

GENERAL ORDER



Title
Suspending and Revoking Operator Permits

Topic/Number
GO-SPT-303.05

Effective Date
March 22, 2004

Distribution
A

Rescinds:
General Order 303.5 (Suspending and Revoking Operator Permits)

DISTRICT OF COLUMBIA

I. Background.....Page	1	III. Procedural Guidelines	Page	1
II. Policy.....Page	1	IV. Cross References.....Page		4

I. BACKGROUND

The District of Columbia revokes and/or suspends permits or privileges of persons who operate a motor vehicle in the District, in a manner that threatens the safety of other motorists and/or pedestrians, and those who fail to pay the appropriate fee to operate a motor vehicle.

II. POLICY

The policy of the Metropolitan Police Department is to enforce suspensions and revocation of operator's permits in accordance with Title 18 D.C.M.R. April 1995, (Vehicles and Traffic) chapter 3.

III. PROCEDURAL GUIDELINES

A. Processing of DOT Form 33-40 (Notification of Operating After Revocation)

1. A DMV Form 33-40 shall be served for traffic violations involving the following circumstances:
 - a. Negligent involvement in any accident which resulted in the death of another.
 - b. Operation of a motor vehicle at a speed in excess of thirty miles per hour above the authorized speed limit.
 - c. Commission of a traffic violation resulting in an accident for which, by order of the Superior Court of the District of Columbia, collateral of \$50.00 or more, or a bond in any amount is required.

- d. Operation of a motor vehicle while apparently under the influence of intoxicating liquor or a drug, or while impaired by the consumption of alcohol, or while apparently physically or mentally unqualified to operate a motor vehicle by reason of diabetic coma, epileptic or other seizure.
- e. Refusal to submit to two (2) chemical tests as required by the District of Columbia Implied Consent Act, effective September 14, 1982 (D.C. Law 4-145).
- f. Operation of a vehicle and, following an accident involving the same in which there is bodily injury, leaving the scene of said accident without giving assistance or making known the identity and address of the operator and the identity and address of the owner of the vehicle.
- g. Reckless driving involving bodily injury.
- h. Engaging in the commission of a felony in which a motor vehicle is involved.
- i. An action pending at the Department of Motor Vehicles as a result of accumulation of points, physical or mental disability, failure to satisfy an outstanding moving infraction, dishonored check, or Financial Responsibility stop.

Note: Non-residents privilege to drive in the District of Columbia is subject to the same rules as residents.

- 2. The person being served with a notice of suspension or revocation of his/her operator's permit privilege may file a written objection within:
 - a. Five (5) days, if a resident of the District of Columbia; and
 - b. Ten (10) days, if a non-resident of the District of Columbia.
- 3. Within twenty-four (24) hours from the time the notice is served, a copy of the report shall be forwarded, through channels, to the Department of Motor Vehicles (DMV).
- 4. The copies shall be disseminated as follows:
 - a. The pink copy shall be given to the violator at the time of service of notice;
 - c. The dark golden copy shall be retained by the issuing officer; and

- d. The remaining copies shall be forwarded, to the Director of the DMV.

B. Serving Notices of Suspension or Revocation of an Operators' Permit

- 1. Suspension and revocation notices are deemed properly served if the notice is:
 - a. Served on the operator personally; or
 - b. Prepared and mailed by the DMV to the operator's address on file.

Note: Operator's signature is not required on the notice.

- 2. If a member of MPD stops the operator, and it is determined that the operator is operating a motor vehicle in the District of Columbia after his/her permit has been suspended or revoked, the operator shall be subject to arrest.
- 3. Members making an arrest for operating after revocation or suspension of operator's permit or privilege, shall:
 - a. Respond to the DMV, Office of Driver Improvement Section, Permit Control Division, 65 K Street N.E.;
 - b. Show a copy of the ticket or arrest paperwork to obtain a certified copy of the operator's driving record; and
 - c. Obtain a photocopy of the order of revocation or suspension indicating service of same.

C. Station Clerks shall:

Forward all DMV Form 33-40s to the DMV Director within twenty (24) hours from the time the notice of proposed suspension or revocation was served.

D. Commanding Officers shall:

Ensure that within 24 hours from the time the DMV Form 33-40 is served, the notice is forwarded to the DMV Director.

IV. CROSS REFERENCES

- A. GO-SPT-303.01 (Traffic Enforcement)
- B. District of Columbia Municipal Regulations Title 18 (Vehicles and Traffic)
- C. DMV Form 3340

// SIGNED //
Charles H. Ramsey
Chief of Police

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