

3201 FINE AMOUNTS

3201.1 The fines for the infractions specified in § 3200.1 shall be as follows:

- (a) For Class 1 infractions, the fines are as follows:
 - (1) For the first offense \$ 2,000;
 - (2) For the second offense \$ 4,000;
 - (3) For the third offense \$ 8,000;
 - (4) For the fourth and subsequent offenses \$16,000;
- (b) For Class 2 infractions, the fines are as follows:
 - (1) For the first offense \$ 1,000;
 - (2) For the second offense \$ 2,000;
 - (3) For the third offense \$ 4,000;
 - (4) For the fourth and subsequent offenses \$ 8,000;
- (c) For Class 3 infractions, the fines are as follows:
 - (1) For the first offense \$ 500;
 - (2) For the second offense \$ 1,000;
 - (3) For the third offense \$ 2,000;
 - (4) For the fourth and subsequent offenses \$ 4,000;
- (d) For Class 4 infractions, the fines are as follows:

- (1) For the first offense
\$ 100;
 - (2) For the second offense
\$ 200;
 - (3) For the third offense
\$ 400;
 - (4) For the fourth and subsequent offenses \$ 800;
- (e) For Class 5 infractions, the fines are as follows:
- (1) For the first offense
\$ 50;
 - (2) For the second offense
\$ 100;
 - (3) For the third offense
\$ 200;
 - (4) For the fourth and subsequent offenses \$ 400;

3201.2 An infraction shall be a repeat infraction and shall carry the enhanced penalties set forth in § 3201.1 if:

- (a) The infraction is a violation by the same person of the same provision of a law or rule committed within 3 years following the initial infraction; or
- (b) The infraction is a violation by the same person within the same three-year (3 year) period and involves the same property, building or dwelling unit as the initial infraction and where both infractions involve a violation of any housing code provision or housing regulation of the Housing Regulations Subtitle A of Title 14 DCMR.

3201.3 An infraction committed by an individual acting as agent, partner, director, officer, or employee of a person shall be considered to have been committed by that person.

3201.4 For purpose of this Title, the term "person" means corporations, firms, agencies, companies, associations, organizations, partnerships, societies, and joint stock companies, as well as individuals.

- 3201.5 When a Notice of Infraction is issued, an the infraction is for the violation of a law contained in an unenacted title of the D.C. Official Code, or any superseding official code, the Notice of Infraction may cite the D.C. Official Code, or any superseding official code, provision instead of the organic law citation cited in this Title.
- 3201.6 The parenthetical language which follows the laws or regulations listed in this Title is only descriptive and the provisions of the cited law or regulation are controlling if there is any conflict between the cited law or regulation and the descriptive parenthetical language.
- 3201.7 The fine amounts for infractions classified under sections 16-3637, 16-3644, 16-3645, 16-3646, 16-3650, 16-3651, and 16-3662 shall be double the amounts provided in subsection 3201.1. The revenue realized as a result of the increase in the fine grants under this subsection shall be deposited in the General Fund of the District of Columbia.

SOURCE: Final Rulemaking published at 46 DCR 6017 (July 23, 1999); as amended by Final Rulemaking published at 47 DCR 4617 (August 4, 2000); as amended by Final Rulemaking published at 47 DCR 6892 (August 25, 2000); as amended by Final Rulemaking published at 47 DCR 8091 (October 4, 2000); as amended by Final Rulemaking published at 47 DCR 9677 (December 8, 2000); as amended by Final Rulemaking published at 48 DCR 6656 (July 27, 2001); as amended by Final Rulemaking published at 48 DCR 7212 (August 3, 2001); as amended by Final Rulemaking published at 50 DCR 990 (January 31, 2003); as amended by Final Rulemaking published at 50 DCR 1514 (February 14, 2003); as amended by Final Rulemaking published at 51 DCR 7394 (July 30, 2004); as amended by Final Rulemaking published at 52 DCR 4903 (May 27, 2005); as amended by the Fiscal Year 2010 Budget Support Act of 2009, effective March 3, 2010 (D.C. Law 18-111), at 57 DCR 181, 210 (January 8, 2010).