

SPECIAL ORDER



DISTRICT OF COLUMBIA

Subject	Unregistered Vehicle Enforcement
Number	SO-11-21
Effective Date	November 28, 2011
Related to:	GO-SPT-303.01 (Traffic Enforcement), Effective Date April 30, 1992
Rescinds:	Teletype 10-105-11 (Criminal Penalty for Unregistered Motorist Repeal Emergency Amendment Act of 2011), Effective Date October 28, 2011 Teletype 10-075-11 (Criminal Penalty for Unregistered Motorist Repeal Emergency Amendment Act of 2011), Effective Date October 21, 2011

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I. BACKGROUND

The *Criminal Penalty for Uninsured Motorist Repeal Emergency Amendment Act of 2011*, effective date October 21, 2011, repealed criminal penalties for motorists operating unregistered vehicles absent fraudulent or false pretenses, implements a graduated schedule of civil penalties, and explicitly authorizes impoundment for certain vehicles.

The purpose of this Special Order is to outline enforcement procedures to be carried out by Metropolitan Police Department (MPD) members who stop operators of unregistered vehicles.

II. DEFINITIONS

Motor Vehicle – Any vehicle propelled by internal-combustion engine, electricity, or steam, including any non-operational vehicle that is being restored or repaired. The term "motor vehicle" shall not include road rollers, farm tractors, vehicles propelled only upon stationary rails or tracks, personal mobility devices, as defined by DC Official Code § 50-2201.02(12A), or a battery-operated wheelchair when operated by a person with a disability.

III. PROCEDURES

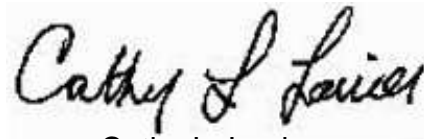
- A. For purposes of counting the number of days a vehicle has been unregistered, the day after the registration has expired shall be considered day one (1).

- B. For vehicles that are unregistered for thirty (30) days or less:
 - 1. Members may issue a notice of infraction (NOI) using *Code T400: "Unregistered Vehicle 30 Days or Less"* [DC Official Code § 50-1501.04(c)(1)] – \$100 fine.
 - 2. Members shall allow the operator to continue to operate the vehicle.
- C. For vehicles that are unregistered or expired for more than thirty (30) days:
 - 1. Members may issue an NOI using *Code T404: "Unregistered Vehicle, More than 30 Days"* [DC Official Code § 50-1501.04(c)(2)] – \$200 fine.
 - 2. Members may request towing for, and impound the motor vehicle taking into account the totality of the circumstances. The tow shall be requested pursuant to GO-OPS-303.03 (Tow Crane Operation and Enforcement).
- D. Members shall no longer issue NOIs under *Code T672 – "Failure to display or have current tags"* (18 DCMR § 1101.3).
- E. Members may arrest operators who are operating a motor vehicle with tags/registration certificate from a different vehicle for *"Counterfeit Tags/Vehicle Documents"* (18 DCMR § 1104.4).
- F. Members **shall not arrest** operators for "Unregistered Vehicle" (DC Code § 50-1501.04) by custodial arrest or by issuance of a PD Form 61D (Violation Citation) when stopping an unregistered vehicle, to include vehicles for which the registration/tags are expired, **unless** the operator violates DC Code § 50-1501.04(a)(3) [false statements in registration application] or (4) [fraudulent temporary tags]].

IV. CROSS REFERENCES

- A. GO-OPS-303.03 (Tow Crane Operation and Enforcement)
- B. SOP-05-02 PD [Form 61D (Violation Citation)]
- C. Criminal Penalty for Uninsured Motorist Repeal Emergency Amendment Act of 2011, *Effective Date October 21, 2011*
- D. DC Official Code § 50-2201.02 (Definitions)
- E. DC Official Code § 50-1501.04 (Unlawful acts; penalty)
- F. 18 DCMR § 1101 (Offenses Related To Title, Registration, and Identification Tags)

- G. 18 DCMR § 1104 (False Statements, Alterations, Forgery, and Dishonored Checks)

A handwritten signature in black ink that reads "Cathy L. Lanier". The signature is written in a cursive style with a large initial 'C'.

Cathy L. Lanier
Chief of Police

CLL:PAB:MOC:PHC