
Councilmember Phil Mendelson

Councilmember Mary Cheh

Councilmember Thomas Wells

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Councilmembers Phil Mendelson, Mary Cheh and Thomas Wells introduced the following bill,
which was referred to the Committee on _____.

To require the Mayor to establish and maintain by regulation a low emissions vehicle program applicable to certain vehicles by a certain date, establish certain motor vehicle emissions standards and certain compliance requirements, work with certain jurisdictions for certain purposes; prohibit the Mayor from titling or registering certain vehicles under certain circumstances; prohibit certain acts related to certain vehicles or vehicle engines under certain circumstances; provide for the application of certain enforcement and penalty provisions; and to specify that certain provisions of federal law apply to a certain extent.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “District of Columbia Clean Cars Act of 2007”.

Sec. 2. Definitions

(1) “Mayor” means the Mayor of the District of Columbia.

(2) “Program” means the low emissions vehicle program established under this subtitle.

(3) “Transfer” includes acquire, purchase, sell, and lease.

Sec. 3. Establishment of low emissions vehicle program.

(a) The Mayor shall establish and maintain a low emissions vehicle program that:

(1) subject to item (2) of this subsection, is authorized by § 177 of the Federal Clean Air Act; and

(2) is applicable to vehicles of the 2011 model year and each model year thereafter.

(b) As part of the program, the Mayor shall establish new motor vehicle emissions standards and compliance requirements for each model year included in the program as authorized by § 177 of the Federal Clean Air Act.

(c) As part of the compliance requirements established under this Act, the Mayor may adopt by regulation motor vehicle emissions inspection, recall, and warranty requirements.

(d) To minimize the administrative impact of the program and to minimize the impact of motor vehicle emissions generated outside of the District of Columbia on the air quality of the District of Columbia, the Mayor:

(1) may adopt California regulations, procedures, and certification data by reference;

(2) may work in cooperation with, and enter into contracts or agreements with other states to administer certification, in-use compliance, inspection, recall, and warranty requirements for the program; and

(3) shall work in conjunction with other states to promote and facilitate the regional adoption of low emissions vehicle programs that are authorized by §177 of the Federal Clean Air Act.

Sec. 4. Prohibition on registering motor vehicles not in compliance.

(a) Except as otherwise provided in this section, the Mayor may not title or register a new

motor vehicle that is subject to the provisions of this act if the motor vehicle does not comply 1
with the provisions of this act or any regulation adopted under this act. 2

(b) The Mayor may adopt regulations to exempt motor vehicles from the program. 3

Exemptions shall be limited to: 4

(1) motor vehicles sold for registration out of the District of Columbia; 5

(2) motor vehicles sold from a licensed dealer to another licensed dealer; and 6

(3) any motor vehicles that would be exempted from the low emissions vehicle 7
program established under California law. 8

(c) Any motor vehicle exempted under subsection (b) shall be exempt from program 9
requirements forever, and the administration shall note the exemption on the title of the motor 10
vehicle. 11

(d) The Mayor shall adopt regulations to prohibit the transfer of new motor vehicles or 12
new motor vehicle engines that are not in compliance with the provisions of this act, if such 13
regulations are necessary to comply with § 177 of the Federal Clean Air Act. 14

Sec. 5. Prohibition on transferring motor vehicles not in compliance. 15

(a) A person may not transfer or attempt to transfer a motor vehicle or motor vehicle 16
engine that is subject to the provisions of this act if the vehicle or engine does not comply with 17
the program. 18

(b) A person may not procure or attempt to procure through fraud or misrepresentation 19
the title or registration of a motor vehicle that is subject to the provisions of this act if the vehicle 20
does not comply with the program. 21

Sec. 6. Enforcement 22

(a) A person who violates this act shall be subject to a civil fine of \$1,000 for each occurrence. Each transfer or attempted transfer of a motor vehicle or motor vehicle engine in violation of this act shall constitute a separate violation.

Sec. 7. Applicability

This act shall become effective upon passage of legislation by Maryland or Virginia that is in compliance with Section 177 of the Federal Clean Air Act.

Sec. 8. Fiscal impact statement.

The Council adopts the attached fiscal impact statement 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 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.