

CHAP. 443.—An Act To provide for the regulation of motor-vehicle traffic in the District of Columbia, increase the number of judges of the police court, and for other purposes

March 3, 1925.
[S. 4207.]
[Public, No. 561.]

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 "District of Columbia Traffic Act, 1925."

District of Columbia
Traffic Act, 1925.

DEFINITIONS

Definitions.

SEC. 2. When used in this Act—

Meaning of terms.

(a) The term "motor vehicle" means all vehicles propelled by internal-combustion engines, electricity, or steam, except traction engines, road rollers, and vehicles propelled only upon rails and tracks;

"Motor vehicle."

(b) The term "court" means the police court of the District of Columbia;

"Court."

(c) The term "District of Columbia Code" means the Act entitled "An Act to establish a code of law for the District of Columbia, approved March 3, 1901," as amended;

"District of Columbia Code."

(d) The term "District" means the District of Columbia;

"District."

(e) The term "commissioners" means the Board of Commissioners of the District of Columbia;

"Commissioners."

(f) The term "director" means the director of traffic of the District of Columbia;

"Director."

(g) The term "person" means individual, partnership, corporation, or association;

"Person."

(h) The term "park" means to leave any motor vehicle standing on a public highway, whether or not attended;

"Park."

(i) The term "public highway" means any street, road, or public thoroughfare; and

"Public highway."

(j) The term "this Act" includes all lawful regulations issued thereunder by the commissioners.

"This Act."

ADDITIONAL JUDGES FOR THE POLICE COURT

Police court.

SEC. 3. (a) Section 42 of the District of Columbia Code is amended to read as follows:

Vol. 31, p. 1196, amended.

"SEC. 42. CONSTITUTION.—The police court of the District shall consist of four judges learned in the law, appointed by the President, by and with the advice and consent of the Senate. No person shall be so appointed unless he has been an actual resident of the District for a period of at least five years immediately preceding his appointment and has been in the actual practice of law before the Supreme Court of the District for a period of five years prior to his original appointment. The term of office of each judge shall be six years, except that any judge in office at the expiration of the term for which he was appointed may continue in office until his successor takes office. Each judge shall be subject to removal by the President for cause. The salary of each judge shall be fixed in accordance with the Classification Act of 1923. The judges shall hold separate sessions and may carry on the business of the court separately and simultaneously, but the holding of such sessions shall be so arranged that the court shall be open continuously from nine o'clock antemeridian until eleven o'clock postmeridian each day, Sundays excepted, for the trial of cases involving violations of traffic laws and regulations. The judges shall have power to make rules for the apportionment of business between them and the act of each judge respecting the business of the court shall be deemed and taken to be the act of the court. Each judge when appointed shall take the oath prescribed for judges of courts of the United States."

To consist of four judges.

Appointment, qualifications, etc.

Salary.
Separate sessions

For traffic cases.

Status of present judges not affected.

(b) Nothing contained in this section shall affect the term of office of the present judges of the police court or require their re-appointment.

Additional deputy clerks and bailiffs.

(c) The judges of the police court are authorized to appoint not exceeding two additional deputy clerks and two additional bailiffs, if the business of the court requires it. The salaries of such additional deputy clerks and bailiffs shall be fixed in accordance with the Classification Act of 1923.

Rooms, equipment, etc., for enlarged court.

(d) The commissioners shall provide for the use of the police court as enlarged by this Act such additional quarters, furniture, books, stationery, and office equipment as may, in their opinion, be necessary for the efficient execution of the functions of the court, and as may be appropriated for by the Congress from time to time.

Trials. Vol. 31, p. 1196, amended.

SEC. 4. The second paragraph of section 44 of the District of Columbia Code hereby is amended to read as follows: "In all cases where the accused would not by force of the Constitution of the United States be entitled to a trial by jury, the trial shall be by the court without a jury, unless in such of said last-named cases wherein the fine or penalty may be more than \$300, or imprisonment as punishment for the offense may be more than ninety days, the accused shall demand a trial by jury, in which case the trial shall be by jury. In all cases where the said court shall impose a fine it may, in default of the payment of the fine imposed, commit the defendant for such a term as the court thinks right and proper, not to exceed one year."

By the court.

By jury if demanded. Condition.

Jurors for police court.

JURORS FOR POLICE COURT

Vol. 31, p. 1197, amended.

SEC. 5. (a) Section 45 of the District of Columbia Code is amended to read as follows:

Qualifications and selection.

"SEC. 45. JURY.—The jury for service in said court shall consist of twelve men, who shall have the legal qualifications necessary for jurors in the Supreme Court of the District, and shall receive a like compensation for their services, and such jurors shall be drawn and selected under and in pursuance of the laws concerning the drawing and selection of jurors for service in said court. The term of service of jurors drawn for service in the police court shall be for one jury term and, in any case on trial at the expiration of any jury term until a verdict has been rendered or the jury discharged. The jury terms shall begin on the first Monday and the third Monday of each month of the year. The jury term beginning on the first Monday of each month shall terminate at the end of two weeks, and the jury term beginning on the third Monday of each month shall terminate on the Saturday next preceding the beginning of the next jury term. When at any term of said court it shall happen that in a pending trial no verdict shall be found, nor the jury otherwise discharged before the next succeeding term of the court, the court shall proceed with the trial by the same jury, as if said term had not commenced."

Service.

Bimonthly terms.

Drawing jurors.

Vol. 41, p. 559, amended.

(b) The third paragraph of section 204 of the District of Columbia Code is amended so as to compose two paragraphs to read as follows:

Bimonthly, for police court.

"At least ten days before the first Monday and at least ten days before the third Monday of each month of the year the said jury commission shall likewise draw from the jury box the names of such number of persons as the police court of the District of Columbia may from time to time direct to serve as jurors in the police court and shall forthwith certify to the clerk of the Supreme Court of the District of Columbia the names of the persons so drawn as jurors."

“At least ten days before the first Monday in January, the first Monday in April, the first Monday in July, and the first Monday in October of each year the said jury commission shall likewise draw from the jury box the names of persons to serve as jurors in the juvenile court of the District of Columbia in accordance with sections 14 and 15 of the Act of Congress approved March 19, 1906, creating the said juvenile court, and shall also draw from the jury box the names of persons to serve as jurors in any other court in the District of Columbia which hereafter may be given cognizance of jury trials, and shall certify the respective list of jurors to the clerk of the Supreme Court of the District of Columbia.”

Quarterly, for juvenile and other courts.

Vol. 34, p. 75.

DIRECTOR OF TRAFFIC—REGULATIONS

Director of traffic.

SEC. 6. (a) The commissioners are hereby authorized to appoint a director of traffic who, under the direction of the major and superintendent of police of the District of Columbia, shall perform the duties prescribed in this Act and such additional duties, not inconsistent therewith, in respect of the regulation and control of traffic in the District, as the commissioners may require. The term of office of the director shall be three years and his salary shall be fixed in accordance with the Classification Act of 1923. The director shall be subject to removal by the commissioners for cause.

Appointment under police authority, for control of traffic, etc.

Term.

(b) The Director is hereby authorized, beginning 50 days after the enactment of this Act, (1) to make reasonable regulations with respect to brakes, horns, lights, mufflers, and other equipment, the speed and parking of vehicles, the registration of motor vehicles, the issuance and revocation of operators' permits, and such other regulations with respect to the control of traffic in the District not in conflict with any law of the United States as are deemed advisable, which regulations shall remain in force until revoked by the director with the approval of the commissioners, and (2) to prescribe within the limitations of this Act reasonable penalties of fine, or imprisonment not to exceed ten days in lieu of or in addition to any fine, for the violation of any such regulation. Such regulations shall become effective when adopted and promulgated by the commissioners in accordance with law.

Regulations of motor vehicle traffic, to be made by.

Penalties for violations.

(c) Regulations promulgated under subdivision (b) shall, when adopted, be printed in one or more of the daily newspapers published in the District, and no penalty shall be enforced for any violation of any such regulation which occurs within ten days after such publication, except that whenever it is deemed advisable to make immediately effective any regulation relating to parking, diverting of vehicle traffic, or closing of streets to such traffic, the regulation shall be effective immediately upon placing at the point where it is to be in force conspicuous signs containing a notice of the regulation. The placing at or upon the public highway of any sign relating to parking or the regulation of traffic, except by the authority of the director is prohibited.

Publication of regulations in newspapers, etc.

Parking signs except by director prohibited.

(d) The commissioners are hereby authorized to appoint one additional assistant to the corporation counsel, whose salary shall be fixed in accordance with the Classification Act of 1923.

Additional assistant to corporation counsel, authorized.

OPERATORS' PERMITS

Operators' permits.

SEC. 7. (a) Upon application made under oath and the payment of the fee hereinafter prescribed, the director is hereby authorized to issue annually a motor-vehicle operator's permit to any individual who, after examination, in the opinion of the director, is mentally, morally, and physically qualified to operate a motor vehicle in such

Application requirements.

Examinations, etc.	manner as not to jeopardize the safety of individuals or property. The director shall cause each applicant to be examined as to his knowledge of the traffic regulations of the District and shall require the applicant to give a practical demonstration of his ability to operate a motor vehicle within a congested portion of the District and in the presence of such individuals as he may authorize to conduct the demonstration, except that upon the renewal of any such operator's permit such examination and demonstration may be waived
Period for.	in the discretion of the director. Operators' permits shall be issued for a period not in excess of one year expiring on March 31st, and shall be renewable for periods of one year upon compliance with such regulations and the payment of such fee, not exceeding \$1, as the Director of Traffic may prescribe. The fee for any such permit shall be \$2 except that in case of any permit which will expire within less than six months of the date of its issuance the fee shall be \$1. In case of the loss of an operator's permit the individual to whom such permit was issued shall forthwith notify the director, who shall furnish such individual with a duplicate permit. The fee for each such duplicate permit shall be 50 cents. No operator's permit shall be issued to any individual under 16 years of age; and no such permit shall be issued to any individual 16 years of age or over but under 18 years of age for the operation of any motor vehicle other than a passenger vehicle used solely for purposes of pleasure and owned by such individual or his parent or guardian, or a motor cycle, or a motor bicycle.
Fees.	(b) Each operator's permit shall (1) state the name and address of the holder, together with such other matter as the director may by regulation prescribe, and (2) contain his signature and space for the notation of convictions for violations of the traffic laws of the District.
Lost permits.	(c) Any individual to whom has been issued a permit to operate a motor vehicle shall have such permit in his immediate possession at all times when operating a motor vehicle in the District and shall exhibit such permit to any police officer when demand is made therefor. Any individual failing to comply with the provisions of this subdivision shall, upon conviction thereof, be fined not less than \$2 nor more than \$40: <i>Provided</i> , That this shall not apply to transient visitors from States in the Union.
Age, etc., restriction.	(d) The director shall provide by regulation for the issuance without charge, upon application therefor, of operators' permits under the provisions of this Act to individuals in possession of operators' permits issued to such individuals in the District prior to the enactment of this Act. Such permits shall be issued with or without the examination and practical demonstration provided in subdivision (a) of this section, as the director may deem advisable. All such permits shall expire on March 31, 1926.
Details on permits.	(e) No individual shall operate a motor vehicle in the District, except as provided in section 8, without having first obtained an operator's permit issued under the provisions of this Act. Any individual violating any provision of this subdivision shall, upon conviction thereof, be fined not more than \$500 or imprisoned for not more than one year, or both.
Possession when operating.	(f) Nothing in this Act shall relieve any individual from compliance with the Act entitled, "An Act to amend the license law, approved July first, nineteen hundred and two, with respect to licenses of drivers of passenger vehicles for hire," approved January 29, 1913.
Fine for failure.	
<i>Proviso.</i> Transient visitors excepted.	
Issuance to present holders.	
Operating vehicle without permit forbidden.	
Penalty for.	
Licenses, etc., for passenger vehicles for hire not affected. Vol. 37, p. 653.	

NONRESIDENTS

Nonresidents.

SEC. 8. (a) The owner or operator of any motor vehicle who is not a legal resident of the District, and who has complied with the laws of any State, Territory, or possession of the United States, or of a foreign country or political subdivision thereof, in respect of the registration of motor vehicles and the licensing of operators thereof, shall, subject to the provisions of this section, be exempt from compliance with section 7 and with any provision of law or regulation requiring the registration of motor vehicles or the display of identification tags in the District. Such exemption shall cover the period immediately following the entrance of such owner or operator into the District equal to the period for which the director has previously found that a similar privilege is extended to legal residents of the District by such State, Territory, or possession of the United States, or foreign country or political subdivision thereof. The director shall from time to time ascertain such privileges and cause his findings to be promulgated.

Exempt from registration, etc.

Period of exemption.

(b) Any operator of a motor vehicle who is not a legal resident of the District and who does not have in his immediate possession an operator's permit issued by a State, Territory, or possession of the United States, or foreign country or political subdivision thereof, having motor vehicle reciprocity relations with the District, shall not operate a motor vehicle in the District unless (1) the laws of the State, Territory, or possession of the United States, or foreign country or political subdivision thereof, under which the motor vehicle is registered do not require the issuance of a motor vehicle operator's permit or (2) he has submitted to examination within 72 hours after entering the District and obtained an operator's permit in accordance with the provisions of section 7 of this Act. Any individual who violates any provision of this subdivision shall, upon conviction thereof, be fined not less than \$5 nor more than \$50 or imprisoned not less than 30 days, or both.

Restriction if non-resident operating without outside permit.

Unless laws of State, etc., do not require permit.

Submits to examination within 72 hours.

Penalty for violation.

SPEEDING AND RECKLESS DRIVING

Speeding, etc.

SEC. 9. (a) No motor vehicle shall be operated upon any public highway in the District at a rate of speed greater than 22 miles per hour, except in such outlying districts, and on such arterial highways, as the director may designate.

Rate allowed.

(b) No individual shall operate a motor vehicle over any public highway in the District (1) recklessly; or (2) at a rate of speed greater than is reasonable and proper, having regard to the width of the public highway, the use thereof, and the traffic thereon; or (3) so as to endanger any property or individual; or (4) so as unnecessarily or unreasonably to damage the public highway.

Specified restrictions.

(c) Any individual violating any provision of this section where the offense constitutes reckless driving shall, upon conviction for the first offense, be fined not less than \$25 nor more than \$100 or imprisoned not less than 10 days nor more than 30 days; and upon conviction for the second or any subsequent offense such individual shall be fined not less than \$100 nor more than \$1,000, and shall be imprisoned not less than 30 days nor more than one year, and the clerk of the court shall certify forthwith such conviction to the director, who shall thereupon revoke the operator's permit of such individual.

Penalties for reckless driving.

Revocation of permit.

(d) Any individual violating any provision of this section, except where the offense constitutes reckless driving, shall, upon conviction for the first offense, be fined not less than \$5 nor more than \$25; upon conviction for the second offense, such individual shall be fined not

Penalties for other violations.

less than \$25 nor more than \$100; upon conviction for the third offense or any subsequent offense such individual shall be fined not less than \$100 nor more than \$500, and shall be imprisoned not less than 30 days nor more than one year, and the clerk of the court shall certify forthwith such conviction to the director, who shall thereupon revoke the operator's permit of such individual.

Fleeing from accidents.

FLEEING FROM SCENE OF ACCIDENT—DRIVING UNDER INFLUENCE OF LIQUOR OR DRUGS

Operator causing accident to stop, give name, etc., to other individual, etc.

SEC. 10. (a) No individual while operating a motor vehicle in the District, knowing that such motor vehicle has struck any individual or any vehicle, or that such vehicle has been struck by any other vehicle, shall leave the place where the collision or injury occurred without stopping and giving his name, place of residence, including street and number, and registration and operator's permit numbers to the individual so struck or to the owner or operator of the other vehicle if such owner or operator is present, or if such owner or operator is not present then to bystanders. Any operator whose vehicle strikes or causes personal injury to an individual and who fails to conform to the requirements of this subdivision shall, upon conviction of the first offense be fined not less than \$100 nor more than \$500 and shall be imprisoned for a term of not less than sixty days and not more than six months; and upon the conviction of a second or subsequent offense shall be fined not less than \$500 nor more than \$1,000 and shall be imprisoned for a term of not less than six months nor more than one year. And any operator whose vehicle strikes or causes damage to any other vehicle and who fails to conform to the requirements of this subdivision shall upon conviction of the first offense be fined not more than \$500 or imprisoned not more than six months, or both; and for the second or any other subsequent offense be fined not more than \$1,000 or imprisoned not more than one year, or both.

Penalty for failure to comply, if causing personal injury.

If damaging other vehicle.

Operating vehicle while intoxicated, etc., forbidden. Penalty for.

(b) No individual shall, while under the influence of any intoxicating liquor or narcotic drug, operate any motor vehicle in the District. Any individual violating any provision of this subdivision shall upon conviction for the first offense be fined not less than \$100 nor more than \$500 and imprisoned not less than sixty days nor more than six months; and upon conviction for the second or any subsequent offense, be fined not less than \$200 nor more than \$1,000 and imprisoned not less than six months nor more than one year.

Revocation of permits.

(c) Upon conviction of a violation of any provision of this section the clerk of the court shall certify forthwith such conviction to the director who shall thereupon revoke the operator's permit of such individual.

Smoke screens.

SMOKE SCREENS

Prohibitions.

Having device in possession.

Use of.

Equipment for.

Punishment for.

SEC. 11. (a) No individual shall knowingly—

(1) Have in his possession any device designed to cause the emission from a motor vehicle of a dense mass of smoke commonly called a smoke screen;

(2) Use or permit the use of any such device in the operation of any motor vehicle; or

(3) Have in his possession or control any motor vehicle equipped with any such device or specially fitted for the attachment thereto of any such device.

(b) Any individual violating any provision of this section shall be guilty of a felony and upon conviction shall be punished by imprisonment in the penitentiary for a term of not less than one year nor more than five years.

REPORTING BY GARAGE KEEPER OF CARS DAMAGED IN ACCIDENTS

Damaged cars.

SEC. 12. The individual in charge of any garage or repair shop to which is brought any motor vehicle which shows evidence of having been involved in an accident or struck by bullets shall report to a police station within 24 hours after such motor vehicle is received, giving the make of the motor vehicle, the engine number, the registry number, and the name and address of the owner or operator of such motor vehicle. Any such individual failing so to report shall, upon conviction thereof, be fined not less than \$25 nor more than \$100 for each offense.

Garage keeper, etc., to report any motor having been in an accident, etc.

Penalty for failure.

REVOCATION OR SUSPENSION OF OPERATORS' PERMITS

Revocation, etc., of permits.

SEC. 13. (a) The director may in his discretion (except where for any violation of this Act revocation of the operator's permit is mandatory) revoke or suspend the operator's permit of any individual convicted of a violation of any of the provisions of this Act, or after notice and upon hearing for the violation of any regulation made under the authority of this Act.

Authority of director for.

(b) In case the operator's permit of any individual is revoked no new permit shall be issued to such individual for at least six months after the revocation except in the discretion of the director.

Restriction on issuing new ones.

(c) Any individual not having an operator's permit issued by the director but having in his immediate possession an operator's permit issued by any State, Territory, or possession of the United States, or foreign country or political subdivision thereof shall, upon conviction of a violation of any provision of this Act requiring the revocation or suspension for any period of the operator's permit, have his right to operate in the District under the permit of such State, Territory, or possession of the United States, or foreign country or political subdivision thereof, suspended for such period as the director may prescribe, and the proper authority at the place of issuance of the permit shall be notified of such suspension and the reason therefor.

Suspension of right to operate in the District of holder of a State, etc., permit for violating provisions of Act.

(d) Any individual found guilty of operating a motor vehicle in the District during the period for which his operator's permit is revoked or suspended or for which his right to operate is suspended under this Act shall, for each such offense, be fined not less than \$100 nor more than \$500, or imprisoned not less than 30 days nor more than one year, or both.

Penalty for operating vehicle if permit is revoked, etc.

ARTERIAL HIGHWAYS OR BOULEVARDS

Arterial highways.

SEC. 14. For the purpose of expediting motor-vehicle traffic the director is authorized and directed to designate and establish as arterial highways or boulevards such public highways as he deems advisable, to provide for the equipment of any such highway or boulevard with such traffic-control lights and other devices for the proper regulation of traffic thereon, as may be appropriated for by the Congress from time to time.

Establishment of, by director, authorized.

ADDITIONAL POLICE

Police.

SEC. 15. The commissioners are authorized to appoint one hundred additional privates for the Metropolitan police force.

Additional privates authorized.

REPEALS

Laws repealed.

SEC. 16. (a) The provisions of the Act entitled "An Act regulating the speed of automobiles in the District of Columbia, and for

Speed of automobiles. Vol. 34, p. 621.

Police traffic regulations.
Vol. 24, pp. 368, 369.

Vol. 27, p. 394.

Motor vehicles, licenses.
Vol. 39, p. 1012.

Operating, while intoxicated.
Vol. 39, p. 1129.

Park system under Chief of Engineers not interfered with.

Prosecution of prior offences under former law.

Effective date.

EFFECTIVE DATE OF ACT

Issue of permits and repeals, in 60 days.

The rest, except regulations, at once.

other purposes," approved June 29, 1906, and, in so far as they relate to the regulation of vehicles or vehicle traffic in the District, the provisions of the Act entitled "An Act to authorize the Commissioners of the District of Columbia to make police regulations for the government of said District," approved January 26, 1887, and of the joint resolution entitled "Joint resolution to regulate licenses to proprietors of theaters in the city of Washington, District of Columbia, and for other purposes," approved February 26, 1892, and of the Act entitled "An Act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and eighteen, and for other purposes," approved March 3, 1917, are repealed. The provisions of section 20 of the Act entitled "An Act to prevent the manufacture and sale of alcoholic liquors in the District of Columbia, and for other purposes," approved March 3, 1917, shall not apply to any person operating any motor vehicle in the District.

(b) Nothing contained in this Act shall be construed to interfere with the exclusive charge and control heretofore committed to the Chief of Engineers over the park system of the District, and he is hereby authorized and empowered to make and enforce all regulations for the control of vehicles and traffic, and limiting the speed thereof on roads, highways, and bridges within the public grounds in the District, under his control, subject to the penalties prescribed in this Act.

(c) Any violation of any provision of law or regulation issued thereunder which is repealed by this Act and any liability arising under such provisions or regulations may, if the violation occurred or the liability arose prior to such repeal, be prosecuted to the same extent as if this Act had not been enacted.

SEC. 17. (a) The following provisions of this Act shall take effect sixty days after its enactment: Sections 7 and 8, and subdivision (a) of section 16.

(b) Except as provided in subdivision (a) of this section and in subdivision (b) of section 6, the provisions of this Act shall take effect upon its enactment.

SEPARABILITY OF PROVISIONS

Invalidity of any provision not to effect remainder of Act.

SEC. 18. If any provision of this Act is declared unconstitutional, or the applicability thereof to any person or circumstance is held invalid, the validity of the remainder of the Act and the applicability of such provision to other persons and circumstances shall not be affected thereby.

Approved, March 3, 1925.

CHAP. 444.—An Act To authorize the building of a bridge across the Congaree River in South Carolina

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the State Highway Department of South Carolina be, and is hereby, authorized to construct, maintain, and operate a highway bridge and approaches thereto across the Congaree River at a point suitable to the interests of navigation at or near the city of Columbia, between the counties of Richland and Lexington, South Carolina, in accordance with the provisions of the Act entitled "An Act to regu-

March 3, 1925.

[S. 4210.]

[Public No. 562.]

Congaree River.
South Carolina may
bridge, Columbia.

Construction.

Vol. 34, p. 84.