SEC. 1602. If the assessing authority of the District believes that the collection of any tax imposed by any law applicable to the District Government (except real property taxes) will be jeopardized by delay, the assessing authority shall, whether or not the time otherwise prescribed by law for making return and paying such tax has expired, immediately assess such tax (together with all the interest and penalties the assessment of which is provided for by law). Such tax, penalties, and interest, shall thereupon become immediately due and payable, and immediate notice and demand shall be made by the Collector of Taxes for the District for the payment thereof. Upon failure or refusal to pay such tax, penalty, and interest, collection thereof by distraint shall be lawful. For the purposes of this section the word "assessing authority" means the Assessor, the Board of Personal Tax Appraisers or any member thereof, and any other official or officials of the District, or their duly authorized representatives, having the duty to assess District taxes.

Applicability.

SEC. 1603. This title shall be applicable with respect to taxes assessed within three years prior to the date of the approval of this Act.

TITLE XVII—GENERAL PROVISIONS

SEC. 1701. REGULATIONS.—The Commissioners are authorized to make rules and regulations to carry out the provisions of this Act.

SEC. 1702. SEPARABILITY CLAUSE.—If any provision of this Act or the application thereof to any person or circumstances is held invalid, the remainder of the Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

Approved May 18, 1954.

Public Law 365 CHAPTER 222

May 25, 1954
[S. 2305]

AN ACT

To promote safe driving, to eliminate the reckless and financially irresponsible driver from the highways, and to provide for the giving of security and proof of financial responsibility by persons driving or owning vehicles of a type subject to registration under the laws of the District of Columbia.

Motor Vehicle Safety Responsibility Act of the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Motor Vehicle Safety Responsibility Act of the District of Columbia."

ARTICLE I

WORDS AND PHRASES DEFINED

SEC. 2. DEFINITIONS.—The following words and phrases used in this Act shall, for the purpose of this Act, have the meanings respectively ascribed to them in this article except in those instances where the context clearly indicates a different meaning.

(a) COMMISSIONERS.—The Board of Commissioners of the District of Columbia, or their designated agent or agents.

(b) DRIVER OR OPERATOR.—Every person who drives or is in actual physical control of a motor vehicle upon a public highway or who is exercising control over or steering a vehicle being pushed or towed by a motor vehicle upon a public highway.

(c) LICENSE.—Any operator's permit or any other license or permit to operate a motor vehicle issued under the laws of the District of Columbia including—

(1) any temporary or learner's permit;

(2) the privilege of any person to drive a motor vehicle whether or not such person holds a valid license; and

(3) any nonresident's operating privilege as defined herein.

(d) MOTOR VEHICLE.—Every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from over-head trolley wires, but not operated upon rails.

(e) NONRESIDENT.—Every person who is not a resident of the District of Columbia.

(f) NONRESIDENT'S OPERATING PRIVILEGE.—The privilege conferred upon a nonresident by the laws of the District of Columbia pertaining to the operation by such person of a motor vehicle, or the use of a vehicle owned by such person, in the District of Columbia.

(g) OWNER.—A person who holds the legal title of a vehicle, or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this Act.

(h) PERSON.—Every natural person, firm, copartnership, association, or corporation.

(i) PUBLIC HIGHWAY.—Any street, road, or public thoroughfare.

(j) REGISTRATION.—The registration plates issued under the laws of the District of Columbia pertaining to the registration of vehicles.

(k) VEHICLE.—Every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, except devices moved by human power or used exclusively upon stationary rails or tracks.

ARTICLE II

ADMINISTRATION OF ACT

SEC. 3. COMMISSIONERS TO ADMINISTER ACT.—(a) The Commissioners shall administer and enforce the provisions of this Act, and may make rules and regulations necessary for its administration.

(b) The Commissioners shall receive and consider any pertinent information upon request of persons aggrieved by their orders or acts under any of the provisions of this Act.

(c) The Commissioners shall prescribe and provide suitable forms requisite or deemed necessary for the purpose of this Act.

SEC. 4. COMMISSIONERS TO REVIEW ORDER OR ACT OF AGENT.—Any order or act of any agent of the Commissioners under the provisions of this Act shall be subject to review by the Commissioners. Application for review of any such order or act shall be in writing and filed with the Commissioners within five days after the issuance of the order or occurrence of the act in question. If upon review the Commissioners shall sustain such order or act, the same shall become effective immediately.

Any person whose license or motor-vehicle registration shall be denied, suspended, or revoked by the Commissioners under the provisions of this Act may, within thirty days after such denial, revocation, or suspension has been reviewed by the Commissioners and sustained by them, file in the Municipal Court of Appeals for the District of Columbia an application for the allowance of an appeal from the order or decision of the Commissioners. If a majority of the court are of the opinion that the appeal should be allowed, the appeal shall be recorded

as granted and the case set down for hearing on appeal. If a majority of the court shall be of the opinion that the appeal should be denied such denial shall stand as an affirmance of the order appealed from. Said court is authorized to prescribe fees and promulgate rules governing the application for the allowance of an appeal and the record and proceedings on appeal, and the said court shall have power to affirm, modify, or reverse the order or decision of the Commissioners, where the appeal is allowed pursuant hereto; and the decision of said court whether in denying an application for allowance of appeal or in deciding an appeal after it has been granted shall be final. The application to said court for the allowance of an appeal shall not operate as a stay of such order of the Commissioners, unless the applicant shall have deposited with the Commissioners, under protest and subject to the decision of the court, security in the amount required by the Commissioners in accordance with the provisions of this Act, or a bond in an amount equal to the amount of security required by the Commissioners, guaranteeing that the applicant, in the event the order appealed from is sustained or modified by the court, will comply fully therewith. In the event said order of the Commissioners shall be ordered vacated, either by the court or the Commissioners, the security deposited under protest shall be returned to the depositor or the bond shall be canceled.

Definition.

For the purposes of this section, the phrase "review by the Commissioners" shall mean a review by the Board of Commissioners of the District of Columbia or a review by any board of review established by the Commissioners of the District of Columbia to review the order or act of any agent of the Commissioners pursuant to the provisions of this Act. No member of such board of review established by the Commissioners shall review any of his own orders or acts.

SEC. 5. COMMISSIONERS TO FURNISH OPERATING RECORD.—(a) The Commissioners shall upon request furnish any person a certified abstract of the District of Columbia operating record of any person subject to the provisions of this Act, which abstract shall include enumeration of any motor-vehicle accidents in which such person has been involved and reference to any convictions of said person for violation of the motor-vehicle laws as reported to the Commissioners and a record of any vehicles registered in the name of such person. The Commissioners shall collect for each abstract the sum of $2.

(b) The Commissioners shall upon request furnish any person an uncertified abstract of the District operating record of any person subject to the provisions of this Act, which abstract shall include enumeration of any motor vehicle accidents in which such person has been involved and reference to any convictions of said person for violation of the motor vehicle laws, as reported to the Commissioners. The Commissioners shall collect for each such uncertified abstract a sum equal to the cost to the District of furnishing such abstract, as such cost may be determined by the Commissioners from time to time.

SEC. 6. COMMISSIONERS TO FURNISH INFORMATION REGARDING FINANCIAL RESPONSIBILITY.—The Commissioners shall furnish to any person who may be injured in person or property by any motor vehicle, upon written request, a statement that the owner or operator of any motor vehicle has furnished evidence of his ability to respond in damages in accordance with the provisions of this Act, and if such owner or operator shall have furnished evidence of having had in effect at the time of such injury or damage a motor-vehicle liability policy, the name and address of the insurance carrier writing such policy. The Commissioners shall collect for each abstract the sum of $2.

SEC. 7. SERVICE OF PROCESS ON NONRESIDENT.—The operation by a nonresident or by his agent of a motor vehicle on any public highway of the District of Columbia shall be deemed equivalent to an appointment by such nonresident of the Commissioners or their successors in office to be his true and lawful attorney upon whom may be served all lawful processes in any action or proceedings against such nonresident growing out of any accident or collision in which said nonresident or his agent may be involved while operating a motor vehicle on any such public highway, and said operation shall be a signification of his agreement that any such process against him, which is so served, shall be of the same legal force and validity as if served upon him personally in the District of Columbia. Service of such process shall be made by leaving a copy of the process with a fee of $2 in the hands of the Commissioners or in their office, and such service shall be sufficient service upon the said nonresident: *Provided*, That the plaintiff in such action shall first file in the court in which said action is commenced an undertaking in form and amount, and with one or more sureties, approved by said court, to reimburse the defendant, on the failure of the plaintiff to prevail in the action, for the expenses necessarily incurred by the defendant, including a reasonable attorney's fee in an amount to be fixed by the said court in defending the action in the District of Columbia: *And provided further*, That notice of such service and a copy of the process are forthwith sent by registered mail by the plaintiff, or his attorney, to the defendant, and the defendant's return receipt appended to the writ and entered with the declaration, or such notice of such service and a copy of the process may be served upon the defendant in the manner provided by section 105 of the Code of Laws for the District of Columbia (31 Stat. 1206, as amended; § 13-108, D. C. Code, 1951 edition). The court in which the action is pending may order such continuances as may be necessary to afford the defendant a reasonable opportunity to defend the action, and no judgment by default in any such action shall be granted until at least twenty days shall have elapsed after service upon the defendant, as hereinabove provided, of a copy of the process and notice of service of said process upon the Commissioners.

For the purposes of this section, the term "nonresident" shall include every person who is not a resident of the District of Columbia and any person who was a resident of the District of Columbia at the time he was involved in an accident or collision in said District, but who, subsequent to such accident or collision, became a nonresident of the District and remains a nonresident at the time the said process is sought to be served on him.

SEC. 8. OPERATOR DEEMED TO BE AGENT OF OWNERS.—Whenever any motor vehicle, after the passage of this Act, shall be operated upon the public highways of the District of Columbia by any person other than the owner, with the consent of the owner, express or implied, the operator thereof shall in case of accident, be deemed to be the agent of the owner of such motor vehicle, and the proof of the ownership of said motor vehicle shall be prima facie evidence that such person operated said motor vehicle with the consent of the owner.

SEC. 9. ESTABLISHMENT OF MOTOR VEHICLE OWNERS' AND OPERATORS' FINANCIAL RESPONSIBILITY FUND, D. C.—(a) There is hereby created in the Treasury of the United States a special fund which shall be known as the Motor Vehicle Owners' and Operators' Financial Responsibility Fund, D. C., to which shall be deposited any funds paid to the Commissioners as security or proof in accordance with the provisions of this Act.

(b) Said Motor Vehicle Owners' and Operators' Financial Responsibility Fund, D. C., is available to the Commissioners for disbursements required under the provisions of this Act, such disbursements to be made in the same manner as other disbursements for the District of Columbia are made.

ARTICLE III

ACCIDENT REPORTS

SEC. 10. REPORT OF ACCIDENT REQUIRED.—The driver of a vehicle of a type subject to registration under the motor vehicle laws of the District of Columbia which is in any manner involved in an accident within the District of Columbia, which accident has resulted in damage to the property of any one person in excess of $100 or in bodily injury to or in the death of any person shall within five days after such accident report the accident on a form approved by the Commissioners to the office of the Commissioners subject to the following exceptions in this article.

SEC. 11. FORM OF REPORT.—The form of accident report prescribed by the Commissioners shall contain information sufficient to enable the Commissioners to determine whether the requirements for the deposit of security under this Act are inapplicable by reason of the existence of insurance or other exceptions specified in this Act.

SEC. 12. INCAPACITY OF DRIVER-OWNER TO REPORT.—(a) An accident report is not required under this article from any person who is physically incapable of making report during the period of such incapacity.

(b) If any driver be physically incapable of making a required accident report and is not the owner of the vehicle involved in such accident, then the owner of such vehicle shall within five days after he learns of the accident make such report not made by the driver.

SEC. 13. ADDITIONAL INFORMATION.—The driver or the owner of the vehicle involved in the accident shall furnish such additional relevant information as the Commissioners may require.

SEC. 14. SUSPENSIONS FOR FAILURE TO REPORT.—The Commissioners are authorized, in their discretion, to suspend the license of any person who fails to report as required by the Commissioners until such report has been filed and for such further period, not to exceed thirty days, as the Commissioners may determine.

SEC. 15. ACCIDENT REPORTS CONFIDENTIAL.—Accident reports and supplemental information in connection therewith required under this article may be examined by any person named in such report or his representative designated in writing, but shall not be open to public inspection, nor shall copying of lists of such reports be permitted.

ARTICLE IV

SECURITY FOLLOWING ACCIDENT

SEC. 16. APPLICATION.—The provisions of this Act, requiring deposit of security and suspensions for failure to deposit security, subject to certain exemptions, shall apply to the driver and owner of any vehicle of a type subject to registration under the motor vehicle laws of the District of Columbia which is in any manner involved in an accident within the District of Columbia, which accident has resulted in bodily injury to or death of any person or damage to the property of any one person in excess of $100.

SEC. 17. COMMISSIONERS TO DETERMINE AMOUNT OF SECURITY REQUIRED; NOTICES.—(a) The Commissioners, not less than twenty days after receipt of a report of an accident as described in the preceding article, shall determine the amount of security which shall be sufficient in their judgment to satisfy any judgment or judgments for damages resulting from such accident as may be recovered against each driver or owner. Such determination shall not be made with respect to drivers or owners who are exempt under succeeding sections of this Act from the requirements as to security and suspension.

(b) The Commissioners shall determine the amount of security deposit required of any person upon the basis of the reports or other information submitted. In the event a person involved in an accident as described in this Act fails to make a report or submit information indicating the extent of his injuries or the damage to his property within fifty days after the accident and the Commissioners do not have sufficient information on which to base an evaluation of such injuries or damage, then the Commissioners after reasonable notice to such person, if it is possible to give such notice, otherwise without such notice, shall not require any deposit of security for the benefit or protection of such person.

(c) The Commissioners within fifty days after receipt of report of any accident referred to herein and upon determining the amount of security to be required of any person involved in such accident or to be required of the owner of any vehicle involved in such accident shall give written notice to every such person of the amount of security required to be deposited by him and that an order of suspension will be made as hereinafter provided upon the expiration of ten days after the sending of such notice unless within said time security be deposited as required by said notice.

SEC. 18. EXCEPTIONS TO REQUIREMENT OF SECURITY.—The requirements as to security and suspension in this article shall not apply—

(1) to the driver or owner if the owner had in effect at the time of the accident an automobile liability policy or bond with respect to the vehicle involved in the accident, except that a driver shall not be exempt under this paragraph if at the time of the accident the vehicle was being operated without the owner's permission, express or implied;

(2) to the driver, if not the owner of the vehicle involved in the accident, if there was in effect at the time of the accident an automobile liability policy or bond with respect to his driving of vehicles not owned by him;

(3) to a driver or owner whose liability for damages resulting from the accident is, in the judgement of the Commissioners, covered by any other form of liability insurance policy or bond;

(4) to any person qualifying as a self-insurer under section 79 or to any person operating a vehicle for such self-insurer;

(5) to the driver or the owner of a vehicle involved in an accident wherein no injury or damage was caused to the person or property of anyone other than such driver or owner;

(6) to the driver or owner of a vehicle which at the time of the accident was parked, unless such vehicle was parked at a place where parking was at the time of the accident prohibited under any applicable law or ordinance;

(7) to the owner of a vehicle if at the time of the accident the vehicle was being operated without his permission, express or implied, or was parked by a person who had been operating such vehicle without such permission;

(8) to the owner of a vehicle involved in an accident if at the time of the accident such vehicle was owned by or leased to the United States, a State or any political subdivision thereof, the District of Columbia, or to the driver of such vehicle if operating such vehicle with permission; or

(9) to the driver or the owner of a vehicle in the event at the time of the accident the vehicle was being operated by or under the direction of a police officer who, in the performance of his duties, shall have assumed custody of such vehicle.

SEC. 19. REQUIREMENTS AS TO POLICY OR BOND.—(a) No policy or bond shall be effective under section 18 unless issued by an insurance company or surety company authorized to do business in the District of Columbia, except as provided in subdivision (b) of this section, nor unless such policy or bond is subject, if the accident has resulted in bodily injury or death, to a limit, exclusive of interest and costs, of not less than $10,000 because of bodily injury to or death of one person in any one accident and, subject to said limit for one person, to a limit of not less than $20,000 because of bodily injury to or death of two or more persons in any one accident, and if the accident has resulted in injury to, or destruction of property, to a limit of not less than $5,000 because of injury to or destruction of property of others in any one accident.

(b) No policy or bond shall be effective under section 18 with respect to any vehicle which was not registered in the District of Columbia or a vehicle which was registered elsewhere than in the District of Columbia at the effective date of the policy or bond or the most recent renewal thereof unless the insurance company or surety company issuing such policy or bond is authorized to do business in the District of Columbia, or if said company is not authorized to do business in the District of Columbia, unless it shall execute a power of attorney authorizing the Commissioners to accept service on its behalf of notice or process in any action upon such policy or bond arising out of such accident.

(c) The Commissioners may rely upon the accuracy of the information in a required report of an accident as to the existence of insurance or a bond unless and until the Commissioners have reason to believe that the information is erroneous.

SEC. 20. FORM AND AMOUNT OF SECURITY.—(a) The security required under this article shall be in such form and in such amount as the Commissioners may require, but in no case in excess of the limits specified in section 19 in reference to the acceptable limits of a policy or bond.

(b) Every depositor of security shall designate in writing every person in whose name such deposit is made, but any single deposit of security shall be applicable only on behalf of persons required to furnish security because of the same accident.

SEC. 21. FAILURE TO DEPOSIT SECURITY; SUSPENSIONS.—In the event that any person required to deposit security under this article fails to deposit such security within ten days after the Commissioners have sent the notice as hereinbefore provided, the Commissioners shall thereupon suspend—

(1) the license of each driver in any manner involved in the accident;

(2) the registration of all vehicles owned by the owner of each vehicle of a type subject to registration under the laws of the District of Columbia involved in such accident;

(3) if the driver is a nonresident, the privilege of operating, within the District of Columbia, a vehicle of a type subject to registration under the laws of the District of Columbia; and

(4) if such owner is a nonresident, the privilege of such owner to operate or permit the operation within the District of Columbia of a vehicle of a type subject to registration under the laws of the District of Columbia.

Such suspensions shall be made in respect to persons not otherwise exempt under this Act who are required by the Commissioners to deposit security and who fail to deposit such security, except as otherwise provided under this Act.

SEC. 22. RELEASE FROM LIABILITY.—(a) A person shall be relieved from the requirement for deposit of security for the benefit or protection of another person injured or damaged in the accident in the event he is released from liability by such other person.

(b) A covenant not to sue shall relieve the parties thereto as to each other from the security requirements of this article.

(c) In the event the Commissioners have evaluated the injuries or damage to any minor in an amount not more than $200 the Commissioners may accept, for the purpose of this article only, evidence of a release from liability executed by a natural guardian or a legal guardian on behalf of such minor without the approval of any court.

SEC. 23. ADJUDICATION OF NONLIABILITY.—A person shall be relieved from the requirement for deposit of security in respect to a claim for injury or damage arising out of the accident in the event such person has been finally adjudicated not to be liable in respect to such claim.

SEC. 24. AGREEMENTS FOR PAYMENT OF DAMAGES.—(a) Any two or more of the persons involved in or affected by an accident as described in section 16 may at any time enter into a written agreement for the payment of an agreed amount with respect to all claims of any such persons because of bodily injury to or death or property damage arising from such accident, which agreement may provide for payment in installments, and may file a signed copy thereof with the Commissioners.

(b) The Commissioners, to the extent provided by any such written agreement filed with them, shall not require the deposit of security and shall terminate any prior order of suspension, or if security has previously been deposited, the Commissioners shall return such security to the depositor or his personal representative, or pay such security to the depositor's assignee, as the case may be, when all payments required by such agreement have been made in full, when an amount equal to such security has been paid in accordance with such agreement, or when such security is assigned to the person injured or damaged as a result of said accident.

(c) In the event of a default in any payment under such agreement and upon notice of such default the Commissioners shall take action suspending the license or registration of such person in default as would be appropriate in the event of failure of such person to deposit security when required under this Act.

(d) Such suspension shall remain in effect and such license or registration shall not be restored unless and until the person in default has paid all payments then in default.

SEC. 25. PAYMENT UPON JUDGMENT.—The payment of a judgment arising out of an accident or the payment upon such judgment of an amount equal to the maximum amount which could be required for deposit under this article shall, for the purposes of this article, release the judgment debtor from the liability evidenced by such judgment.

SEC. 26. TERMINATION OF SECURITY REQUIREMENT.—The Commissioners, if satisfied as to the existence of any fact which under sections 22, 23, 24, and 25 would entitle a person to be relieved from the security requirements of this article, shall not require the deposit of security

by the person so relieved from such requirement and shall terminate any prior order of suspension in respect to such person, or if security has previously been deposited by such person, the Commissioners shall immediately return such deposit to such person or to his personal representative.

SEC. 27. DURATION OF SUSPENSION.—Unless a suspension is terminated under other provisions of this article, any order of suspension by the Commissioners under this article shall remain in effect and no license shall be renewed for or issued to any person whose license is so suspended and no registration shall be renewed for or issued to any person whose vehicle registration is so suspended until—

(1) such person shall deposit or there shall be deposited on his behalf the security required under this article; or

(2) one year shall have elapsed following the date of such suspension and evidence satisfactory to the Commissioners has been filed with them that during such period no action for damages arising out of the accident resulting in such suspension has been instituted.

An affidavit of the applicant that no action at law or damages arising out of the accident has been filed against him or, if filed, that it is not still pending shall be prima facie evidence of that fact. The Commissioners may take whatever steps are necessary to verify the statement set forth in any said affidavit.

SEC. 28. APPLICATION TO NONRESIDENTS, UNLICENSED DRIVERS, UNREGISTERED VEHICLES AND ACCIDENTS IN OTHER STATES.—(a) In case the driver or the owner of a vehicle of a type subject to registration under the laws of the District of Columbia involved in an accident within the District of Columbia has no license or registration in the District of Columbia, then such driver shall not be allowed a license, nor shall such owner be allowed to register any vehicle in the District of Columbia, until he has complied with the requirements of this article to the same extent that would be necessary if, at the time of the accident, he had held a license or been the owner of a vehicle registered in the District of Columbia.

(b) When a nonresident's operating privilege is suspended pursuant to section 21, the Commissioners shall transmit a certified copy of the record of such action to the official in charge of the issuance of licenses and registration certificates in the State in which such nonresident resides.

(c) Upon receipt of certification that the operating privilege of a resident of the District of Columbia has been suspended or revoked in any State pursuant to a law providing for its suspension or revocation for failure to deposit security for the payment of judgments arising out of a motor vehicle accident, under circumstances which would require the Commissioners to suspend a nonresident's operating privilege had the accident occurred in the District of Columbia, the Commissioners shall suspend the license of such resident if he was the driver, and all of his registrations if he was the owner of a motor vehicle involved in such accident. Such suspension shall continue until such resident furnishes evidence of his compliance with the law of such State relating to the deposit of such security.

The provisions of this subsection shall be applicable only to a certification from a State which by its laws has made provision for the suspension or revocation of the license and all registrations of a resident of such State for failure to deposit security for the payment of any judgment arising out of a motor vehicle accident in the District of Columbia, or for failure to make payment of an agreed amount with respect to all claims arising from such accident, in accordance with the provisions of this Act.

SEC. 29. AUTHORITY OF COMMISSIONERS TO DECREASE AMOUNT OF SECURITY.—The Commissioners may reduce the amount of security ordered in any case within six months after the date of the accident if in their judgment the amount ordered is excessive. In case the security originally ordered has been deposited, the excess deposit over the reduced amount ordered shall be returned to the depositor or his personal representative forthwith.

SEC. 30. CORRECTION OF ACTION OF COMMISSIONERS.—Whenever the Commissioners have taken any action or have failed to take any action under this article by reason of having received erroneous information or by reason of having received no information, then upon receiving correct information within one year after the date of an accident the Commissioners shall take appropriate action to carry out the purposes and effect of this Act. The foregoing shall not, however, be deemed to require the Commissioners to reevaluate the amount of any deposit required under this article.

SEC. 31. DISPOSITION OF SECURITY.—(a) Such security shall be applicable and available only—

(1) for the payment of any settlement agreement covering any claim arising out of the accident upon instruction of the person who made the deposit; or

(2) for the payment of a judgment or judgments, rendered against the person required to make the deposit for damages arising out of the accident in an action at law begun not later than one year after the deposit of such security.

(b) Every distribution of funds from the security deposits shall be subject to the limits of the Commissioners' evaluation on behalf of a claimant.

SEC. 32. RETURN OF DEPOSIT.—Upon the expiration of one year from the date of any deposit of security any security remaining or deposit shall be returned to the person who made such deposit or to his personal representative if an affidavit or other evidence satisfactory to the Commissioners has been filed with them stating—

(1) that no action for damages arising out of the accident for which deposit was made is pending against any person on whose behalf the deposit was made, and

(2) that there does not exist any unpaid judgment rendered against any such person in such an action.

The foregoing provisions of this section shall not be construed to limit the return of any deposit of security under any other provision of this article authorizing such return.

SEC. 33. MATTERS NOT TO BE EVIDENCE IN CIVIL SUITS.—The report required following an accident, the action taken by the Commissioners pursuant to this article, the findings, if any, of the Commissioners upon which such action is based, and the security filed as provided in this article, shall not be referred to in any way, and shall not be any evidence of the negligence or due care of either party, at the trial of any action at law to recover damages.

ARTICLE V

PROOF OF FINANCIAL RESPONSIBILITY FOR THE FUTURE

SEC. 34. APPLICATION.—The provisions of this Act requiring the deposit of proof of financial responsibility for the future, subject to certain exemptions, shall apply with respect to persons who have been convicted of or forfeited bail for certain offenses under motor vehicle laws or who have failed to pay judgments upon causes of

action arising out of ownership, maintenance, or use of vehicles of a type subject to registration under the laws of the District of Columbia.

SEC. 35. MEANING OF "PROOF OF FINANCIAL RESPONSIBILITY FOR THE FUTURE".—The term "proof of financial responsibility for the future" as used in this Act shall mean: Proof of ability to respond in damages for liability, on account of accidents occurring subsequent to the effective date of said proof, arising out of the ownership, maintenance, or use of a vehicle of a type subject to registration under the laws of the District of Columbia in the amount of $10,000 because of bodily injury to or death of one person in any one accident, and, subject to said limit for one person, in the amount of $20,000 because of bodily injury to or death of two or more persons in any one accident, and in the amount of $5,000 because of injury to or destruction of property of others in any one accident. Wherever used in this Act the term "proof of financial responsibility" or "proof" shall be synonymous with the term "proof of financial responsibility for the future".

SEC. 36. MEANING OF "JUDGMENT" AND "STATE".—The following words and phrases when used in this article shall, for the purpose of this article, have the meanings respectively ascribed to them in this section.

(a) The term "judgment" shall mean: Any judgment which shall have become final by expiration without appeal of the time within which an appeal might have been perfected, or by final affirmation on appeal, rendered by a court of competent jurisdiction of any State, the District of Columbia, or of the United States, upon a cause of action arising out of the ownership, maintenance, or use of any vehicle of a type subject to registration under the laws of the District of Columbia, for damages, including damages for care and loss of services, because of bodily injury to or death of any person, or for damages because of injury to or destruction of property including the loss of use thereof, or upon a cause of action on an agreement of settlement for such damages.

(b) The term "State" shall mean: Any State, Territory, or possession of the United States, or any province of the Dominion of Canada.

SEC. 37. PROOF REQUIRED UPON CERTAIN CONVICTIONS.—Whenever, under the law of the District of Columbia, the license of any person is suspended or revoked by reason of a conviction or forfeiture of bail in any of the following offenses:

(1) Operating a motor vehicle while under the influence of any intoxicating liquor or narcotic drug;

(2) Any homicide committed by means of a motor vehicle;

(3) Leaving the scene of an accident in which the motor vehicle driven by him was involved and in which there is personal injury, without giving assistance or making known his identity and address and the identity and address of the owner of said vehicle;

(4) Reckless driving involving personal injury; or

(5) Any felony in the commission of which a motor vehicle is used;

the Commissioners shall suspend the registration of all vehicles registered in the name of such person as owner, except that (a) if such owner has previously given or shall immediately give and thereafter maintains proof of financial responsibility for the future with respect to all such vehicles registered by such person as the owner, the Commissioners shall not suspend such registration unless otherwise required or permitted by law, and (b) if a conviction arose out of the operation, with permission, of a vehicle owned by or leased to the United States, a State, or a political subdivision of a State or a municipality thereof,

or the District of Columbia or any political subdivision thereof, the Commissioners shall not suspend the registration of any vehicle so owned or leased.

SEC. 38. SUSPENSION UNTIL PROOF FURNISHED.—The suspension or revocation hereinbefore required shall remain in effect and the Commissioners shall not issue to such person any new or renewal of license or register or reregister in the name of such person as owner of any such vehicle until permitted under the motor vehicle laws of the District of Columbia and not then unless and until such person shall give and thereafter maintain proof of financial responsibility for the future.

SEC. 39. ACTION IN RESPECT TO UNLICENSED PERSON.—If a person has no license, but by final order or judgment is convicted of or forfeits any bail or collateral deposited to secure an appearance for trial for any offense requiring the suspension or revocation of license, or for driving a motor vehicle upon the highways without being licensed to do so, or for driving an unregistered vehicle upon the highways, no license shall be thereafter issued to such person and no such vehicle shall continue to be registered or thereafter be registered in the name of such person as owner unless he shall give and thereafter maintain proof of financial responsibility for the future.

SEC. 40. ACTION IN RESPECT TO NONRESIDENTS.—Whenever the Commissioners suspend or revoke a nonresident's operating privilege by reason of a conviction or forfeiture of bail, such privilege shall remain so suspended or revoked unless such person shall have previously given or shall immediately give and thereafter maintain proof of financial responsibility for the future.

SEC. 41. WHEN COURTS TO REPORT NONPAYMENT OF JUDGMENTS.—Whenever any person fails within thirty days to satisfy any judgment, then upon the written request of the judgment creditor or his attorney it shall be the duty of the clerk of the court in which any such judgment is rendered within the District of Columbia to forward to the Commissioners immediately upon such request a certified copy of such judgment, which said certified copy shall be prima facie evidence of the facts therein stated.

SEC. 42. FURTHER ACTION WITH RESPECT TO NONRESIDENTS.—If the defendant named in any certified copy of a judgment reported to the Commissioners is a nonresident, the Commissioners shall transmit a certified copy of the judgment to the official in charge of the issuance of licenses and registrations of the State of which the defendant is a resident.

SEC. 43. SUSPENSION FOR NONPAYMENT OF JUDGMENTS.—The Commissioners upon receipt of a certified copy of a judgment and a certificate of facts relative to such judgment, on a form provided by the Commissioners, shall forthwith suspend the license and registration and any nonresident's operating privilege of any person against whom such judgment was rendered, except as hereinafter otherwise provided in this Act.

SEC. 44. EXCEPTION IN RELATION TO GOVERNMENT VEHICLES.—The provisions of section 43 shall not apply with respect to any such judgment arising out of an accident caused by the ownership or operation with permission, of a vehicle owned by or leased to the United States, a State or any political subdivision thereof, the District of Columbia or any political subdivision of the District of Columbia.

SEC. 45. EXCEPTION WHEN CONSENT GRANTED BY JUDGMENT CREDITOR.—If the judgment creditor consents in writing, in such form as the Commissioners may prescribe, that the judgment debtor be allowed license and registration or nonresident's operating privilege, the same

may be allowed by the Commissioners, in their discretion, for six months from the date of such consent and thereafter until such consent is revoked in writing, notwithstanding default in the payment of such judgment, or of any installments thereof prescribed in section 50, provided the judgment debtor furnishes proof of financial responsibility.

SEC. 46. EXCEPTION WHEN INSURER LIABLE.—No license, registration, or nonresident's operating privilege of any person shall be suspended under the provisions of this article if the Commissioners shall find that an insurer was obligated to pay the judgment upon which suspension is based, at least to the extent and for the amounts required in this Act, but has not paid such judgment for any reason. A finding by the Commissioners that an insurer is obligated to pay a judgment shall not be binding upon such insurer and shall have no legal effect whatever except for the purpose of administering this section. Whenever in any judicial proceedings it shall be determined by any final judgment, decree or order that an insurer is not obligated to pay any such judgment, the Commissioners, notwithstanding any contrary finding theretofore made by them shall forthwith suspend the license and registration and any nonresident's operating privilege of any person against whom such judgment was rendered, as provided in section 43.

SEC. 47. SUSPENSION TO CONTINUE UNTIL JUDGMENTS PAID AND PROOF GIVEN.—Such license, registration and nonresident's operating privilege shall remain so suspended and shall not be renewed, nor shall any such license or registration be thereafter issued in the name of such person, including any such person not previously licensed, unless and until every such judgment is stayed, satisfied in full or to the extent hereinafter provided and until the said person gives proof of financial responsibility subject to the exemptions stated in sections 45, 46, and 50 of this Act.

SEC. 48. DISCHARGE IN BANKRUPTCY.—A discharge in bankruptcy following the rendering of any such judgment shall not relieve the judgment debtor from any of the requirements of this Act.

SEC. 49. PAYMENTS SUFFICIENT TO SATISFY REQUIREMENTS.—(a) Judgments herein referred to shall, for the purpose of this Act only, be deemed satisfied—

(1) when $10,000 has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to or death of one person as the result of any one accident; or

(2) when, subject to such limit of $10,000 because of bodily injury to or death of one person, the sum of $20,000 has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to or death of two or more persons as the result of any one accident; or

(3) when $5,000 has been credited upon any judgment or judgments rendered in excess of that amount because of injury to or destruction of property of others as a result of any one accident.

(b) Payments made in settlements of any claims because of bodily injury, death, or property damage arising from such accident shall be credited in reduction of the amounts provided for in this section.

SEC. 50. INSTALLMENT PAYMENT OF JUDGMENTS; DEFAULT.—(a) A judgment debtor upon due notice to the judgment creditor may apply to the court in which such judgment was rendered for the privilege of paying such judgment in installments and the court, in its discretion and without prejudice to any other legal remedies which the judgment creditor may have, may so order and fix the amounts and times of payment of the installments.

(b) The Commissioners shall not suspend a license, registration, or nonresident's operating privilege, and shall restore any license, registration, or nonresident's operating privilege suspended following nonpayment of a judgment, when the judgment debtor gives proof of financial responsibility and obtains such an order permitting the payment of such judgment in installments, and while the payment of any said installments is not in default.

SEC. 51. ACTION IF BREACH OF AGREEMENT.—In the event the judgment debtor fails to pay any installment as specified by such order, then upon notice of such default, the Commissioners shall forthwith suspend the license, registration, or nonresident's operating privilege of the judgment debtor until such judgment is satisfied, as provided in this Act.

SEC. 52. PROOF TO BE FURNISHED FOR EACH REGISTERED VEHICLE.—No vehicle shall be or continue to be registered in the name of any person required to file proof of financial responsibility for the future unless such proof shall be furnished for such vehicle.

SEC. 53. ALTERNATE METHODS OF GIVING PROOF.—Proof of financial responsibility when required under this Act, with respect to such a vehicle or with respect to a person who is not the owner of such a vehicle, may be given by filing—

(1) a certificate of insurance as provided in section 54 or section 55; or

(2) a bond as provided in section 60; or

(3) a certificate of deposit of money or securities as provided in section 63; or

(4) a certificate of self-insurance, as provided in section 79; supplemented by an agreement by the self-insurer that, with respect to accidents occurring while the certificate is in force, he will pay the same amounts that an insurer would have been obliged to pay under an owner's motor vehicle liability policy if it had issued such a policy to said self-insurer.

SEC. 54. CERTIFICATE OF INSURANCE AS PROOF.—Proof of financial responsibility for the future may be furnished by filing with the Commissioners the written certificate of any insurance carrier duly authorized to do business in the District of Columbia certifying that there is in effect a motor-vehicle liability policy for the benefit of the person required to furnish proof of financial responsibility. Such certificate shall give the effective date of such motor-vehicle liability policy, which date shall be the same as the effective date of the certificate, and shall designate by explicit description or by appropriate reference all vehicles covered thereby unless the policy is issued to a person who is not the owner of a motor vehicle.

SEC. 55. CERTIFICATE FURNISHED BY NONRESIDENT AS PROOF.—A nonresident may give proof of financial responsibility by filing with the Commissioners a written certificate or certificates of an insurance carrier authorized to transact business in the State in which the vehicle, or vehicles, owned by such nonresident is registered, or in the State in which such nonresident resides, if he does not own a vehicle, provided such certificate otherwise conforms with the provisions of this Act, and the Commissioners shall accept the same upon condition that said insurance carrier complies with the following provisions with respect to the policies so certified:

(1) Said insurance carrier shall execute a power of attorney authorizing the Commissioners to accept service on its behalf of notice or process in any action arising out of a motor-vehicle accident in the District of Columbia;

(2) Said insurance carrier shall agree in writing that such policies shall be deemed to conform with the laws of the District of Columbia relating to the terms of motor-vehicle liability policies issued therein.

SEC. 56. DEFAULT BY NONRESIDENT INSURER.—If any insurance carrier not authorized to transact business in the District of Columbia, which has qualified to furnish proof of financial responsibility, defaults in any said undertakings or agreements, the Commissioners shall not thereafter accept as proof any certificate of said carrier whether theretofore filed or thereafter tendered as proof, so long as such default continues.

SEC. 57. "MOTOR-VEHICLE LIABILITY POLICY" DEFINED—(a) CERTIFICATION.—A "motor-vehicle liability policy" as said term is used in this Act shall mean an "owner's policy" or an "operator's policy" of liability insurance, certified as provided in section 54 or section 55 as proof of financial responsibility for the future, and issued, except as otherwise provided in section 55, by an insurance carrier duly authorized to transact business in the District of Columbia to or for the benefit of the person named therein as insured.

(b) OWNER'S POLICY.—Such owner's policy of liability insurance—

1. shall designate by explicit description or by appropriate reference all vehicles with respect to which coverage is thereby to be granted; and

2. shall insure the person named therein and any other person as insured, using any such vehicle or vehicles with the express or implied permission of such named insured, against loss from the liability imposed by law for damages arising out of the ownership, maintenance, or use of such vehicle or vehicles within the United States of America or the Dominion of Canada, subject to limits exclusive of interest and costs, with respect to each such vehicle, as follows: $10,000 because of bodily injury to or death of one person in any one accident and, subject to said limit for one person, $20,000 because of bodily injury to or death of two or more persons in any one accident, and $5,000 because of injury to or destruction of property of others in any one accident.

(c) OPERATOR'S POLICY.—Such operator's policy of liability insurance shall insure the person named as insured therein against loss from the liability imposed upon him by law for damages arising out of the use by him of any motor vehicle not owned by him, within the same territorial limits and subject to the same limits of liability as are set forth above with respect to an owner's policy of liability insurance.

(d) REQUIRED STATEMENTS IN POLICIES.—Such motor vehicle liability policy shall state the name and address of the named insured, the coverage afforded by the policy, the premium charged therefor, the policy period, and the limits of liability, and shall contain an agreement or be endorsed that insurance is provided thereunder in accordance with the coverage defined in this act as respects bodily injury and death or property damage, or both, and is subject to all the provisions of this Act.

(e) POLICY NEED NOT INSURE WORKMEN'S COMPENSATION, ETC.—Such motor-vehicle liability policy need not insure any liability under any workmen's compensation law nor any liability on account of bodily injury to or death of an employee of the insured while engaged in the employment, other than domestic, of the insured, or while engaged in the operation, maintenance, or repair of any such vehicle nor any liability for damage to property owned by, rented to, in charge of, or transported by the insured.

(f) PROVISIONS INCORPORATED IN POLICY.—Every motor vehicle liability policy shall be subject to the following provisions which need not be contained therein:

1. The liability of the insurance carrier with respect to the insurance required by this act shall become absolute whenever injury or damage covered by said motor-vehicle liability policy occurs; said policy may not be canceled or annulled as to such liability by any agreement between the insurance carrier and the insured after the occurrence of the injury or damage; no statement made by the insured or on his behalf and no violation of said policy shall defeat or void said policy.

2. The satisfaction by the insured of a judgment for such injury or damage shall not be a condition precedent to the right or duty of the insurance carrier to make payment on account of such injury or damage.

3. The insurance carrier shall have the right to settle any claim covered by the policy, and if such settlement is made in good faith, the amount thereof shall be deductible from the limits of liability specified in subdivision 2 of subsection (b) of this section.

4. The policy, the written application therefor, if any and any rider or endorsement which does not conflict with the provisions of this act shall constitute the entire contract between the parties.

(g) EXCESS OR ADDITIONAL COVERAGE.—Any policy which grants the coverage required for a motor-vehicle liability policy may also grant any lawful coverage in excess of or in addition to the coverage specified for a motor-vehicle liability policy and such excess or additional coverage shall not be subject to the provisions of this Act. With respect to a policy which grants such excess or additional coverage the term "motor-vehicle liability policy" shall apply only to that part of the coverage which is required by this section.

(h) REIMBURSEMENT PROVISION PERMITTED.—Any motor-vehicle liability policy may provide that the insured shall reimburse the insurance carrier for any payment the insurance carrier would not have been obligated to make under the terms of the policy except for the provisions of this Act.

(i) PRORATION OF INSURANCE PERMITTED.—Any motor-vehicle liability policy may provide for the prorating of the insurance thereunder with other valid and collectible insurance.

(j) MULTIPLE POLICIES.—The requirements for a motor-vehicle liability policy may be fulfilled by the policies of one or more insurance carriers which policies together meet such requirements.

(k) BINDERS.—Any binder issued pending the issuance of a motor-vehicle liability policy shall be deemed to fulfill the requirements for such a policy.

SEC. 58. NOTICE OF CANCELLATION OR TERMINATION OF CERTIFIED POLICY.—The Commissioners shall be notified of the cancellation or expiration of any motor-vehicle liability policy of insurance certified under the provisions of this article or of any surety or real estate bond at least ten days before the effective date of such cancellation or expiration. In the absence of such notice of cancellation or expiration said policy of insurance shall remain in full force and effect that any policy subsequently procured and certified shall on the effective date of its certification terminate the insurance previously certified with respect to any vehicle designated in both certificates. Upon receipt of such notice of cancellation or expiration the said Commissioners shall require other evidence of ability to respond in damages and upon failure to furnish the same before the effective date of such cancellation or expiration, the license and all of the registration certificates of the

person failing to comply herewith shall be suspended by the Commissioners and shall remain so suspended until such other evidence of ability to respond in damages shall have been given.

SEC. 59. ACT NOT TO AFFECT OTHER POLICIES.—(a) This Act shall not be held to apply to or affect policies of automobile insurance against liability which may now or hereafter be required by any other law of the District of Columbia, and such policies, if they contain an agreement or are endorsed to conform with the requirements of this Act may be certified as proof of financial responsibility under this Act.

(b) This Act shall not be held to apply to or affect policies insuring solely the insured named in the policy against liability resulting from the maintenance or use by persons in the insured's employ or on his behalf of vehicles not owned by the insured.

SEC. 60. BOND AS PROOF.—Proof of financial responsibility may be evidenced by the bond of a surety company duly authorized to transact business within the District of Columbia, or a bond with at least two individual sureties each owning unencumbered real estate within the District of Columbia, and together having equities equal in value to at least twice the amount of the bond which real estate shall be scheduled in the bond approved by a judge of a court of record, which said bond shall be conditioned for payment of the amounts specified in section 35. Such bond shall be filed with the Commissioners and shall not be cancelable except after ten days' written notice to the Commissioners.

SEC. 61. WHEN BOND SHALL CONSTITUTE A LIEN.—Such bond shall constitute a lien in favor of the District of Columbia upon the real estate so scheduled of any surety, which lien shall exist in favor of any holder of a final judgment against the person who has filed such bond, for damages, including damages for care and loss of service because of bodily injury to or death of any person, or for damage because of injury to or destruction of property, including the loss of use thereof, resulting from the ownership, maintenance, use, or operation of a vehicle of a type subject to registration under the laws of the District of Columbia after such bond was filed. Said bond shall be recorded by the principal named therein among the land records of the District of Columbia before the same is filed with the Commissioners. Recordation shall constitute notice as provided by statutes governing the recordation of liens on real estate.

SEC. 62. ACTION ON BOND.—If such a judgment, rendered against the principal on such bond, shall not be satisfied within thirty days after it has become final, the judgment creditor may, for his own use and benefit and at his sole expense bring an action or actions in the name of the District of Columbia against the company or persons executing such bond, including an action or proceeding to foreclose any lien that may exist upon the real estate of a person who has executed such bond, which foreclosure action shall be brought in like manner and subject to all the provisions of law applicable to an action to foreclose a mortgage on real estate.

SEC. 63. MONEY AS PROOF.—(a) Proof of financial responsibility may be evidenced by the certificate of the Commissioners that the person named therein has deposited with them the sum of $25,000 in cash. The Commissioners shall not accept any such deposit and issue a certificate therefor unless such deposit is accompanied by evidence that there are no unsatisfied judgments of any character against the depositor in the locality where the depositor resides.

(b) The Commissioners may accept as a substitute for a deposit of money required herein other security under such conditions as they may establish.

SEC. 64. APPLICATION OF DEPOSIT.—Such deposit shall be used to satisfy in accordance with the provisions of this Act, any execution on a judgment issued against such person making the deposit for damages, including damages for care and loss of services, because of bodily injury to or death of any person, or for damages because of injury to or destruction of property, including the loss of use thereof, resulting from the ownership, maintenance, use or operation of a vehicle of a type subject to registration under the laws of the District of Columbia after such deposit was made. Money so deposited shall not be subject to attachment or execution unless such attachment or execution shall arise out of a suit for damages as aforesaid.

SEC. 65. OWNER MAY GIVE PROOF FOR OTHERS.—The owner of a motor vehicle may give proof of financial responsibility on behalf of his employee or a member of his immediate family or household in lieu of the furnishing of proof by any said person. The furnishing of such proof shall permit such person to operate only a motor vehicle covered by such proof. The Commissioners shall endorse appropriate restrictions on the face of the license held by such person, or may issue a new license containing such restrictions.

SEC. 66. SUBSTITUTION OF PROOF.—The Commissioners shall consent to the cancellation of any bond or certificate of insurance or return any money to the person entitled thereto upon the substitution and acceptance of other adequate proof of financial responsibility pursuant to this Act.

SEC. 67. OTHER PROOF MAY BE REQUIRED.—Whenever any proof of financial responsibility filed under the provisions of this Act no longer fulfills the purposes for which required, the Commissioners shall, for the purpose of this Act, require other proof as required by this Act and shall suspend the license and registration pending the filing of such other proof.

SEC. 68. DURATION OF PROOF—WHEN PROOF MAY BE CANCELED OR RETURNED.—(a) The Commissioners shall upon request consent to the immediate cancellation of any bond or certificate of insurance, or the Commissioners shall return to the person entitled thereto any money deposited pursuant to this Act as proof of financial responsibility, or the Commissioners shall waive the requirement of filing proof, in any of the following events:

(1) At any time after three years from the date such proof was required when, during the three-year period preceding the request, the Commissioners have not received record of a conviction or a forfeiture of bail which would require or permit the suspension or revocation of the license or registration of the person by or for whom such proof was furnished; or

(2) In the event of the death of the person on whose behalf such proof was filed or the permanent incapacity of such person to operate a motor vehicle; or

(3) In the event the person who has given proof surrenders his license and registration to the Commissioners.

(b) The Commissioners shall not consent to the cancellation of any bond or the return of any money in the event any action for damages upon a liability covered by such proof is then pending or any judgment upon any such liability is then unsatisfied, or in the event the person who has filed such bond or deposited such money has within one year immediately preceding such request been involved as a driver or owner in any motor-vehicle accident resulting in injury or damage to the person or property of others. An affidavit of the applicant as to the nonexistence of such facts, or that he has been released from all of

his liability, or has been finally adjudicated not to be liable, for such injury or damage, shall be sufficient evidence thereof in the absence of evidence to the contrary in the records of the Commissioners.

(c) Whenever any person whose proof has been canceled or returned under subsection (a) (3) of this section applies for a license or registration within a period of three years from the date proof was originally required, any such application shall be refused unless the applicant shall reestablish such proof for the remainder of such three-year period.

ARTICLE VI

VIOLATION OF PROVISIONS OF ACT, PENALTIES

SEC. 69. TRANSFER OF REGISTRATION TO DEFEAT PURPOSE OF ACT PROHIBITED.—(a) If an owner's registration has been suspended hereunder, such registration shall not be transferred nor the vehicle in respect to which such registration was issued registered in any other name until the Commissioners are satisfied that such transfer of registration is proposed in good faith and not for the purpose or with the effect of defeating the purposes of this Act.

(b) Nothing in this section shall in anywise affect the rights of any conditional vendor, chattel, mortgagee or lessor of such a vehicle registered in the name of another as owner who becomes subject to the provisions of this Act.

(c) The Commissioners shall suspend the registration of any vehicle transferred in violation of the provisions of this section.

SEC. 70. SURRENDER OF LICENSE AND REGISTRATION.—Any person whose license or registration shall have been suspended under any provision of this Act, or whose policy of insurance or bond, when required under this Act, shall have been canceled or terminated, shall immediately return his license and registration to the Commissioners. If any person shall fail to return to the Commissioners the license or registration as provided herein, the Commissioners shall forthwith direct any police officer to secure possession thereof and to return the same to the Commissioners.

SEC. 71. FAILURE TO REPORT ACCIDENT.—Failure to report a motor-vehicle accident or to furnish additional information as required under section 10, 12, or 13 shall be punished by a fine not in excess of $100.

SEC. 72. ERRONEOUS REPORT AND OTHER OFFENSES.—Any person who gives information required in such report or otherwise required for such purpose knowing or having reason to believe that such information is false, or who shall forge, or, without authority, sign any evidence of proof of financial responsibility for the future, or who files or offers for filing any such evidence or proof knowing or having reason to believe that it is forged or signed without authority, shall be fined not more than $1,000 or imprisoned for not more than one year or both.

SEC. 73. OPERATING A MOTOR VEHICLE WHEN LICENSE OR REGISTRATION SUSPENDED OR REVOKED.—Any person whose license or registration has been suspended or revoked under this Act and who, during such suspension or revocation, drives any motor vehicle upon any highway or knowingly permits any vehicle of a type subject to registration under the law of the District of Columbia owned by such person to be operated by another upon any highway, except as permitted under this Act, shall be fined not more than $500 or imprisoned not exceeding six months, or both.

SEC. 74. FAILURE TO RETURN LICENSE OR REGISTRATION.—Any person willfully failing to return license or registration as required in section 70 shall be fined not more than $500 or imprisoned not to exceed thirty days, or both.

SEC. 75. PENALTY FOR OTHER VIOLATIONS.—Any person who shall violate any provision of this Act for which no penalty is otherwise provided shall be fined not more than $500 or imprisoned not more than ninety days, or both.

SEC. 76. PROSECUTIONS.—All prosecutions for violations of this Act shall be in the Municipal Court for the District of Columbia, in the name of the District of Columbia, by the corporation counsel or any of his assistants.

ARTICLE VII

GENERAL PROVISIONS

SEC. 77. EFFECT OF HEADINGS.—Article and section headings contained herein shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or intent of the provisions of any article or section hereof.

SEC. 78. EXCEPTION IN RELATION TO VEHICLES INSURED UNDER OTHER LAWS.—Except for sections 10 and 65, this Act shall not apply with respect to any vehicle the owner of which has complied with the requirements of existing laws of the District of Columbia requiring insurance or other security on motor vehicles.

SEC. 79. SELF-INSURERS.—(a) Any person in whose name more than twenty-five vehicles are registered in the District of Columbia may qualify as a self-insurer by obtaining a certificate of self-insurance issued by the Commissioners as provided in subsection (b) of this section.

(b) The Commissioners may, in their discretion, upon the application of such a person, issue a certificate of self-insurance when it is satisfied that such person is possessed and will continue to be possessed of ability to pay judgments obtained against such person. Such certificate may be issued authorizing a person to act as a self-insurer for either property damage or bodily injury, or both.

(c) Upon not less than five days' notice and a hearing pursuant to such notice, the Commissioners may upon reasonable grounds cancel a certificate of self-insurance. Failure to pay any judgment within thirty days after such judgment shall have become final shall constitute a reasonable ground for the cancellation of a certificate of self-insurance.

SEC. 80. AUTHORIZATION OF APPROPRIATIONS.—There is hereby authorized to be appropriated out of the general fund of the District of Columbia such sums as may be necessary to carry out the provisions of this Act.

SEC. 81. EFFECT OF REORGANIZATION PLAN NUMBER 5.—Where any provision of this Act, or any amendment made by this Act, refers to an office or agency abolished by Reorganization Plan Number 5 of 1952, such reference shall be deemed to be the office, agency, or officer exercising the functions of the office or agency so abolished.

66 Stat. 824.
D. C. Code title 1 app.

SEC. 82. REPEAL OF EXISTING LAWS.—This Act shall in no respect be considered as a repeal of the Traffic Acts of the District of Columbia, except as specifically provided herein, but shall be construed as supplemental thereto.

D. C. Code 40-401 note.

The Act of May 3, 1935 (49 Stat. 166, ch. 89; title 40, ch. 4, D. C. Code, 1951 edition), as amended, known as the Owners' Financial Responsibility Act of the District of Columbia, is hereby repealed except

with respect to any accident or judgment arising therefrom, or violation of the motor vehicle laws of the District of Columbia, occurring prior to the effective date of this Act.

SEC. 83. PAST APPLICATION OF ACT.—This Act shall not apply with respect to any accident, or judgment arising therefrom, or violation of the motor-vehicle laws of the District of Columbia, occurring prior to the effective date of this Act.

SEC. 84. ACT NOT TO PREVENT OTHER PROCESS.—Nothing in this Act shall be construed as preventing the plaintiff in any action at law from relying for relief upon the other processes provided by law.

SEC. 85. UNIFORMITY OF INTERPRETATION.—This Act shall be so interpreted and construed as to effectuate its general purpose to make it uniform with similar laws enacted by the several States.

SEC. 86. CONSTITUTIONALITY.—If any part or parts of this Act shall be held unconstitutional, such unconstitutionality shall not affect the validity of the remaining parts of this Act.

SEC. 87. EFFECTIVE DATE OF ACT.—This Act shall take effect one year after its enactment.

Approved May 25, 1954.

Public Law 366 CHAPTER 223

May 27, 1954
[S. 2120]

AN ACT

To authorize the Maine-New Hampshire Interstate Bridge Authority to reconstruct and improve the toll bridge, and the approaches thereto, across the Piscataqua River at Portsmouth, New Hampshire.

Piscataqua River bridge, Portsmouth, N. H.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act authorizing the Maine-New Hampshire Interstate Bridge Authority to construct, maintain, and operate a toll bridge across the Piscataqua River at or near Portsmouth, State of New Hampshire", approved July 28, 1937 (50 Stat. 535), is amended by inserting after section 4 thereof a new section as follows:

Improvements, etc.

"SEC. 4A. In addition to the powers granted by the preceding sections of this Act, the authority is hereby authorized to reconstruct and to improve such bridge and its approaches and approach facilities. In fixing the rates of toll to be charged for the use of such bridge, the cost of any such reconstruction or improvement and the cost of acquiring the right of access to such approaches and approach facilities, including reasonable interest and financing costs and the financing costs and expenses incident to the refunding of the outstanding bridge revenue bonds of the authority, shall be deemed to be a part of the cost of such bridge and its approaches."

Approved May 27, 1954.

Public Law 367 CHAPTER 224

May 27, 1954
[H. R. 1433]

AN ACT

To entitle enlisted men and warrant officers advanced to commissioned rank or grade who are restored to their former enlisted or warrant officer status pursuant to section 3 of the Act of June 19, 1948 (62 Stat. 505), to receive retired enlisted or warrant officer pay from November 1, 1946, or date of advancement, to date of restoration to enlisted or warrant officer status.

Armed Forces. Certain retired pay.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That enlisted men and warrant officers heretofore advanced to commissioned rank or