lieutenants may receive pay at their scheduled rate plus a differential of three percent (3%) for regularly scheduled non-overtime work when the majority of their work hours occur between 3 p.m. and midnight; four percent (4%) of their scheduled rate if the majority of their work hours occur between 11 p.m. and 8 a.m.

All persons desiring to comment on these proposed regulations should submit comments in writing to Terrence D. Ryan, General Counsel, Metropolitan Police Department, Room 4125, 300 Indiana Avenue NW, Washington, D.C. 20001 or terry.ryan@dc.gov not later than sixty (60) days after publication of this notice in the *D.C. Register*. Questions may be directed to (202) 727-4129. Copies of the proposed rules can be obtained from the address listed above. A copy fee of one dollar (\$1.00) will be charged for each copy of the proposed rulemaking requested.

DISTRICT OF COLUMBIA TAXICAB COMMISSION

NOTICE OF PROPOSED RULEMAKING

The District of Columbia Taxicab Commission (“Commission”), pursuant to the authority set forth in Section 8(c) (2), (3), (7), (12), (16), 14, 20, and 20f of the District of Columbia Taxicab Commission Establishment Act of 1985 (“Establishment Act”), effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code §§ 50-307(c) (2), (3), (7), (12), (16), (19), 50-313, 50-319, and 50-325 (2012 Repl. & 2014 Supp.)), hereby gives notice of its intent to adopt amendments to Chapters 4 (Taxicab Payment Service Providers), 5 (Taxicab Companies, Associations and Fleets), 7 (Enforcement), 8 (Operation of Taxicabs), 10 (Public Vehicles for Hire), 12 (Luxury Services – Owners, Operators, and Vehicles), 13 (Licensing and Operations of Taxi Meter Companies), and 15 (Licensing and Operations of Dome Light Installation Companies) of Title 31 (Taxicabs and Public Vehicles for Hire) of the District of Columbia Municipal Regulations (“DCMR”).

The proposed rules would establish procedures for appealing a denial of an application for a new or renewal license issued under this title. The proposed rules would clarify the implementation of statutory requirements for minimum percentages of wheelchair accessible vehicles in the taxicab fleets of taxicab companies and in the sedan (black car) fleets of luxury class vehicle organizations. The proposed rules would provide for the suspension or revocation of the privilege to operate in the District under the reciprocity rules where a non-District operator has engaged in violations of this title and other applicable laws which would justify suspension or revocation of a license issued by the Office. The proposed rules also eliminate redundant enforcement provisions throughout the title to clarify that the procedures for all enforcement actions are governed by Chapter 7.

Directions for submitting comments may be found at the end of this notice. The Commission also hereby gives notice of the intent to take final rulemaking action to adopt these proposed rules in not less than thirty (30) days after the publication of this notice of proposed rulemaking in the *D.C. Register*.

CHAPTER 4, TAXICAB PAYMENT SERVICE PROVIDERS, of Title 31, TAXICABS AND PUBLIC VEHICLES FOR HIRE, is amended as follows:

Section 405, DECISION TO GRANT OR DENY, is amended as follows:

Subsections 405.2 and 405.3 are repealed.

Section 406, RENEWAL APPLICATIONS, is amended as follows:

Subsection 406.2 is repealed.

Section 407, SUSPENSION OR REVOCATION OF APPROVAL, is repealed and reserved.

CHAPTER 5, TAXICAB COMPANIES, ASSOCIATIONS AND FLEETS, of Title 31, TAXICABS AND PUBLIC VEHICLES FOR HIRE, is amended as follows:

Section 501, RENEWAL CERTIFICATES AND LICENSES; FILING REQUIREMENTS, is amended as follows:

Subsections 501.10 through 501.15 are added as follows:

- 501.10 Each taxicab company shall dedicate a portion of each taxi fleet with which it is associated or affiliated as follows:
- (a) At least six (6 %) percent of each taxicab fleet shall be wheelchair-accessible by December 31, 2014.
 - (b) At least twelve (12 %) percent of each taxicab fleet shall be wheelchair-accessible by December 31, 2016.
 - (c) At least twenty (20 %) percent of each taxicab fleet shall be wheelchair-accessible by December 31, 2018.
- 501.11 Beginning in 2015, a vehicle shall not be counted for purposes of compliance with § 501.10 where for fifty (50 %) percent or more of the vehicle's aggregated operating time in any three (3) months during the calendar year it is:
- (a) Under contract(s) to provide transportation for a service that is not a public vehicle-for-hire service; or
 - (b) Used to provide transportation for a service that is not a public vehicle-for-hire service.
- 501.12 The Office shall deny an initial or renewal certificate of operating authority to a taxicab company which is not in compliance with § 501.10.
- 501.13 If the Office denies a renewal certificate of operating authority pursuant to § 501.11, it shall at such time grant a temporary certificate of operating authority to the taxicab company, which shall expire one hundred eighty (180) days from the date of issuance, provided that:
- (a) The taxicab company files by the renewal date a compliance plan with the Office; and
 - (b) The compliance plan demonstrates that the taxicab company shall achieve full compliance with the requirements of § 501.10 within 180 days of the renewal date, and is supported by such information and documentation as the Office may require.

501.14 A taxicab company granted a temporary certificate of operating authority pursuant to § 501.12 shall submit evidence that it has complied with the compliance plan filed with the Office pursuant to § 501.12 prior to the expiration date of the temporary certificate of operating authority. The Office shall review the taxicab company’s evidence of compliance, during which time the temporary certificate of operating authority shall continue in force and effect.

501.15 If the evidence of compliance is satisfactory to the Office, the Office shall renew the company’s certificate of operating authority. If the evidence of compliance is not satisfactory to the Office, the Office shall provide notice of its decision to the company, and the company’s operating authority shall not be renewed, provided however, that the temporary operating authority shall continue in force and effect during the period for any appeal.

Section 510, COMPLIANCE WITH LICENSING REQUIREMENTS; SUSPENSIONS AND REVOCATIONS, is repealed and reserved.

CHAPTER 7, ENFORCEMENT, of Title 31, TAXICABS AND PUBLIC VEHICLES FOR HIRE, is amended as follows:

Current Section 709, LICENSING DOCUMENTS, is renumbered as Section 711.

Current Section 710, PUBLIC COMPLAINTS, is renumbered as Section 712.

Current Section 711, MEDIATION, is renumbered as Section 713.

Current Section 712, SERVICE AND FILING, is renumbered as Section 714.

Current Section 713, REPRESENTATION, is designated as Section 715.

A new Section 709 is added to read as follows:

709 DENIAL OF APPLICATION FOR A LICENSE

709.1 Unless a different time for appeal is provided by an applicable provision of this title, where the Office denies an application for a new or renewed license (including for purposes of this section, any certificate, approval, registration, or other legal permission of the Office required in order for a person regulated by this title to engage in conduct otherwise prohibited) under this title, the applicant for such license may appeal the decision within fourteen (14) days of notice of the decision.

709.2 A decision by the Office to deny an application for a license, shall be issued in writing and shall state:

- (a) The basis for the decision;

- (b) That the applicant has the right to appeal the decision within fourteen (14) days of notice of the decision, unless a different time for appeal is provided by an applicable provision of this title;
- (c) That the appeal, if filed, will be referred to the Commission, a hearing examiner within the Office, or OAH;
- (d) In the case of a decision to deny a renewal license, whether the existing license shall remain in effect beyond its expiration date pending the outcome of a timely appeal filed pursuant to § 709.1, pursuant to an applicable provision of this title; and
- (e) That if the applicant does not appeal the decision within the time provided for appeal, the decision shall become final.

- 709.3 An appeal of a decision to deny a license shall be filed by the applicant, or applicant's representative, with the Office within fourteen (14) days of notice of the decision, or within such other period as provided by an applicable provision of this title, and otherwise the decision shall constitute a final decision of the Commission. The Office shall, in its sole discretion, refer a timely appeal to any of the following for review on the merits: the full Commission, a hearing examiner employed by the Commission, or OAH.
- 709.4 If an appeal is referred to the full Commission, the Commission shall hear the appeal at its next regularly scheduled meeting.
- 709.5 If an appeal has been referred to a hearing examiner employed by the Commission, the hearing examiner shall hear the appeal within thirty (30) days from the date the appeal is received by hearing examiner. Either party may appeal the decision of the hearing officer to the full Commission. An appeal, if filed, shall be filed within thirty (30) days of the issuance of the hearing examiner's decision, and, if not appealed within such time, shall constitute a final agency decision of the Commission.
- 709.6 An appeal to the full Commission shall be heard at the next Commission meeting, not sooner than fourteen (14) from the date of the appeal.
- 709.7 If the appeal has been referred to OAH, the appeal shall be heard in accordance with OAH rules and regulations.
- 709.8 A timely appeal of a denial of a renewal of license shall extend an existing license pending a decision on the appeal except that a license shall not be extended pending an appeal if one of the bases for denial would constitute grounds for immediate suspension under § 706 or § 707.

- 709.9 A decision on appeal to remand to the Office for further review shall extend or reinstate an existing license pending the final decision, unless otherwise ordered.
- 709.10 A decision by the Commission, either on direct appeal or an appeal from a hearing examiner, shall be considered a final agency decision.

A new Section 710 is added to read as follows:

710 SUSPENSION OR REVOCATION OF RECIPROCITY PRIVILEGES

- 710.1 The intent of the Commission is to hold each individual who has been issued a public vehicle-for-hire license by a jurisdiction within the Washington Metropolitan Area other than the District (“non-District operator”) to the same standards of conduct imposed by this title on operators licensed by the Office.
- 710.2 Each non-District operator who operates a public vehicle-for-hire in the District within the limited authority provided by the reciprocity rules of §§ 828 and 1219 (“reciprocity privilege”) shall be subject to the suspension or revocation of such reciprocity privilege as provided in this section.
- 710.3 Each provision of this title, other than the provisions of this section, shall be read, interpreted, and applied to each non-District operator as if the non-District operator were licensed by the Office, substituting as necessary to give a provision its fullest meaning the term “reciprocity privilege” wherever the word “license” appears in an applicable provision.
- 710.4 The Office may issue an order of immediate suspension of a non-District operator’s reciprocity privilege based on conduct which would constitute grounds for immediate suspension of an operator’s license issued by the Office pursuant to § 706.
- 710.5 The Office may issue a notice of proposed suspension or proposed revocation of a non-District operator’s reciprocity privilege based on conduct which would constitute grounds for proposed suspension or revocation of an operator’s license issued by the Office pursuant to § 708.
- 710.6 In addition to the methods of service authorized by § 712.1, each order of immediate suspension, each notice of proposed suspension, and each notice of proposed revocation of a non-District operator’s reciprocity privilege pursuant to this section may be served by one of the following methods:
- (a) By personal service upon the respondent or the respondent’s agent at any time and place where the respondent or the respondent’s agent may be found within the District, including without limitation at the time and place of any violation of this title by the respondent, and at the time and place of any hearing pursuant to this chapter; and

- (b) By depositing the document into first-class U.S. Mail, addressed to the address of the respondent or respondent’s agent on file with OAH in any pending contested case.

CHAPTER 8, OPERATION OF TAXICABS, of Title 31, TAXICABS AND PUBLIC VEHICLES FOR HIRE, is amended as follows:

Section 828, RECIPROCITY WITH SURROUNDING JURISDICTIONS, is amended as follows:

828.8 An individual who has been issued a public vehicle-for-hire license by a jurisdiction within the Washington Metropolitan Area other than the District (“non-District operator”), or any unlicensed individual, who violates a provision of this section is subject to fine and penalty for unlicensed operator (non-resident) and unlicensed vehicle (non-resident) and is subject to the fine and penalty set forth in § 825, impoundment of the vehicle or, upon conviction, imprisonment for not more than ninety (90) days pursuant to D.C. Official Code § 47-2846. A non-District operator whose privilege to operate in the District within the limited authority provided by this section has been suspended or revoked under § 710 shall be considered an unlicensed operator who is operating an unlicensed vehicle.

CHAPTER 10, PUBLIC VEHICLES FOR HIRE, of Title 31, TAXICABS AND PUBLIC VEHICLES FOR HIRE, is amended as follows:

Section 1002, APPLICATION FOR A HACKER’S LICENSE; FEES, is amended as follows:

Subsection 1002.10 is repealed.

Section 1006, DENIAL OF LICENSE AND REAPPLICATION, is amended as follows:

1006.1 An applicant who has been denied a license to operate a public vehicle for hire for reasons other than for failure to successfully complete an examination may file a new application for a license no sooner than six (6) months after the denial, unless the denial is reversed on an appeal filed pursuant to Chapter 7 of the this title.

1006.2 If an applicant files an appeal from a denial as provided by Chapter 7 of this title and the denial is sustained, or if an operator’s license has been suspended or revoked by the Commission and sustained on appeal, no new application may be made until the expiration of any suspension or revocation period imposed.

Subsection 1006.3 is repealed.

Subsection 1006.4 is amended by striking the word “Chairperson” and inserting the word “Office” in place, to read as follows:

1006.4 In determining the fitness of an applicant under § 1009 (Not for Hire), the Office shall not take into account the conduct or record of the applicant upon which the waiting period was based. The determination of fitness shall be based on the conduct or the record of the applicant's conduct during and after the waiting period. If the personal conduct during the waiting period satisfies the personal conduct and other requirements of this chapter, the Office may issue a license to the applicant.

Subsection 1006.5 is amended by striking the word “Chairperson” and inserting the word “Office” in place, to read as follows:

1006.5 If the Office discovers information not previously known to the Office, which relates to the moral character, fitness, or eligibility of the applicant and which was not part of the record in the proceeding on the appeal filed pursuant to Chapter 7 of this title, the Office may find on the basis of that information, that the moral character, fitness, or eligibility of the applicant is such that it does not justify the issuance of the license and may again deny the issuance of a license.

Subsection 1006.6 is amended by striking the word “Chairperson” and inserting the word “Office” in place, to read as follows:

1006.6 The Office shall establish repeat examinations for applicants who are denied licenses because of failing the qualifying examination under the provisions of § 1004. Repeat examinations shall be scheduled to permit a fair opportunity for applicants to successfully complete the examination. If an applicant fails to pass the examination after three (3) attempts, the applicant shall re-take the operator's training course before being allowed to take the examination again.

CHAPTER 12, LUXURY SERVICES - OWNERS, OPERATORS, AND VEHICLES, of Title 31, TAXICABS AND PUBLIC VEHICLES FOR HIRE, is amended as follows:

Section 1214, RENEWAL OF OPERATOR LICENSE, is amended as follows:

New Subsections 1214.4 through 1214.8 are added to read as follows:

1214.4 Beginning in 2015, a sedan shall not be counted for purposes of compliance with § 1213.2 where for fifty (50 %) percent or more of the vehicle's aggregated operating time in any three (3) months during the calendar year it is:

- (a) Under contract(s) to provide transportation for a service that is not a public vehicle-for-hire service; or
- (b) Used to provide transportation for a service that is not a public vehicle-for-hire service.

- 1214.5 The Office shall deny an initial or renewal certificate of operating authority to an LCS organization which is not in compliance with § 1213.2.
- 1214.6 If the Office denies a renewal certificate of operating authority to an LCS organization pursuant to § 1213.2, it shall at such time grant a temporary certificate of operating authority to the LCS organization, which shall expire one hundred eighty (180) days from the date of issuance provided that:
 - (a) The LCS organization files by the renewal date a compliance plan with the Office; and
 - (b) The compliance plan demonstrates that the LCS organization shall achieve full compliance with the requirements of § 1213.2 within 180 days of the renewal date, and is supported by such information and documentation as the Office may require.
- 1214.7 An LCS organization granted a temporary certificate of operating authority pursuant to § 1214.4 shall submit evidence that it has complied with the compliance plan filed with the Office pursuant to § 1214.5 prior to the expiration date of the temporary certificate of operating authority. The Office shall review the LCS organization’s evidence of compliance, during which time the temporary certificate of operating authority shall continue in force and effect.
- 1214.8 If the evidence of compliance is satisfactory to the Office, the Office shall renew the organization’s certificate of operating authority. If the evidence of compliance is not satisfactory to the Office, the Office shall provide notice of its decision to the organization, and the organization’s operating authority shall not be renewed, provided however, that the temporary operating authority shall continue in force and effect during the period for any appeal.

CHAPTER 13, LICENSING AND OPERATIONS OF TAXI METER COMPANIES, of Title 31, TAXICABS AND PUBLIC VEHICLES FOR HIRE, is amended as follows:

Section 1306, TAXIMETER BUSINESS - COMPLIANCE WITH LICENSING REQUIREMENTS, is repealed and reserved.

Section 1331, TAXIMETER BUSINESS – PENALTIES FOR VIOLATIONS, is amended as follows:

1331 TAXIMETER BUSINESS - FINES FOR VIOLATIONS

1331.1 The schedule below lists civil fines for violations of requirements of specified sections of this chapter.

| Section | Fine |
|-----------------------------------|-------|
| 1301 Unlicensed business activity | \$250 |

| | | |
|----------|--|------------------|
| 1305 | Failure to pay bi-annual license fee | \$500 |
| 1307.1 | Failure to notify Commission | \$5,000 |
| 1309 | Change in fee schedule without notification | \$500 |
| 1310.3 | Installation, adjustment, correction, calibration or repair of taximeter outside of premises of licensed taximeter business | \$500 |
| 1312 | Failure to comply with signage requirements | \$250 |
| 1313 | Fraud | \$25,000 |
| 1314 | Unlawful Activities | \$25,000 |
| 1315 | Failure to notify | \$1,000 |
| 1316 | Failure to notify | \$1,000 |
| 1317.1 | Bribery of Commission | \$25,000 |
| 1317.2 | Failure to report | \$10,000 |
| 1317.3 | Acceptance of bribe | \$25,000 |
| 1317.4 | Failure to notify Commission | \$10,000 |
| 1318 | Threats, harassment, or abuse | \$10,000 |
| 1319 | Failure to cooperate with Commission | \$500 |
| 1320 | Work by Non-Certified Technician | \$500 |
| 1322 | Failure to notify Commission | \$1,000 |
| 1324 | Installation without inspection | \$1,000 |
| 1325 | Unauthorized work | \$5,000 |
| 1326 | Defective certification/inspection | \$1,000 |
| 1327 | Requiring repair work | \$1,000 |
| 1328 | Overcharge | \$250 |
| 1329 | Sale of unapproved meter for installation on a taxicab licensed by the DCTC | \$500 |
| 1330 | Failure to keep appropriate records | \$100 per record |
| 1331.2 | The civil fines set forth in this section shall be doubled for the second violation of the same infraction, and shall be doubled once more for any subsequent violation or violations of the same infraction | |
| 1331.3 | [REPEALED]. | |
| 1331.3.1 | [REPEALED]. | |

CHAPTER 15, LICENSING AND OPERATIONS OF DOME LIGHT INSTALLATION COMPANIES, of Title 31, TAXICABS AND PUBLIC VEHICLES FOR HIRE is amended as follows:

Section 1506, DOME LIGHT INSTALLATION BUSINESS – COMPLIANCE WITH LICENSING REQUIREMENTS, is repealed and reserved.

Copies of this proposed rulemaking can be obtained at www.dcregs.dc.gov or by contacting Juanda Mixon, Secretary to the Commission, District of Columbia Taxicab Commission, 2041 Martin Luther King, Jr., Avenue, S.E., Suite 204, Washington, D.C. 20020. All persons desiring to file comments on the proposed rulemaking action should submit written comments via e-mail to dctc@dc.gov or by mail to the DC Taxicab Commission, 2041 Martin Luther King, Jr., Ave., S.E., Suite 204, Washington, DC 20020, Attn: Juanda Mixon, Secretary to the Commission, no later than thirty (30) days after the publication of this notice in the *D.C. Register*.

DISTRICT OF COLUMBIA TAXICAB COMMISSION

NOTICE OF PROPOSED RULEMAKING

The District of Columbia Taxicab Commission (“Commission”), pursuant to the authority set forth in Sections 8(c)(1), (2), (3), (5), (12), (19), (20); 14, 20, 20a and 20f of the District of Columbia Taxicab Commission Establishment Act of 1985 (“Establishment Act”), effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code §§ 50-307(c)(1), (2), (3), (4), (5), (12), (19), (20); 50-313; 50-319; 50-320 and 50-325 (2012 Repl. & 2014 Supp.)), hereby gives notice of its intent to amend Chapter 8 (Operation of Taxicabs) and Chapter 18 (Wheelchair Accessible Paratransit Taxicab Service) of Title 31 (Taxicabs and Public Vehicles for Hire) of the District of Columbia Municipal Regulations (“DCMR”).

The proposed rulemaking would amend Title 31 requirements applicable to wheelchair accessible vehicles and other public vehicles-for-hire. The proposed rulemaking for Chapter 8 changes the name of the chapter from “Operation of Taxicabs” to “Operation of Public Vehicles-for-Hire” to correctly reflect that Chapter 8, as written, contains provisions which are also applicable to luxury class service. The proposed rulemaking also requires public vehicles-for-hire that provide service, including wheelchair accessible vehicle service, in response to a dispatch that complies with Chapter 16, to comply with all applicable provisions of this title and other laws applicable to public vehicles-for-hire, including without limitation, all provisions relating to: the requirement that the vehicle be operated by a DCTC licensed operator, the use of a modern taximeter system, and the collection and payment to the District of the passenger surcharge. The proposed rules for Chapter 18 amends the requirements of the Coordinated Alternative to Paratransit Services – DC (“CAPS-DC”) Pilot Program established by Title 31 DCMR Chapter 18 to allow the taxicab companies participating in CAPS-DC to purchase and operate a new, best available fuel, wheelchair accessible vehicle in lieu of a WMATA van.

Directions for submitting comments may be found at the end of this notice. The Commission also hereby gives notice of the intent to take final rulemaking action to adopt these proposed rules in not less than thirty (30) days after the publication of this notice of proposed rulemaking in the *D.C. Register*.

Chapter 8, OPERATION OF TAXICABS, of Title 31, TAXICABS AND PUBLIC VEHICLES FOR HIRE, of the DCMR, is amended as follows:

The title of Chapter 8, OPERATION OF TAXICABS, is amended to read as follows:

Chapter 8, OPERATION OF PUBLIC VEHICLES FOR HIRE

Section 800, APPLICATION AND SCOPE, is amended as follows:

New Subsections 800.5, 800.6, and 800.7 are added as follows:

800.5 No public vehicle-for-hire may provide service in response to a dispatch other than as provided in Chapter 16 and other applicable laws.

- 800.6 A public vehicle-for-hire may provide service, including wheelchair accessible service, in response to a dispatch, as provided in Chapter 16, provided that:
- (a) At all times while licensed and equipped as a public vehicle-for-hire, the vehicle shall be operated only in compliance with all applicable provisions of this title and other laws applicable to public vehicles-for-hire, including without limitation, all provisions relating to the requirement that the vehicle be operated by a DCTC licensed operator, the use of a modern taximeter system, and the collection and payment to the District of the passenger surcharge; and
 - (b) A vehicle under exclusive time contract other than as a public vehicle-for-hire shall be decommissioned as a public vehicle-for-hire.
- 800.7 An owner or operator that violates this subsection shall be subject to a civil fine of five hundred dollars (\$500).
- 800.8 The provisions of this chapter shall apply to public vehicles-for-hire other than taxicabs to the extent provided in this title.

Chapter 18, WHEELCHAIR ACCESSIBLE PARATRANSIT TAXICAB SERVICE, of Title 31, TAXICABS AND PUBLIC VEHICLES FOR HIRE, of the DCMR, is amended as follows:

Section 1806, TAXICAB COMPANIES AND OPERATORS – OPERATING REQUIREMENTS, is amended as follows:

Subsections 1806.3 and 1806.13 are amended to read as follows:

- 1806.3 Each approved company shall acquire and operate wheelchair accessible vehicles for use in the CAPS-DC program as follows:
- (a) Each approved company shall acquire one or more WMATA vans consistent with the approval under § 1804; all applicable District, WMATA, and Federal laws and regulations; and any applicable issuances, instructions, or guidance issued by the Office; and thereafter, shall operate such WMATA vans in the CAPS-DC program in the manner required by this chapter; and
 - (b) In lieu of acquiring and operating a WMATA van as required by paragraph (a), an approved company may instead purchase and operate a new, best available fuel, wheelchair accessible vehicle, which complies with § 1806.5(b).
- 1806.13 Each company participating in CAPS-DC shall provide service using the wheelchair accessible vehicles in accordance with the following requirements:

- (a) Each wheelchair accessible vehicle shall be used to provide service in the following descending order of priority to the extent permitted by all applicable laws:
 - (1) A CAPS-DC passenger, for which the fare shall be consistent with § 1806.10;
 - (2) Any passenger requesting a wheelchair accessible vehicle, for which the fare shall be consistent with the provisions of Chapter 8; and
 - (3) Any other passenger, for which the fare shall be consistent with the provisions of Chapter 8.
- (b) When a WMATA van is used to provide a group ride which does not include any passenger who has requested wheelchair service, an additional charge of one dollar (\$1.00) per passenger for each passenger beyond the first passenger shall be added to the total fare.

A new Subsection 1806.19 is added to read as follows:

1806.19 Notwithstanding any applicable administrative issuance, instruction, or guidance previously issued by the Office, each WMATA van or wheelchair accessible vehicle acquired or purchased pursuant to this subsection shall be eligible to receive a new “H-tag” pursuant to all applicable rules and regulations of DMV.

Section 1807, PROHIBITIONS, is amended as follows:

A new Subsection 1807.6 is added as follows:

1807.6 No taxicab company that participates in CAPS-DC shall allow a WMATA van or other wheelchair accessible vehicle used in the CAPS-DC program to be used other than as a public vehicle-for-hire.

Copies of this proposed rulemaking can be obtained at www.dcregs.dc.gov or by contacting Juanda Mixon, Secretary to the Commission, District of Columbia Taxicab Commission, 2041 Martin Luther King, Jr., Avenue, S.E., Suite 204, Washington, D.C. 20020. All persons desiring to file comments on the proposed rulemaking action should submit written comments via e-mail to dctc@dc.gov or by mail to the DC Taxicab Commission, 2041 Martin Luther King, Jr., Ave., S.E., Suite 204, Washington, DC 20020, Attn: Juanda Mixon, Secretary to the Commission, no later than thirty (30) days after the publication of this notice in the *D.C. Register*.

DISTRICT OF COLUMBIA TAXICAB COMMISSION

NOTICE OF PROPOSED RULEMAKING

The District of Columbia Taxicab Commission (“Commission”), pursuant to the authority set forth in Sections 8(c) (2), (3), (10), (19), and 14 of the District of Columbia Taxicab Commission Establishment Act of 1985 (“Establishment Act”), effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code §§ 50-307(c) (2), (3), (10), (19), and 50-313 (2012 Repl. & 2014 Supp.)), hereby gives notice of its intent to adopt amendments to Chapter 10 (Public Vehicles for Hire) of Title 31 (Taxicabs and Public Vehicles for Hire) of the District of Columbia Municipal Regulations (“DCMR”).

The proposed rules will establish: (1) requirements for taxicab operator refresher training, (2) requirements for the approval of taxicab companies seeking to provide refresher training courses to operators; and (3) procedures for a taxicab operator seeking to renew a DCTC operator’s license to provide proof of completion of taxicab operator refresher training.

Directions for submitting comments may be found at the end of this notice. The Commission also hereby gives notice of the intent to take final rulemaking action to adopt these proposed rules in not less than thirty (30) days after the publication of this notice of proposed rulemaking in the *D.C. Register*.

Chapter 10, PUBLIC VEHICLES FOR HIRE, of Title 31, TAXICABS AND PUBLIC VEHICLES FOR HIRE, of the DCMR is amended as follows:

Section 1015 is amended to read as follows:

1015 REFRESHER TRAINING FOR TAXICAB OPERATORS

- 1015.1 Each taxicab operator filing a renewal application for a DCTC operator’s license shall submit with the application proof of completion of taxicab operator refresher training (“refresher training”) offered by a taxicab company approved under this chapter.
- 1015.2 A taxicab company with a current and valid certificate of operating authority under Chapter 5 may apply to the Office for approval to provide refresher training by submitting an application in a form approved by the Office.
- 1015.3 A taxicab company approved to provide refresher training shall offer refresher training to each taxicab operator regardless of whether or not the operator is affiliated or associated with the company.
- 1015.4 The Office’s approval of a taxicab company to provide refresher training shall be valid for a period of two (2) years. The Office may suspend or revoke an approval if the company:

- (a) Fails to produce or submit records or documents as required under § 1015.13;
- (b) Fails to adhere to an administrative issuance concerning refresher training; or
- (c) Fails to comply with any requirement of this section.

1015.5 A taxicab company approved to provide refresher training may charge each taxicab operator a fee to participate in refresher training, not to exceed twenty dollars (\$ 20), which shall be the same amount for all operators who participate, regardless of whether or not the operator is affiliated or associated with the company.

1015.6 A refresher training course shall not exceed two (2) hours in duration.

1015.7 A taxicab company approved to offer refresher training shall:

- (a) Provide a suitable location for refresher training within the District which has adequate seating capacity and lighting;
- (b) Provide all necessary materials for operators, including any study guides and other materials approved by the Office;
- (c) Provide adequate and appropriately trained staff to teach the refresher training course, and to monitor participation for the purpose of ensuring compliance with the requirements of this section; and
- (d) Comply with such other requirements for providing refresher training as may be required by the Office in an administrative issuance.

1015.8 The Office shall establish the curriculum for the refresher training course in an administrative issuance which shall be posted on the Office’s website prior to the commencement of any refresher training by an approved taxicab company.

1015.9 A taxicab company approved to provide refresher training shall post a schedule of upcoming training on its website.

1015.10 Each operator participating in refresher training shall be present and attentive throughout the course. An operator who sleeps or causes a disturbance or distraction to other participants may be removed from the course by the taxicab company.

- 1015.11 A taxicab company which provides refresher training shall not be required to refund any portion of a fee paid by an operator, and shall not issue a certificate of completion to an operator, who does not attend and complete the refresher training course, or who is removed from the course for reasons stated in § 1015. 9.
- 1015.12 Upon successful completion of a refresher training course by an operator, the taxicab company shall provide the operator with a certificate of completion in a form approved by the Office.
- 1015.13 A taxicab company approved to provide refresher training shall provide to the Office evidence of completion for each operator who has successfully completed refresher in a form established by Office.
- 1015.14 A taxicab company approved to provide refresher training shall, upon request, submit to the Office or make available for inspection by the Office:
- (a) Records of all taxicab operators who have enrolled in its refresher training course;
 - (b) Records of all taxicab operators who have successfully completed its refresher training course; and
 - (c) Any other records demonstrating its compliance with the provisions of this section and any applicable administrative issuance.
- 1015.15 A taxicab company approved to provide refresher training shall maintain records required under § 1015.12 for a period of five (5) years.
- 1015.16 Any official, employee, or other individual designated by the Office, may, without notice, be present at and observe a refresher training course offered by a company approved under this section.
- 1015.17 An operator who submits a fraudulent, counterfeit, or forged certificate of completion shall be subject to the penalties under § 1017.1

Copies of this proposed rulemaking can be obtained at www.dcregs.dc.gov or by contacting Juanda Mixon, Secretary to the Commission, District of Columbia Taxicab Commission, 2041 Martin Luther King, Jr., Avenue, S.E., Suite 204, Washington, D.C. 20020. All persons desiring to file comments on the proposed rulemaking action should submit written comments via e-mail to dctc@dc.gov or by mail to the D.C. Taxicab Commission, 2041 Martin Luther King, Jr., Ave., S.E., Suite 204, Washington, DC 20020, Attn: Juanda Mixon, Secretary to the Commission, no later than thirty (30) days after the publication of this notice in the *D.C. Register*.

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

NOTICE OF EMERGENCY AND PROPOSED RULEMAKING

The Director of the Department of Consumer and Regulatory Affairs, pursuant to the authority under Section 18a of An Act to establish standard weights and measures for the District of Columbia, to define the duties of the Superintendent of Weights, Measures, and Markets of the District of Columbia, and for other purposes, approved September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 37-201.18a (2014 Supp.)), and Reorganization Plan No. 1 of 1983, effective March 31, 1983, hereby gives notice of the adoption and intent to adopt, in not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*, the following amendment to Chapter 33 (Department of Consumer and Regulatory Affairs (DCRA) Infractions) of Title 16 (Consumers, Commercial Practices, and Civil Infractions) of the District of Columbia Municipal Regulations (DCMR).

This emergency rulemaking is necessitated by the need to correct an inaccurate citation. The inaccurate citation has caused government enforcement actions to be dismissed by the District's Office of Administrative Hearings.

This emergency rulemaking was adopted November 14, 2014. The rules will remain in effect for up to one hundred twenty (120) days from the date of adoption, expiring March 14, 2015, or upon publication of a Notice of Final Rulemaking.

In the proposed amendments below, insertion of new language is indicated by underlining, while deletion of existing language is indicated by ~~strikethrough~~.

Section 3303, DCRA OFFICE OF INVESTIGATION – WEIGHTS AND MEASURES INFRACTIONS, of Chapter 33, DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS (DCRA) INFRACTIONS, of Title 16, CONSUMERS, COMMERCIAL PRACTICES, AND CIVIL INFRACTIONS, DCMR is amended as follows:

3303.1 Violation of any of the following provisions shall be a Class 1 infraction:

- (a) Chapter 118, Section 32a of An Act To establish standard weights and measures for the District of Columbia; to define the duties of the Superintendent of Weights, Measures and Markets of the District of Columbia and for other purposes, effective December 7, 2004 (D.C. Law 15-205; D.C. Official Code ~~§ 37-201.32a~~ § 37-201.33) (operating a weighing or measuring ~~device~~ device without payment of the registration and inspection fee);
- (b) Chapter 118, Section 3, of An Act To establish standard weights and measures for the District of Columbia; to define the duties of the Superintendent of Weights, Measures and Markets of the District of Columbia and for other purposes, approved March 3, 1921 (41 Stat. 1218; D.C. Official Code § 37-201.03(a)) (use of any weighing or measuring

device that has not been inspected and approved);

- (c) Chapter 118, Section 4, of An Act To establish standard weights and measures for the District of Columbia; to define the duties of the Superintendent of Weights, Measures and Markets of the District of Columbia and for other purposes, (41 Stat. 1218; D.C. Official Code § 37-201.04) (use of any weighing device that has been altered without inspection and approval or after altering any tag or label attached thereto without the permission of the Director);
- (d) Chapter 118, Section 5, of An Act To establish standard weights and measures for the District of Columbia; to define the duties of the Superintendent of Weights, Measures and Markets of the District of Columbia and for other purposes, (41 Stat. 1218; D.C. Official Code § 37-201.05) (obstruction of inspection);
- (e) Chapter 118, Section 20 of An Act To establish standard weights and measures for the District of Columbia; to define the duties of the Superintendent of Weights, Measures and Markets of the District of Columbia and for other purposes, (41 Stat. 1223; D.C. Official Code § 37-201.20) (use of a pump or similar device which does not measure correctly); or
- (f) Chapter 118, Section 22, of An Act To establish standard weights and measures for the District of Columbia; to define the duties of the Superintendent of Weights, Measures and Markets of the District of Columbia and for other purposes, (41 Stat. 1224; D.C. Official Code § 37-201.22) (refusing inspection).

All persons desiring to comment on these proposed regulations should submit written comments in to Matt Orlins, Legislative Affairs Officer, Department of Consumer and Regulatory Affairs, 1100 Fourth Street, S.W., Room 5164, Washington, D.C. 20024, or by e-mail to matt.orlins@dc.gov, not later than thirty (30) days after publication of this notice in the *D.C. Register*. Copies of the proposed rules can be obtained from the address listed above. A copy fee of one dollar (\$1.00) will be charged for each copy of the proposed rules requested. Free copies are available on the DCRA website at <http://dcra.dc.gov> by going to the “About DCRA” tab, clicking “News Room”, and clicking on “Rulemaking”.

DISTRICT OF COLUMBIA BOARD OF ELECTIONS**NOTICE OF EMERGENCY AND PROPOSED RULEMAKING**

The District of Columbia Board of Elections (Board), pursuant to the authority set forth in The District of Columbia Election Code of 1955, approved August 12, 1955, as amended (69 Stat. 699; D.C. Official Code § 1-1001.05(a)(14) (2012 Repl.)), hereby gives notice of proposed and emergency rulemaking action to adopt amendments to Chapter 9 (Filling Vacancies) of Title 3 (Elections and Ethics) of the District of Columbia Municipal Regulations (DCMR).

The amendment to Chapter 9 establishes the timeframe in which the Board must conduct special elections to fill vacancies.

This emergency rulemaking is necessary for the immediate preservation of the public peace and welfare of District residents because the rules governing the timeframe in which special elections must be conducted must be effective prior to calling a special election to fill the vacancy in the office of the Ward 4 councilmember.

The Board adopted these emergency rules at a special meeting which took place on December 3, 2014, at which time the amendments became effective. The emergency amendments to the rules will expire on Thursday, April 2, 2015, one hundred twenty (120) days after the emergency rulemaking took effect.

The Board also gives notice of its intent to take final rulemaking action to adopt these amendments in not less than 30 days from the date of publication of this notice in the *D.C. Register*.

Section 910, SPECIAL ELECTIONS, of Chapter 9, FILLING VACANCIES, of Title 3, ELECTIONS AND ETHICS, of the DCMR is amended in its entirety to read as follows:

910 SPECIAL ELECTIONS

910.1 The D.C. Board of Elections shall conduct a special election in order to elect an individual to serve the unexpired portion of the term of office vacated, except that no special election shall be conducted when:

- (a) A vacancy occurs in the office of Delegate on or after May 1st of the last year of the Delegate's term of office; or
- (b) A vacancy occurs in the office of member of the Board of Education on or after February 1st of the last year of the term of the affected office.

910.2 At the time of the certification of a vacancy, the Board shall, if applicable, call a special election. A call for a special election shall include the following:

- (a) The date upon which the special election is to be held;

- (b) The date upon which nomination petition forms will be made available to candidates; and
 - (c) Other relevant election calendar information.
- 910.3 A special election held pursuant to this chapter shall be held on a Tuesday occurring at least seventy (70) days and not more than one hundred seventy-four (174) days after the date on which such vacancy occurs which the Board determines, based on a totality of the circumstances, taking into account, *inter alia*, cultural and religious holidays and the administrability of the election, will provide the opportunity for the greatest level of voter participation.
- 910.4 Within seven (7) days after the certification of a vacancy, the Board shall make available nomination petition forms to candidates seeking nomination to fill the vacancy.
- 910.5 The qualifications for ballot access of candidates and the rules governing the access in any special election held to fill a vacancy shall be the same as those for direct nomination to the office in any general election as provided for in D.C. Official Code § 1- 1001.08(j) (2006 Repl.) and Chapter 16 of this title.
- 910.6 All elections provided in this section are special elections, even though the balloting may be at the same time as a previously scheduled primary or general election.

All persons desiring to comment on the subject matter of this rulemaking should file written comments by no later than thirty (30) days after the date of publication of this notice in the *D.C. Register*. Comments should be filed with the Office of the General Counsel, Board of Elections, 441 4th Street, N.W., Suite 270N, Washington, D.C. 20001. Please direct any questions or concerns to the Office of the General Counsel at 202-727-2194 or ogc@dcooe.org. Copies of the proposed rules may be obtained at cost from the above address, Monday through Friday, between the hours of 9:00 a.m. and 4:00 p.m.

METROPOLITAN POLICE DEPARTMENT

NOTICE OF EMERGENCY AND PROPOSED RULEMAKING

The Chief of the Metropolitan Police Department (Chief), pursuant to the authority under Section 3002 of the FY 2015 Budget Support Congressional Emergency Act of 2014, signed October 10, 2014 (D.C. Act 20-449; 61 DCR 10915 (October 24, 2015)), any substantially similar emergency, temporary, or permanent versions of that legislation, and Mayor’s Order 2014-231, dated October 2, 2014, hereby gives notice of the adoption, on an emergency basis, of a new Chapter 38 (Metropolitan Police Department Reimbursable Details), and amendments to Chapter 7 (Parades and Public Events), of Title 24 (Public Space and Safety) of the District of Columbia Municipal Regulations (DCMR).

Emergency rulemaking action is necessary to ensure the protection of the public by providing reimbursable details or other law enforcement services from the Metropolitan Police Department for activities occurring on public space which can impact safety or security. This may include the transportation of hazardous materials or oversize vehicles through the District, as well as events or activities at specific locations or along certain routes that may impact the safety of the general public.

The emergency rulemaking allows the Metropolitan Police Department to schedule reimbursable details or services to address these safety concerns, but at a direct cost to the entity benefitting from the officers’ work, rather than being paid for by District taxpayers. Additionally, the emergency rulemaking standardizes the fee charged for services provided by the Metropolitan Police Department at licensed special events.

The emergency rules were adopted on November 26, 2014, became effective immediately, and will remain in effect for up to one hundred twenty (120) days, until March 19, 2015, or upon publication of a Notice of Final Rulemaking in the *D.C. Register*. The Chief also gives notice of her intent to take final rulemaking action to adopt this rule in not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*.

A new Chapter 38, METROPOLITAN POLICE DEPARTMENT REIMBURSABLE DETAILS, is added to Title 24, PUBLIC SPACE AND SAFETY, of the DCMR to read as follows:

CHAPTER 38 METROPOLITAN POLICE DEPARTMENT REIMBURSABLE DETAILS

3800 SCOPE

3800.1 The provisions of this chapter are issued by the Chief of Police (the “Chief of Police”) pursuant to Section 3002 of the Fiscal Year 2015 Budget Support Emergency Act of 2014 (Act), enacted July 14, 2014 (D.C. Act 20-377; 61 DCR 7598, 7629 (August 1, 2014)) (the “Act”).

3801 APPLICABILITY

- 3801.1 This chapter shall apply to any reimbursement for providing a police escort or other law enforcement services, as defined in § 2801.2, deemed by the Chief of Police to be necessary to protect the public health and safety.
- 3801.2 For purposes of this chapter, the phrase “police escort or other law enforcement services” shall include the assignment of Metropolitan Police Department personnel and/or vehicles as necessary to ensure the preservation of public safety, typically either at a specified location or from a point of origin to a specified destination, in a manner consistent with the nature of the persons, materials, or threats posed by the movements, activities, or events.
- 3801.3 Pursuant to Section 3003(b) of the Act (to be codified at D.C. Official Code § 47-2826(d)), any funds collected under this chapter shall be deposited in the MPD Overtime Reimbursement Fund.

3802 REIMBURSEMENT FEES

- 3802.1 The reimbursement rate for all reimbursable details or other law enforcement services provided for under this chapter is \$60.58 per hour per Metropolitan Police Department officer assigned.
- 3802.2 As of January 1, 2015, the reimbursement rate for all reimbursable details or other law enforcement services provided for under this chapter shall be \$65.45 per hour per Metropolitan Police Department officer assigned, and that rate shall increase by three percent (3%) on October 1 of each fiscal year.
- 3802.3 The use of any type of Metropolitan Police Department vehicle requested pursuant to this chapter will result in additional cost, which will depend on the type and number of vehicles and the length of time they are assigned.

Subsection 720.3(d) of Section 720, SPECIAL EVENTS USER FEES, of Chapter 7, PARADES AND PUBLIC EVENTS, of Title 24, PUBLIC SPACE AND SAFETY, of the DCMR (24 DCMR § 720.3(d)) is amended to read as follows:

- (d) Fees of the Metropolitan Police Department:
- (1) Special Events Fee – to cover the cost of police services for special events.
- (A) The rate per hour per Metropolitan Police Officer assigned is \$60.58.
- (B) As of January 1, 2015, the rate per hour per Metropolitan Police Officer assigned shall be \$65.45, and that rate shall

increase by three percent (3%) on October 1 of each fiscal year.

- (2) The use of any type of Metropolitan Police Department vehicle requested pursuant to this chapter will result in additional cost, which will depend on the type and number of vehicles and the length of time they are assigned.

All persons desiring to comment on these proposed regulations should submit comments in writing to Helder Gil, Legislative Affairs Officer, Strategic Change, Metropolitan Police Department, Suite 5117, 300 Indiana Avenue, N.W., Washington, D.C. 20001, or via e-mail at Helder.Gil@dc.gov, not later than thirty (30) days after publication of this notice in the *D.C. Register*. Copies of the proposed rules can be obtained from the address listed above. A copy fee of one dollar (\$1.00) will be charged for each copy of the proposed rulemaking requested.

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2014-281
December 02, 2014

SUBJECT: Reappointment – Board of Library Trustees


ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2012 Repl.), and pursuant to section 4 of An Act To establish and provide for the maintenance of a free public library and reading room in the District of Columbia, approved June 3, 1896, 29 Stat. 244, D.C. Official Code § 39-104 (2012 Repl.), it is hereby **ORDERED** that:

1. **NEIL ALBERT**, who was nominated by the Mayor on February 26, 2014, and approved by the Council of the District of Columbia pursuant to Resolution 20-0462 on May 6, 2014, is reappointed as a member of the Board of Library Trustees, for a term to end on January 5, 2019.
2. **EFFECTIVE DATE:** This Order shall become effective immediately.



 VINCENT C. GRAY
 MAYOR

ATTEST: 

 SHARON D. ANDERSON
 INTERIM SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2014-282
December 02, 2014

SUBJECT: Appointment – Homeland Security Commission


ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia pursuant to section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2012 Repl.), and in accordance with section 202 of the Homeland Security, Risk Reduction, and Preparedness Amendment Act of 2006, effective March 14, 2007, D.C. Law 16-262, D.C. Official Code § 7-2271.02 (2012 Repl. and 2014 Supp.), it is hereby **ORDERED** that:

1. **DR. REBECCA KATZ**, who was nominated by the Mayor on June 10, 2014, and approved by the Council of the District of Columbia pursuant to Resolution 20-0650, on October 28, 2014, is appointed as a member of the Commission, replacing Andrew Cutts, to complete the remainder of an unexpired vacant term to end February 8, 2015.
2. **EFFECTIVE DATE:** This Order shall become effective immediately.



 VINCENT C. GRAY
 MAYOR

ATTEST: 

 SHARON D. ANDERSON
 INTERIM SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2014-283
December 02, 2014

SUBJECT: Appointment – Corrections Information Council


ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia pursuant to section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2012 Repl.), and pursuant to the Corrections Information Council Amendment Act of 2010, effective October 2, 2010, D.C. Law 18-233, 57 DCR 4514, it is hereby **ORDERED** that:

1. **REVEREND SAMUEL W. WHITTAKER** is designated as Chairperson of the Corrections Information Council, replacing Michelle R. Bonner, and shall serve in that capacity at the pleasure of the Mayor.
2. **EFFECTIVE DATE:** This Order shall become effective immediately.



 VINCENT C. GRAY
 MAYOR

ATTEST: 

 SHARON D. ANDERSON
 INTERIM SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2014-284
December 02, 2014

SUBJECT: Appointment – District of Columbia Interagency Coordinating Council

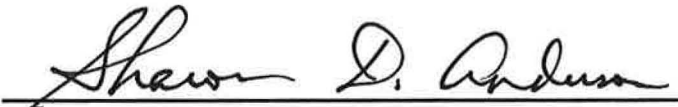
ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(11) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22 (2012 Repl.), in accordance with the Individuals with Disabilities Education Act, Pub. L. 94-142, as amended, applicable federal regulations, and Mayor's Order 2012-49, dated April 5, 2012, as amended by Mayor's Order 2013-053, dated March 4, 2013, it is hereby **ORDERED** that:

1. **HOWARD LIEBERS** is appointed as a regulation of private health insurance member to the District of Columbia Interagency Coordinating Council, and shall serve at the pleasure of the Mayor.
2. **EFFECTIVE DATE:** This Order shall become effective immediately.



VINCENT C. GRAY
MAYOR

ATTEST: 

SHARON D. ANDERSON
INTERIM SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2014-285
December 02, 2014

SUBJECT: Reappointments – District of Columbia Statewide Health Coordinating Council

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2012 Repl.), and in accordance with section 4 of the Health Services Program Planning Re-Establishment Act of 1996, effective April 9, 1997, D.C. Law 11-191, D.C. Official Code § 44-403 (2012 Repl.), it is hereby **ORDERED** that:

1. **JACQUELINE D. BOWENS**, who was nominated by the Mayor on June 10, 2014 and, following a forty-five day period of review by the Council of the District of Columbia, whose nomination was deemed approved pursuant to Proposed Resolution 20-0849 on October 4, 2014, is reappointed as a member, and representative of incorporated associations of health care facilities in the District of Columbia, to the Statewide Health Coordinating Council ("**Council**"), for a term to end February 11, 2017.
2. **SANDRA C. ALLEN**, who was nominated by the Mayor on July 11, 2014 and, following a forty-five day period of review by the Council of the District of Columbia, whose nomination was deemed approved pursuant to Proposed Resolution 20-0982 on November 8, 2014, is reappointed as a public member, to the Council, for a term to end February 11, 2017.
3. **EFFECTIVE DATE:** This Order shall be effective immediately.



 VINCENT C. GRAY
 MAYOR

ATTEST: 

 SHARON D. ANDERSON

INTERIM SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2014-286
December 02, 2014

SUBJECT: Appointments – Adult Career Pathways Task Force

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2012 Repl.), pursuant to section 2121 of the Fiscal Year 2015 Budget Support Emergency Act of 2014, effective July 14, 2014, D.C. Act 20-0377, 61 DCR 7598, and any similar succeeding legislation, and in accordance with Mayor's Order 2014-232, dated October 9, 2014, it is hereby **ORDERED** that:


- I.** The following persons are appointed as public members of the Adult Career Pathways Task Force ("**Task Force**"):
1. **EMILY PRICE** is appointed as a representative of a District job training provider for a term to end three years from the effective date of this order; and
 2. **ALLISON KOKKOROS** is appointed as a representative of a District school engaged in the direct provision of a basic skills program for a term to end three years from the effective date of this order.
- II.** The following persons are appointed as *ex officio* members of the Task Force and shall serve at the pleasure of the Mayor:
1. **KERMIT KALEBA**, a designee of the Chair of the Workforce Investment Council;
 2. **CELINE FERJERAN**, a designee of the Deputy Mayor for Education;
 3. **JESUS AGUIRRE**, the State Superintendent of Education;
 4. **DARREN WOODRUFF**, a designee of the Chair of the Public Charter School Board;
 5. **THOMAS LUPARELLO**, the Acting Director of the Department of Employment Services, or his or her designee;

- 6. **ERIC RILEY**, a designee of the Executive Director of the D.C. Public Library; and
- 7. **DIANNA PHILLIPS**, a representative of the University of the District of Columbia Community College, appointed by the President of the University of the District of Columbia.

III. EFFECTIVE DATE: This Order shall become effective immediately.



VINCENT C. GRAY
MAYOR

ATTEST: 

SHARON D. ANDERSON
INTERIM SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2014-287
December 02, 2014

SUBJECT: Reappointment and Appointment – Board of Pharmacy

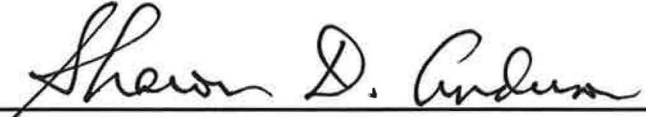
ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia pursuant to section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2012 Repl.), and in accordance with section 208 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986, D.C. Law 6-99, D.C. Official Code § 3-1202.08 (2014 Supp.), it is hereby **ORDERED** that:

1. **TAMARA A. MCCANTS**, who was nominated by the Mayor on July 11, 2014 and deemed approved by the Council of the District of Columbia pursuant to Proposed Resolution 20-0976 on November 8, 2014, is reappointed as a licensed pharmacist member of the Board of Pharmacy ("**Board**"), for a term to end March 12, 2017.
2. **EDDIE CURRY**, who was nominated by the Mayor on September 16, 2014 and deemed approved by the Council of the District of Columbia pursuant to Proposed Resolution 20-1006 on November 8, 2014, is appointed as a consumer member of the Board, replacing Corrie Franks, for a term to end March 12, 2015.
3. **EFFECTIVE DATE:** This Order shall become effective immediately.



VINCENT C. GRAY
MAYOR

ATTEST: 

SHARON D. ANDERSON
INTERIM SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2014-288
December 02, 2014

SUBJECT: Reappointment – Board of Funeral Directors


ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia pursuant to section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2012 Repl.), and in accordance with section 1002 of the Second Omnibus Regulatory Reform Amendment Act of 1998, effective April 20, 1999, D.C. Law 12-261, D.C. Official Code § 47-285306(f) (2012 Repl.), it is hereby **ORDERED** that:

1. **LYNN ARMSTRONG PATTERSON**, who was nominated by the Mayor on July 11, 2014 and, following a forty-five day period of review by the Council of the District of Columbia, whose nomination was deemed approved pursuant to Proposed Resolution 20-0981 on November 8, 2014 without Council action, is reappointed as a licensed funeral director member of the Board of Funeral Directors, for a term to end March 1, 2017.
2. **EFFECTIVE DATE:** This Order shall become effective immediately.



VINCENT C. GRAY
MAYOR

ATTEST: 

SHARON D. ANDERSON
INTERIM SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2014-289
December 02, 2014

SUBJECT: Reappointments – Historic Preservation Review Board


ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2014 Repl.), in accordance with section 4 of the Historic Landmark and Historic District Protection Act of 1978, effective March 3, 1979, D.C. Law 2-144, D.C. Official Code § 6-1103 (2012 Repl.), and pursuant to Mayor's Order 83-119, dated May 6, 1983, it is hereby **ORDERED** that:

1. **JOSEPH E. TAYLOR**, who was nominated by the Mayor on June 25, 2014, and approved by the Council of the District of Columbia pursuant to Resolution 20-0646 on October 28, 2014, is reappointed as a public member of the Historic Preservation Review Board, for a term to end July 21, 2017.
2. **RAUZIA RUHANA ALLY**, who was nominated by the Mayor on June 25, 2014, and approved by the Council of the District of Columbia pursuant to Resolution 20-0647 on October 28, 2014, is reappointed as a public member of the Historic Preservation Review Board, for a term to end July 21, 2017.
3. **EFFECTIVE DATE:** This Order shall become effective immediately.



 VINCENT C. GRAY
 MAYOR

ATTEST: 

 SHARON D. ANDERSON
 INTERIM SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2014-290
December 02, 2014

SUBJECT: Reappointment – Board of Marriage and Family Therapy

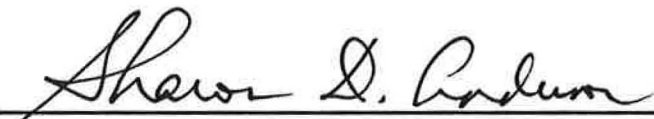
ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia pursuant to section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2012 Repl.), and in accordance with section 209 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986, D.C. Law 6-99, D.C. Official Code § 3-1202.17 (2012 Repl.), it is hereby **ORDERED** that:

1. **SHEILA A. HOLT**, who was nominated by the Mayor on October 3, 2014 and deemed approved by the Council of the District of Columbia pursuant to Proposed Resolution 20-1074 on November 22, 2014, is reappointed as a licensed marriage and family therapist of the Board of Marriage and Family Therapy, for a term to end February 6, 2017.
2. **EFFECTIVE DATE:** This Order shall become effective immediately.



 VINCENT C. GRAY
 MAYOR

ATTEST: 

 SHARON D. ANDERSON
 INTERIM SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA**ADMINISTRATIVE ISSUANCE SYSTEM**

Mayor's Order 2014-291
December 02, 2014

SUBJECT: Appointment – Board of Medicine

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia pursuant to section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2012 Repl.), and in accordance with section 203 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986, D.C. Law 6-99, D.C. Official Code § 3-1202.03 (2012 Repl.), it is hereby **ORDERED** that:

1. **DR. ROBYN MACSATA**, who was nominated by the Mayor on September 16, 2014 and whose nomination was deemed approved by the Council of the District of Columbia pursuant to Proposed Resolution 20-1008 on November 8, 2014, is appointed as a licensed physician member of the Board of Medicine, replacing Dr. Wayne Frederick, for a term to end August 4, 2016.
2. **EFFECTIVE DATE:** This Order shall become effective immediately.


VINCENT C. GRAY
MAYOR

ATTEST:


SHARON D. ANDERSON

INTERIM SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2014-292
December 02, 2014

SUBJECT: Reappointment – Not-For-Profit Hospital Corporation Board of Directors

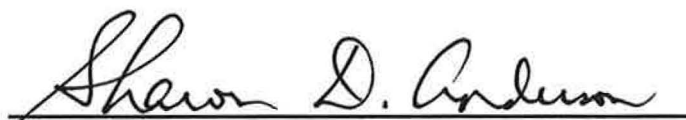
ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia pursuant to section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2012 Repl.), and in accordance with section 5115 of the Not-For-Profit Hospital Corporation Establishment Amendment Act of 2011, effective September 14, 2011, D.C. Law 19-21, D.C. Official Code § 44-951.04 (2012 Repl.), it is hereby **ORDERED** that:

1. **VIRGIL CLARK MCDONALD**, who was nominated by the Mayor on July 9, 2014 and deemed approved by the Council of the District of Columbia on November 8, 2014 pursuant to Proposed Resolution 20-0975, is reappointed as a member of the Not-For-Profit Hospital Corporation Board of Directors for a term to end July 9, 2017.
2. **EFFECTIVE DATE:** This Order shall become effective immediately.



 VINCENT C. GRAY
 MAYOR

ATTEST: 

 SHARON D. ANDERSON
 INTERIM SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2014-293
December 02, 2014

SUBJECT: Reappointment – Board of Occupational Therapy

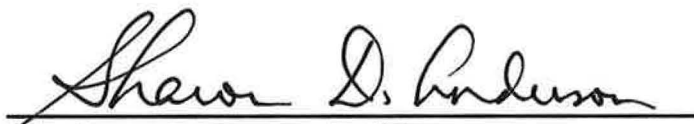
ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia pursuant to section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2012 Repl.), and in accordance with section 206 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986, D.C. Law 6-99, D.C. Official Code § 3-1206.06 (2012 Repl.), it is hereby **ORDERED** that:

1. **FRANK E. GAINER, III**, who was nominated by the Mayor on July 11, 2014 and deemed approved by the Council of the District of Columbia pursuant to Proposed Resolution 20-0986 on November 8, 2014, is reappointed as a licensed occupational therapist member of the Board of Occupational Therapy, for a term to end April 16, 2015.
2. **EFFECTIVE DATE:** This Order shall become effective immediately.



 VINCENT C. GRAY
 MAYOR

ATTEST: 

 SHARON D. ANDERSON
 INTERIM SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA**ADMINISTRATIVE ISSUANCE SYSTEM**

Mayor's Order 2014-294
December 04, 2014

SUBJECT: Designation of Special Event Areas for the Celebration of the Journey of Former Mayor, Marion Barry, Jr

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(11) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. No. 93-198, D.C. Official Code § 1-204.22(11) (2012 Supp.), and pursuant to 19 DCMR § 1301.8, it is hereby **ORDERED** that:

1. On Thursday, December 4, 2014, the following public space areas shall be designated as Special Event Areas to accommodate activities associated with the Celebration of the Journey of former Mayor, Marion Barry, Jr:
 - a. Commencing at 6:00 a.m. and continuing until 11:59 p.m., Pennsylvania Avenue N.W. between 12th and 14th Streets N.W. shall be closed to vehicular traffic;
 - b. Commencing at 3:00 a.m. and continuing until 11:30 p.m., the curbside lanes of (northside) Pennsylvania Avenue, N.W. between 13th and 14th Streets shall be closed to non-permitted vehicular traffic;
 - c. Commencing at 7:00 a.m. and continuing until 7:00 p.m., the curbside lanes of E Street N.W. between 12th and 13th Streets N.W. shall be closed to non-permitted vehicular traffic; and
 - d. Commencing at 7:00 a.m. and continuing until 7:00 p.m., the curbside lanes of 13th Street, N.W. between E and F Streets shall be closed to non-permitted vehicular traffic.
2. On Friday, December 5, 2014, the following public space areas shall be designated as a Special Event Area to accommodate activities associated with the Celebration of the Journey of former Mayor, Marion Barry, Jr, commencing at 12:30 p.m. and continuing until 10:30 p.m., the west curbside lane of the 700 block of Southern Avenue, S.E. shall be closed to vehicular traffic.
3. On Saturday, December 6, 2014, the following public space areas shall be designated as Special Event Areas to accommodate activities associated with the Celebration of the Journey of former Mayor, Marion Barry, Jr, commencing at


5:00 a.m. and continuing until 4:00 p.m. and shall be closed to vehicular traffic:

- a. The 700 block of L Street, N.W.
- b. The west curbside lanes of 7th Street, N.W. between M Street, N.W. and Mt Vernon Place, N.W.
- c. The east curbside lanes of 9th Street, N.W. between M Street, N.W. and Mt. Vernon Place N.W.

- 4. The designated areas shall be operated and overseen by the Office of the Mayor.
- 5. This Order is authorization for the use of the designated streets and curb lanes only, and the named operator shall secure and maintain all other licenses and permits applicable to the activities associated with the operation of the event. All building, health, life, safety, and use of public space requirements shall remain applicable to the Special Event Area designated by this Order.
- 6. **EFFECTIVE DATE:** This Order shall become effective immediately.



 VINCENT C. GRAY
 MAYOR

ATTEST: 

 SHARON D. ANDERSON
 INTERIM SECRETARY OF THE DISTRICT OF COLUMBIA

DC INTERNATIONAL SCHOOL**LEGAL SERVICES****Invitation for Bid**

Legal Services. DC International School is seeking competitive bids for legal services. DCI is requesting bids for year round legal support on a monthly retainer basis. Bids must include a monthly rate to provide DCI with basic legal counsel. Bids must include evidence of experience in field, qualifications, references and estimated fees on a monthly basis. Please send proposals to RFP@dcinternationalschool.org. Proposals must be received no later than the close of business **Friday, December 26, 2014.**

**DISTRICT OF COLUMBIA
BOARD OF ELECTIONS****NOTICE OF CERTIFICATION OF VACANCY****Office of Ward 4 Member of the Council of the District of Columbia**

The D.C. Board of Elections announces a vacancy in the Office of Ward 4 Member of the Council of the District of Columbia. The Board certified the vacancy at its regular Board meeting on December 3, 2014. The Board will conduct a Special Election to fill the Ward 4 Member of the Council of the District of Columbia vacancy on April 28, 2015.

Prospective candidates interested in appearing on the ballot must obtain the signatures of 500 registered voters who reside in Ward 4 during the petition circulation period, which begins on Monday, December 8, 2014, and ends on Wednesday, January 28, 2015.

For more information, the public may call (202) 727-2525 (TDD: 202-638-8916) or visit the Board's website at www.dcboee.org.

DISTRICT DEPARTMENT OF THE ENVIRONMENT

FISCAL YEAR 2015

PUBLIC NOTICE AND NOTICE OF PUBLIC HEARING

Notice is hereby given that, pursuant to 40 C.F.R. Part 51.161, D.C. Official Code §2-505, and 20 DCMR §210, the Air Quality Division (AQD) of the District Department of the Environment (DDOE), located at 1200 First Street NE, 5th Floor, Washington, DC, has received an application for an air quality permit (#6962) from SMART Automotive, to construct and operate an auto body paint spray booth to be located at 2615 Evarts Street NE. DDOE has prepared a draft permit for public review and comment and has scheduled a public hearing to hear comments on the subject. The contact person for the facility is Mengstab Ghebretinsae, President, at (202) 609-9778.

Emissions:

The maximum estimated potential emissions of volatile organic compound (VOC) from the auto body paint spray booth equipment, operating fifty two weeks (52) per year, is expected to be as follows:

| | Maximum Annual Emissions |
|----------------------------------|---------------------------------|
| Pollutant | (tons/yr) |
| Volatile Organic Compounds (VOC) | 5.85 |

The proposed emission limits are as follows:

- a. No chemical strippers containing methylene chloride (MeCl) shall be used for paint stripping at the facility. [20 DCMR 201.1]
- b. Paints and refinishing coatings that contain volatile organic compounds (VOCs) in excess of the limits specified in Table I below, including any VOC containing materials added to the original coating supplied by the manufacturer, shall be prohibited. [20 DCMR 718.3]

Table I: Allowable Content of VOCs in Mobile Equipment Repair and Refinishing Coatings (*as applied*)

| Coating Type | Weight | Limit* |
|----------------------------------|---------------------|-------------------|
| | (Pounds per gallon) | (Grams per liter) |
| Automotive pretreatment primer | 6.5 | 780 |
| Automotive primer-surfacer | 4.8 | 575 |
| Automotive primer-sealer | 4.6 | 550 |
| Automotive topcoat: | | |
| single stage-topcoat | 5.0 | 600 |
| 2 stage basecoat/clearcoat | 5.0 | 600 |
| 3 or 4-stage basecoat/clearcoat | 5.2 | 625 |
| Automotive multi-colored topcoat | 5.7 | 680 |

| Coating Type | Weight | Limit* |
|------------------------------|---------------------|-------------------|
| | (Pounds per gallon) | (Grams per liter) |
| Automotive specialty coating | 7.0 | 840 |

*Weight of VOC per volume of coating (minus water and non-VOC solvents)

- c. An emission into the atmosphere of odorous or other air pollutants from any source in any quantity and of any characteristic, and duration which is, or is likely to be injurious to the public health or welfare, or which interferes with the reasonable enjoyment of life or property is prohibited. [20 DCMR 903.1]
- d. Visible emissions shall not be emitted into the outdoor atmosphere from the paint spray booth. [20 DCMR 201.1, 606.1 and 903.1]

The permit application and supporting documentation, along with the draft permit are available for public inspection at AQD and copies may be made available between the hours of 8:15 A.M. and 4:45 P.M. Monday through Friday. Additionally, the draft permit is available on the DDOE website at <http://ddoe.dc.gov/service/public-notice-hearings>. Interested parties wishing to view the full file at the DDOE office should provide their names, addresses, telephone numbers and affiliation, if any, to Stephen S. Ours at (202) 535-1747.

Interested persons may submit written comments on this subject through January 12, 2015. The written comments must also include the person's name, telephone number, affiliation, if any, mailing address and a statement outlining the air quality issues in dispute and any facts underscoring those air quality issues. All relevant comments will be considered before taking any final action on the permit application.

A public hearing will be held on this subject at the DDOE offices at 1200 First Street NE, Washington DC on Monday, January 12, 2015 at 5:30 PM. Interested parties wishing to testify at this hearing must submit in writing their names, addresses, telephone numbers, and affiliation, if any, to Stephen S. Ours at DDOE by 4:00 PM on Monday, January 12, 2015.

Comments on the proposed permit and requests to testify at the hearing should be addressed to:

Stephen S. Ours
Chief, Permitting Branch
Air Quality Division
District Department of the Environment
1200 First Street NE, 5th Floor
Washington, DC 20002
Stephen.Ours@dc.gov

No written comments postmarked after January 12, 2015 will be accepted.

For more information, please contact Stephen S. Ours at (202) 535-1747.

DISTRICT DEPARTMENT OF THE ENVIRONMENT

FISCAL YEAR 2015

PUBLIC NOTICE AND NOTICE OF PUBLIC HEARING

Notice is hereby given that, pursuant to 40 C.F.R. Part 51.161, D.C. Official Code §2-505, and 20 DCMR §210, the Air Quality Division (AQD) of the District Department of the Environment (DDOE), located at 1200 First Street NE, 5th Floor, Washington, DC, has received an application for an air quality permit (#6963) from T&W Auto Company Inc., to construct and operate an auto body paint spray booth to be located at 1736 Rhode Island Ave. NE. DDOE has prepared a draft permit for public review and comment and has scheduled a public hearing to hear comments on the subject. The contact person for the facility is Teshome Wube, Owner, at (202) 842-5470.

Emissions:

The maximum estimated potential emissions of volatile organic compound (VOC) from the auto body paint spray booth equipment, operating fifty two weeks (52) per year, is expected to be as follows:

| | Maximum Annual Emissions |
|----------------------------------|---------------------------------|
| Pollutant | (tons/yr) |
| Volatile Organic Compounds (VOC) | 5.85 |

The proposed emission limits are as follows:

- a. No chemical strippers containing methylene chloride (MeCl) shall be used for paint stripping at the facility. [20 DCMR 201.1]
- b. Paints and refinishing coatings that contain volatile organic compounds (VOCs) in excess of the limits specified in Table I below, including any VOC containing materials added to the original coating supplied by the manufacturer, shall be prohibited. [20 DCMR 718.3]

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| Automotive pretreatment primer | 6.5 | 780 |
| Automotive primer-surfacer | 4.8 | 575 |
| Automotive primer-sealer | 4.6 | 550 |
| Automotive topcoat: | | |
| single stage-topcoat | 5.0 | 600 |
| 2 stage basecoat/clearcoat | 5.0 | 600 |
| 3 or 4-stage basecoat/clearcoat | 5.2 | 625 |
| Automotive multi-colored topcoat | 5.7 | 680 |

| Coating Type | Weight | Limit* |
|------------------------------|---------------------|-------------------|
| | (Pounds per gallon) | (Grams per liter) |
| Automotive specialty coating | 7.0 | 840 |

*Weight of VOC per volume of coating (minus water and non-VOC solvents)

- c. An emission into the atmosphere of odorous or other air pollutants from any source in any quantity and of any characteristic, and duration which is, or is likely to be injurious to the public health or welfare, or which interferes with the reasonable enjoyment of life or property is prohibited. [20 DCMR 903.1]
- d. Visible emissions shall not be emitted into the outdoor atmosphere from the paint spray booth. [20 DCMR 201.1, 606.1 and 903.1]

The permit application and supporting documentation, along with the draft permit are available for public inspection at AQD and copies may be made available between the hours of 8:15 A.M. and 4:45 P.M. Monday through Friday. Additionally, the draft permit is available on the DDOE website at <http://ddoe.dc.gov/service/public-notices-hearings>. Interested parties wishing to view the full file at the DDOE office should provide their names, addresses, telephone numbers and affiliation, if any, to Stephen S. Ours at (202) 535-1747.

Interested persons may submit written comments on this subject through January 12, 2015. The written comments must also include the person's name, telephone number, affiliation, if any, mailing address and a statement outlining the air quality issues in dispute and any facts underscoring those air quality issues. All relevant comments will be considered before taking any final action on the permit application.

A public hearing will be held on this subject at the DDOE offices at 1200 First Street NE, Washington DC on Monday, January 12, 2015 at 5:30 PM. Interested parties wishing to testify at this hearing must submit in writing their names, addresses, telephone numbers, and affiliation, if any, to Stephen S. Ours at DDOE by 4:00 PM on Monday, January 12, 2015.

Comments on the proposed permit and requests to testify at the hearing should be addressed to:

Stephen S. Ours
Chief, Permitting Branch
Air Quality Division
District Department of the Environment
1200 First Street NE, 5th Floor
Washington, DC 20002
Stephen.Ours@dc.gov

No written comments postmarked after January 12, 2015 will be accepted.

For more information, please contact Stephen S. Ours at (202) 535-1747.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ETHICS AND GOVERNMENT ACCOUNTABILITY**

Office of Government Ethics

2015 Schedule of Ethics Board Meetings

All Meetings are scheduled on Thursdays at 11:00 a.m. and will be held at
The Board of Ethics and Government Accountability
441 4th Street, N.W., Suite 540S, Washington, DC 20001

- January 8, 2015
- February 5, 2015
- March 5, 2015
- April 2, 2015
- May 7, 2015
- June 4, 2015
- July 9, 2015
- August 6, 2015
- September 3, 2015
- October 8, 2015
- November 5, 2015
- December 3, 2015

DEPARTMENT OF HEALTH

PUBLIC NOTICE

The District of Columbia Board of Dentistry hereby gives notice, pursuant to § 405 of the District of Columbia Health Occupation Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1204.05 (b)) (2009), of the cancellation of its December 2014 monthly meeting.

The District of Columbia Board of Dentistry's regularly scheduled monthly meeting is the third Wednesday of each month at 9:00 a.m. The open (public) session begins at 10:30 a.m. The Board of Dentistry meets at 899 North Capitol Street, NE, 2nd Floor, Washington, D.C. 20002.

**DISTRICT OF COLUMBIA
HISTORIC PRESERVATION REVIEW BOARD**

NOTICE OF HISTORIC LANDMARK AND HISTORIC DISTRICT DESIGNATIONS

The D.C. Historic Preservation Review Board hereby provides public notice of its decision to designate the following property as a historic landmark in the D.C. Inventory of Historic Sites. The property is now subject to the D.C. Historic Landmark and Historic District Protection Act of 1978.

Designation Case No. 14-13: The Ethelhurst

1025 15th Street NW (Square 216, Lot 26)

Designated October 23, 2014

Designation Case No. 14-16: Van View

7714 13th Street NW (Parcel 91, Lot 142)

Designated October 30, 2014

Designation Case No. 13-20: James Ormond Wilson Normal School

1100 Harvard Street NW (Square 2856, part of Lot 812)

Designated November 20, 2014

Designation Case No. 13-21: Blanche Kelso Bruce School

770 Kenyon Street NW (Square 2891, Lot 823)

Designated November 20, 2014

Listing in the D.C. Inventory of Historic Sites provides recognition of properties significant to the historic and aesthetic heritage of the nation's capital city, fosters civic pride in the accomplishments of the past, and assists in preserving important cultural assets for the education, pleasure and welfare of the people of the District of Columbia.

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
INCLUSIONARY ZONING PROGRAM**

**NOTICE OF ALTERNATIVE SELECTION PROCEDURE FOR
2910 GEORGIA AVENUE NW, WASHINGTON, DC**

The DC Department of Housing and Community Development (“DHCD”), pursuant to the authority set forth in Section 107 of the Inclusionary Zoning Implementation Act of 2006, effective March 14, 2007 (D.C. Law 16-275; D.C. Official Code Section 6-1041.07) and Mayor’s Order 2008-59, dated April 2, 2008, hereby gives notice that registration for the Alternative Selection Procedure for two affordable housing units (“Inclusionary Units”) under the Inclusionary Zoning Program has been extended from the date of publication of the previous notice in the DC Register (September 12, 2014) until February 27, 2015 or until the two Inclusionary Units are sold. Information about the size, sale price and details about these Inclusionary Units is available at www.dchousingsearch.org.

DHCD is hereby establishing the Alternative Selection Procedure for the selection of Households eligible to purchase the two (2) Inclusionary Units at 2910 Georgia Avenue NW, Washington, District of Columbia. Unless otherwise defined herein, any capitalized terms used in this document shall have the meaning identified in the Inclusionary Zoning Implementation regulations, 14 D.C.M.R. §2299. Inclusionary Unit #C-02 is a two bedroom unit and is reserved for a Low-Income Household. The maximum purchase price for Inclusionary Unit #C-02 is \$145,200. Inclusionary Unit #202 is a two bedroom unit and is reserved for a Moderate-Income Household. The maximum purchase price for Inclusionary Unit #202 is \$271,200.

In accordance with 14 D.C.M.R. §2210.6, DHCD will permit the sale of the Inclusionary Units to Households that did not register for previous lotteries. Households must register under the current Alternative Selection Procedure outlined below to be eligible to purchase these Inclusionary Units. No previous Household registration will be valid. Households that previously registered for the Inclusionary Zoning Program lottery will continue to be eligible for future lotteries for other upcoming Inclusionary Units.

Alternative Selection Procedure:

1. Households interested in purchasing the above Inclusionary Units shall either register online at www.dhcd.dc.gov or register in person through one of the computers in DHCD’s Housing Resource Center, 1800 Martin Luther King Jr. Avenue SE, First Floor, Washington D.C. 20020, Monday to Friday, 8:30 A.M. to 3:30 P.M., (202) 442-9505.

2. Interested Households shall provide DHCD with the following information through the online registration:

- Name, address, and telephone number of the Household member who will serve as the primary contact;
- The Number of people in your Household; Note that your Household must have at least two (2) persons and must have no more than four (4) persons in order to be eligible); The income level of your Household; Note that your Household Income levels must be at or below the maximum levels for a Low-Income Household or a Moderate-Income Household:

| Household Size (Number of Persons) | Low-Income Household Maximum Income | Moderate-Income Household Maximum Income |
|------------------------------------|-------------------------------------|--|
| 2 | \$42,800 | \$68,480 |
| 3 | \$48,150 | \$77,040 |
| 4 | \$53,500 | \$85,600 |

- Whether the Household consists of a person enrolled as a full time student, and, if so, the Annual Income and household size of the parents or guardians of the full time student;
- Name and address of employer of each employed Household member;
- Whether the Household’s address is the principal residence for the primary contact and the members of the Household;
- Whether the Household has obtained an eligibility notice for any District or Federal loan or grant programs (HPAP/EAHP/NEAHP, etc.)

3. DHCD shall inform Households who have fulfilled the registration requirements listed above that they have been selected to continue the process to purchase the Inclusionary Unit for which they are income eligible. Following such notice from DHCD, the selected Households shall contact the Certifying Entity to obtain their Certifications of Income, Affordability, and Housing Size. Households must also obtain a Housing Counseling Certificate of completion.

4. Prior to contacting the Certifying Entity, Households must obtain a pre-approval letter from a lender indicating the Household’s creditworthiness and ability to afford the purchase price. Please note that a pre-approval letter is required, not a pre-qualification letter.

5. Households should request an appointment with the Certifying Entity to determine their eligibility for the purposes of issuing the Certification of Income, Affordability and Housing Size and providing each of the Households with housing counseling and a housing counseling certificate of completion under the Inclusionary Zoning Program.

6. After a Household obtains their Certifications of Income, Affordability and Housing Size; and receives their housing counseling certificate of completion, the Household shall provide the following information to the DHCD by emailing the following documents to Lesley Edmond at 2910.georgiaavenue@dc.gov; or by mailing the documents to the attention of Lesley Edmond at: 1800 Martin Luther King Jr. Avenue SE, Second Floor, Washington D.C. 20020:

- a. A Certification of Income, Affordability and Housing Size obtained from a Certifying Entity approved by DHCD;
- b. A housing counseling certificate of completion; and
- c. An active pre-approval letter from lender(s) indicating the Household’s creditworthiness and ability to afford the purchase price.

7. Any mailed documents must be addressed as follows:
 Attn: Lesley Edmond – 2910 Georgia Avenue Registration
 1800 Martin Luther King Jr. Avenue SE, Second Floor
 Washington D.C. 20020

8. Registration for the above two Inclusionary Units shall remain open from the date of the D.C. Register publication through 5 p.m. on Friday, February 27, 2015. Only Households that have submitted all the documents required in paragraph six (6) to DHCD shall be eligible to purchase one of the two Inclusionary Units. Households that mail their documents must ensure that they are received by DHCD on Friday, February 27, 2015. Documents that are postmarked February 27, 2015, but arrive later, will not be accepted.

9. DHCD will review the documents required in paragraph six (6). If a Household has properly submitted all the required documents, DHCD will notify the Household and the Inclusionary Development Owner that the Household is eligible to purchase one of the two Inclusionary Units. DHCD will approve documents on a rolling basis, and interested Households are encouraged to submit their documentation as soon as possible if they are interested in purchasing the unit. Notified Households do not have any exclusive right to purchase the Inclusionary Unit. The Inclusionary Units may be sold to the first ready and able Household.

10. The Inclusionary Development Owner may sell the Inclusionary Unit to the first ready and able Household for each of the Inclusionary Units that submits all the documents required in paragraph six (6). The Inclusionary Development Owner may sell the Inclusionary Unit prior to February 27, 2015, if an interested Household has had its documentation approved.

11. DHCD may, at its sole discretion, reopen registration after February 27, 2015. If DHCD reopens registration, it will do so by republishing the Alternative Selection Procedure.

12. Once the Inclusionary Development Owner sells to the first ready and able buyer, all other registered Households for that Inclusionary Unit become ineligible for that Inclusionary Unit and must re-register for future lotteries if they wish to purchase other upcoming Inclusionary Units.

13. All notices by DHCD to registered and selected Households, Certifying Entities, and the Inclusionary Development Owner shall be by email only.

IDEAL ACADEMY PUBLIC CHARTER SCHOOL
REQUEST FOR PROPOSALS

Roof Replacement

The Ideal Academy Public Charter School (IAPCS) is soliciting bids from qualified contractors for the comprehensive roof replacement at IAPCS, 6130 N. Capitol Street, NW, Washington, DC 20011.

Project Description

The General Scope of Work for this project consists of, but, is not limited to the removal and replacement of approximately 92 squares of existing roof material to the metal deck. Install new high R-value 1.5 insulation. Replace missing mortar and mortar joints on several rows of bricks and stabilize bricks from the north side lintel of the walls of the building.

Bids will be received until:

- **Bid Opening Date:** December 5, 2014
- **Bid Closing Date:** December 15, 2014

Where: Ideal Academy Public Charter School

6130 N. CAPITOL STREET, NW
WASHINGTON, DC 20011

Telephone: (202) 729-6660

Fax: (202) 729-6677

Questions regarding this solicitation can be directed to the following contact:

Miguel Abreu, Assist. Business Manager, (202) 729-6660 or Email address:
mabreu31@hotmail.com

A site visit will be conducted on Wednesday, December 10 from 2pm – 3pm so potential bidders can familiarize themselves with the existing site conditions. You may also schedule an additional site visit contacting Miguel Abreu at (202) 729-6660.

The IAPCS reserves the right to reject any or all bids, to waive informalities or irregularities in any bid, to advertise for new bids, or to proceed to do the work by other means, as may be determined to be in the best interest of the Authority.

DEPARTMENT OF INSURANCE, SECURITIES, AND BANKING**DISTRICT OF COLUMBIA FINANCIAL LITERACY COUNCIL****NOTICE OF PUBLIC MEETING**

The Members of the District of Columbia Financial Literacy Council (DCFLC) will hold a meeting on Thursday, December 18, at 12:00 PM. The meeting will be held at the Securities Industry & Financial Markets Association, 1101 New York Avenue, NW, 8th Floor Washington, D.C. 20005. Below is the draft agenda for this meeting. A final agenda will be posted to the Department of Insurance, Securities, and Banking's website at <http://disb.dc.gov>. Please RSVP to Joseph Vaughan by e-mail at josephmvaughan@gmail.com

For additional information, please call (202) 442-7832 or e-mail idriys.abdullah@dc.gov

DRAFT AGENDA

- I. Call to Order**
- II. Welcoming Remarks**
- III. Minutes of the Previous Meeting**
- IV. Unfinished Business**
- V. New Business**
- VI. Executive Session-2014 Strategic Recommendations and Financial Literacy Implementation Report**
- VII. Adjournment**

KIPP DC PUBLIC CHARTER SCHOOLS**REQUEST FOR PROPOSALS****Architectural Design Services**

KIPP DC invites all interested and qualified firms to submit proposals to provide Architectural Design Services. Proposals are due no later than 5:00 pm on Friday, December 19, 2014. More information and a scope of work can be obtained by contacting Lindsay Snow at BOTH lindsay.snow@kipfdc.org AND procurement@kipfdc.org.

Borrower's Counsel/Transactional Real Estate Legal Services

KIPP DC invites all interested and qualified parties to submit proposals to provide Borrower's Counsel / Transactional Real Estate Legal Services to support a PreK-8th grade campus expansion project. Proposals are due no later than 5:00 pm on Friday, December 26, 2014. The RFP can be obtained by contacting Alex Shawe at BOTH alex.shawe@kipfdc.org AND procurement@kipfdc.org.

Financial Advisory Services

KIPP DC invites all interested and qualified financial advisory firms to submit proposals to provide financial advisory services to support the upcoming financing for a PreK-8th grade campus expansion project. Proposals are due no later than 5:00 pm on Friday, December 26, 2014. The RFP can be obtained by contacting Alex Shawe at BOTH alex.shawe@kipfdc.org AND procurement@kipfdc.org.

Print Management Services

KIPP DC Charter Schools will receive bids for print management services until 5:00pm, EST, December 19, 2014. For a full RFP, please contact Nate Schwartz at procurement@kipfdc.org.

NOTICE OF INTENT TO ENTER A SOLE SOURCE CONTRACT**Modular Trailers**

KIPP DC intends to enter into a sole source contract with Ascentium Capital for the purchase of three modular trailer buildings for its Douglass Road Campus located at 2600 Douglass Road in SE Washington, DC. The decision to sole source is due to the fact that the buildings are currently installed at the campus KIPP DC under a lease agreement that began in September 2013. The scope of work for install and procurement for the lease on the trailers was bid out in the spring of 2013. The cost of the buildings is \$160,020 for a three year lease-to-purchase agreement.

DISTRICT OF COLUMBIA RETIREMENT BOARD

INVESTMENT COMMITTEE

NOTICE OF CLOSED MEETING

December 18, 2014
10:00 a.m.

DCRB Board Room
900 7th Street, N.W.
Washington, D.C 20001

On Thursday, December 18, 2014, at 10:00 a.m., the District of Columbia Retirement Board (DCRB) will hold a closed investment committee meeting regarding investment matters. In accordance with D.C. Code §2-575(b)(1), (2), and (11) and §1-909.05(e), the investment committee meeting will be closed to deliberate and make decisions on investments matters, the disclosure of which would jeopardize the ability of the DCRB to implement investment decisions or to achieve investment objectives.

The meeting will be held in the Board Room at 900 7th Street, N.W., Washington, D.C 20001.

For additional information, please contact Deborah Reaves, Executive Assistant/Office Manager at (202) 343-3200 or Deborah.Reaves@dc.gov.

DISTRICT OF COLUMBIA RETIREMENT BOARD**NOTICE OF OPEN PUBLIC MEETING**

December 18, 2014

1:00 p.m.

900 7th Street, N.W.
2nd Floor, DCRB Boardroom
Washington, D.C. 20001

The District of Columbia Retirement Board (DCRB) will hold an Open meeting on Thursday, December 18, 2014, at 1:00 p.m. The meeting will be held at 900 7th Street, N.W., 2nd floor, DCRB Boardroom, Washington, D.C. 20001. A general agenda for the Open Board meeting is outlined below.

Please call one (1) business day prior to the meeting to ensure the meeting has not been cancelled or rescheduled. For additional information, please contact Deborah Reaves, Executive Assistant/Office Manager at (202) 343-3200 or Deborah.reaves@dc.gov.

AGENDA

- | | | |
|-------|-----------------------------------|-----------------|
| I. | Call to Order and Roll Call | Chairman Bress |
| II. | Approval of Board Meeting Minutes | Chairman Bress |
| III. | Chairman's Comments | Chairman Bress |
| IV. | Executive Director's Report | Mr. Stanchfield |
| V. | Investment Committee Report | Ms. Blum |
| VI. | Operations Committee Report | Mr. Ross |
| VII. | Benefits Committee Report | Mr. Smith |
| VIII. | Legislative Committee Report | Mr. Blanchard |
| IX. | Audit Committee Report | Mr. Hankins |
| X. | Other Business | Chairman Bress |
| XI. | Adjournment | |

TWO RIVERS PUBLIC CHARTER SCHOOL**REQUEST FOR PROPOSALS****Human Resources Services**

Two Rivers is looking to replace its in-house human resources tasks with services provided by a consultant. Two Rivers is seeking a proposal that will incorporate the following services: benefits enrollment; post-hiring human resources activities; maintenance of employee files and database; response to employee requests and management data requests; and regulatory compliance. For additional information, including a copy of the RFP, email Sarah Richardson at procurement@tworiverspcs.org. Deadline for submissions is January 9, 2015.

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

BOARD OF DIRECTORS

NOTICE OF PUBLIC MEETING

Environmental Quality and Sewerage Services Committee

The Board of Directors of the District of Columbia Water and Sewer Authority (DC Water) Environmental Quality and Sewerage Services Committee will be holding a meeting on Thursday, December 18, 2014 at 9:30 a.m. The meeting will be held in the Board Room (4th floor) at 5000 Overlook Avenue, S.W., Washington, D.C. 20032. Below is the draft agenda for this meeting. A final agenda will be posted to DC Water's website at www.dewater.com.

For additional information, please contact Linda R. Manley, Board Secretary at (202) 787-2332 or linda.manley@dewater.com.

DRAFT AGENDA

- | | |
|--|--|
| 1. Call to Order | Committee Chairperson |
| 2. AWTP Status Updates 1. BPAWTP Performance | Assistant General Manager, Plant Operations |
| 3. Status Updates | Chief Engineer |
| 4. Project Status Updates | Director, Engineering & Technical Services |
| 5. Action Items - Joint Use - Non-Joint Use | Chief Engineer |
| 6. Emerging Items/Other Business | |
| 7. Executive Session | |
| 8. Adjournment | Committee Chairperson |

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

BOARD OF DIRECTORS

NOTICE OF PUBLIC MEETING

Finance and Budget Committee

The Board of Directors of the District of Columbia Water and Sewer Authority (DC Water) Finance and Budget Committee will be holding a meeting on Friday, December 19, 2014 at 11:00 a.m. The meeting will be held in the Board Room (4th floor) at 5000 Overlook Avenue, S.W., Washington, D.C. 20032. Below is the draft agenda for this meeting. A final agenda will be posted to DC Water’s website at www.dewater.com.

For additional information please contact: Linda R. Manley, Board Secretary at (202) 787-2332 or لمانley@dewater.com.

DRAFT AGENDA

- | | | |
|----|---------------------------------------|------------------------------|
| 1. | Call to Order | Chairman |
| 2. | November Financial Report | Director of Finance & Budget |
| 3. | Agenda for December Committee Meeting | Chairman |
| 4. | Executive Session | |
| 5. | Adjournment | Chairman |

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

BOARD OF DIRECTORS

NOTICE OF PUBLIC MEETING

Retail Water and Sewer Rates Committee

The Board of Directors of the District of Columbia Water and Sewer Authority (DC Water) Retail Water and Sewer Rates Committee will be holding a meeting on Friday, December 19, 2014 at 9:30 a.m. The meeting will be held in the Board Room (4th floor) at 5000 Overlook Avenue, S.W., Washington, D.C. 20032. Below is the draft agenda for this meeting. A final agenda will be posted to the DC Water’s website at www.dcwater.com.

For additional information, please contact Linda R. Manley, Board Secretary at (202) 787-2332 or lmanley@dcwater.com.

DRAFT AGENDA

- 1. Call to Order Committee Chairman
- 2. Action Items Chief Financial Officer
- 3. Retail Rates Committee Workplan Chief Financial Officer
- 4. Other Business Chief Financial Officer
- 5. Executive Session
- 6. Adjournment Committee Chairman

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY**BOARD OF DIRECTORS****NOTICE OF PUBLIC MEETING****Water Quality and Water Services Committee**

The Board of Directors of the District of Columbia Water and Sewer Authority (DC Water) Water Quality and Water Services Committee will be holding a meeting on Thursday, December 18, 2014 at 11:30 a.m. The meeting will be held in the Board Room (4th floor) at 5000 Overlook Avenue, S.W., Washington, D.C. 20032. Below is the draft agenda for this meeting. A final agenda will be posted to DC Water's website at www.dewater.com.

For additional information, please contact Linda R. Manley, Board Secretary at (202) 787-2332 or linda.manley@dewater.com.

DRAFT AGENDA

- | | |
|--|--|
| 1. Call to Order | Committee Chairperson |
| 2. Water Quality Monitoring | Assistant General Manager, Consumer Ser. |
| 3. Action Items | Assistant General Manager, Consumer Ser. |
| 4. Emerging Issues/Other Business | Assistant General Manager, Consumer Ser |
| 5. Executive Session | |
| 6. Adjournment | Committee Chairperson |

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Application No. 18413-A of Marcus A. Watkins, pursuant to 11 DCMR § 3130, for a two-year extension of BZA Order No. 18413.

The original application was pursuant to 11 DCMR § 3103.2, for a variance from the lot area and lot width requirements under subsection 401.3, to allow the subdivision and construction of two new flats (two-family dwellings) in the R-4 District, at premises 257 Warren Street, N.E. (Square 1033, Lots 135, 136, and 137).

| | |
|---|-------------------|
| HEARING DATE (Original Application): | November 27, 2012 |
| DECISION DATE (Original Application): | November 27, 2012 |
| FINAL ORDER ISSUANCE DATE (Order No. 18413): | November 29, 2012 |
| DECISION DATE ON EXTENSION OF ORDER: | December 2, 2014 |

**SUMMARY ORDER ON MOTION TO EXTEND
THE VALIDITY OF BZA ORDER NO. 18413**

The Underlying BZA Order

On November 27, 2012, the Board of Zoning Adjustment (the "Board") approved the Applicant's request for a variance from the lot area and lot width requirements under § 401.3, to allow the consolidation of three legally nonconforming lots into two lots for the purpose of constructing two flats (two-family dwellings) in the R-4 District, at premises 257 Warren Street, N.E. (Square 1033, Lots 135, 136, and 137) (the "Site"). The Applicant sought the variance in order to allow the subdivision and construction of two new flats (two-family dwellings) in the R-4 District. The Application, which was unopposed, was granted on November 27, 2012, and the Board issued its written order ("Order") on November 29, 2012. Pursuant to 11 DCMR §§ 3125.6 and 3125.9, the Order became final on November 29, 2012 and took effect 10 days later.

Under the Order and pursuant to § 3130.1 of the Zoning Regulations, the Order was valid for two years from the time it was issued -- until November 29, 2014.

Subsection 3130.1 states:

No order authorizing the erection or alteration of a structure shall be valid for a period longer than two (2) years, or one (1) year for an Electronic Equipment Facility (EEF), unless, within such period, the plans for the erection or alteration are filed for the purposes of securing a building permit, except as permitted in § 3130.6.

(11 DCMR § 3130.1.)

BZA APPLICATION NO. 18413-A**PAGE NO. 2**Motion to Extend Validity of the Order Pursuant to 11 DCMR § 3130.6

On October 28, 2014, the Applicant sent a letter with a motion request to the Board, pursuant to 11 DCMR § 3130.6, for a two-year extension of Order No. 18413, which was due to expire on November 29, 2014. This request for extension is pursuant to § 3130.6 of the Zoning Regulations, which permits the Board to extend the time periods in § 3130.1 for good cause shown upon the filing of a written request by the applicant before the expiration of the approval. Moreover, the Applicant served on all parties to the application by the applicant, and all parties were allowed 30 days to respond, pursuant to § 3130.6(a).

To establish good cause for the request, the Applicant submitted a letter dated October 28, 2014, that stated the reasons the Applicant was requesting a time extension. The Applicant cited two factors beyond his control that prevented him from moving forward with the project. The first was that his job was temporarily transferred to Los Angeles, California, making it difficult for him to apply for permits, and the second was that he was diagnosed with serious health issues for which he is still under treatment. The combination of these two issues prevented the Applicant from being able to apply for the necessary permits and file the necessary construction plans in a timely manner. The Applicant submitted several exhibits demonstrating the factors beyond his control, including a letter from his doctor describing the treatment he was given and a memorandum from his employer approving his temporary reassignment of his duty station. (Exhibit 1 in Case No. 18413A, Exhibit 36 in Case No. 18413.) The Applicant stated that he requested a two-year extension of the Order because of circumstances beyond his control which prevented him from obtaining his permits and vesting the Order for the reasons described. For the above reasons submitted, the Applicant is requesting a two-year time extension based on demonstrated good cause to extend the validity of the Order.

Criteria for Evaluating Motion to Extend

Subsection 3130.6 of the Zoning Regulations authorizes the Board to extend the time periods for good cause provided: (i) the extension request is served on all parties to the application by the applicant, and all parties are allowed 30 days in which to respond; (ii) there is no substantial change in any of the material facts upon which the Board based its original approval; and (iii) the applicant demonstrates there is good cause for such extension. Pursuant to 11 DCMR § 3130.6(c)(1), good cause is established through the showing of substantial evidence of one or more of the following criteria:

1. An inability to obtain sufficient project financing due to economic and market conditions beyond the applicant's reasonable control;
2. An inability to secure all required governmental agency approvals by the expiration date of the Board's order because of delays that are beyond the applicant's reasonable control; or

BZA APPLICATION NO. 18413-A

PAGE NO. 3

3. The existence of pending litigation or such other condition, circumstance, or factor beyond the applicant's reasonable control.

The Merits of the Request to Extend the Validity of the Order Pursuant to 11 DCMR § 3130.6

The Board finds that the motion has met the criteria of § 3130.6 to extend the validity of the underlying order. To meet the burden of proof, the Applicant submitted a letter and supporting documents and information that described the two factors beyond his control that prevented him from moving forward with the project: his job was temporarily transferred to Los Angeles and he was diagnosed with serious health issues for which he is still receiving treatment. Since the Board issued Order No. 18413 in November of 2012, the Applicant has been working diligently to secure the necessary commitments and other approvals to move forward with the project approved by the Board. In addition to the letter signed by the Applicant, the Applicant submitted letters from his physician and his employer attesting to his health and job issues, issues which in combination prevented him from being able to apply for the necessary permits and file the necessary construction plans in a timely manner. (Exhibit 1 in Case No. 18413A, Exhibit 36 in Case No. 18413.)

Given the totality of the conditions and circumstances described above in the Applicant's letter and other supplemental information that was provided, the Board found that the Applicant satisfied the "good cause" required under the third prong of § 3130.6. Moreover, despite the challenges the Applicant described in his submissions for the extension, the Applicant demonstrated that it has acted diligently, prudently, and in good faith to proceed towards the implementation of the Order.

The Board found that the Applicant has met the criteria set forth in 11 DCMR § 3130.6. The reasons given by the Applicant were beyond the Applicant's reasonable control within the meaning of § 3130.6(c)(3) and constitute "good cause" required under § 3130.6(c)(1). In addition, as required by § 3130.6(b), the Applicant demonstrated that there is no substantial change in any of the material facts upon which the Board based its original approval in Order No. 18413. There have also been no changes to the Zone District classification applicable to the Site or to the Comprehensive Plan affecting the Site since the issuance of the Board's order.

The Office of Planning ("OP"), in its report dated November 25, 2014, reviewed the application for the extension of the Order for "good cause" pursuant to 11 DCMR § 3130.6 and recommended approval of the requested two-year extension. (Exhibit 3 in Case No. 18413A, Exhibit 38 in Case No. 18413.) The Site is within the boundaries of Advisory Neighborhood Commission ("ANC") 6A. The ANC did not submit a report with regard to the request for a time extension.

The motion for the time extension was served on all the parties to the application and those parties were given 30 days in which to respond under § 3130.6(a). No party to the

BZA APPLICATION NO. 18413-A**PAGE NO. 4**

application objected to an extension of the Order. The Board concludes that extension of the relief is appropriate under the current circumstances.

Pursuant to 11 DCMR § 3101.6, the Board has determined to waive the requirements of 11 DCMR § 3125.3, which required that the order of the Board be accompanied by findings of fact and conclusions of law. Pursuant to 11 DCMR § 3130, the Board of Zoning Adjustment hereby **ORDERS APPROVAL** of Case No. 18413-A for a two-year time extension of Order No. 18413, which Order shall be valid until **November 29, 2016**, within which time the Applicant must file plans for the proposed project with the Department of Consumer and Regulatory Affairs for the purpose of securing a building permit.

VOTE: **4-0-1** (Lloyd J. Jordan, Peter G. May, S. Kathryn Allen, and Jeffrey L. Hinkle, to APPROVE; Marnique Y. Heath, not present or participating).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

A majority of the Board members approved the issuance of this order.

FINAL DATE OF ORDER: December 3, 2014

PURSUANT TO 11 DCMR § 3125.9, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO § 3125.6.

District of Columbia REGISTER – December 12, 2014 – Vol. 61 - No. 51 012559 – 012684