

## EFFECTIVE DATE OF 2003 AMENDMENT

Pub. L. 108-83, title I, §1003(c), Sept. 30, 2003, 117 Stat. 1022, provided that: “This section [amending this section and enacting provisions set out as a note under this section] shall take effect on the date on which the Committee on Rules and Administration of the Senate and the Committee on House Administration of the House of Representatives approve regulations prescribed by the Capitol Police Board for the sole implementation, execution and maintenance of the truck interdiction program.” [Regulations approved by Committee on Rules and Administration of the Senate on Jan. 5, 2004, and by Committee on House Administration of the House of Representatives on Dec. 18, 2003.]

## RULE OF CONSTRUCTION

Pub. L. 108-83, title I, §1003(b), Sept. 30, 2003, 117 Stat. 1022, provided that: “Nothing in the amendments made by this section [amending this section] may be construed to limit the authority of the Capitol Police as in effect before the effective date of this section [see Effective Date of 2003 Amendment note set out above].”

**§ 1968. Citation release****(a) In general**

The Chief of the Capitol Police, with the approval of the Capitol Police Board, may designate a member of the Capitol Police to have responsibility for citation release.

**(b) Authority**

(1) In the same manner as provided for with respect to an official of the Metropolitan Police Department of the District of Columbia under section 23-1110(a) of the District of Columbia Code, the Superior Court of the District of Columbia shall have the authority to appoint the member of the Capitol Police designated under subsection (a) of this section to take bail or collateral from persons charged with offenses triable in the Superior Court of the District of Columbia. Pursuant to that authority—

(A) the citation power described in subsection (b) of section 23-1110 of the District of Columbia Code shall be exercised by such member of the Capitol Police in the same manner as by an official of the Metropolitan Police Department; and

(B) paragraph (4) of subsection (b) of section 23-1110 of the District of Columbia Code, relating to failure to appear, shall apply with respect to citations under subparagraph (A) of this paragraph.

(2) The United States District Court for the District of Columbia shall have the power to authorize the member of the Capitol Police referred to in subsection (a) of this section to take bond from persons arrested upon writs and process from that court in criminal cases in the same manner as provided for with respect to an official of the Metropolitan Police Department of the District of Columbia under the third sentence of section 23-1110(a) of the District of Columbia Code.

(Pub. L. 104-186, title I, §108, Aug. 20, 1996, 110 Stat. 1723.)

**Editorial Notes**

## CODIFICATION

Section was classified to section 212a-5 of former Title 40, prior to the enactment of Title 40, Public

Buildings, Property, and Works, by Pub. L. 107-217, §1, Aug. 21, 2002, 116 Stat. 1062.

**§ 1969. Regulation of traffic by Capitol Police Board****(a) Exclusive charge and control of all vehicular and other traffic**

The Capitol Police Board, consisting of the Sergeant at Arms of the United States Senate, the Sergeant at Arms of the House of Representatives, and the Architect of the Capitol, shall have exclusive charge and control of the regulation and movement of all vehicular and other traffic, including the parking and impounding of vehicles and limiting the speed thereof, within the United States Capitol Grounds; and said Board is authorized and empowered to make and enforce all necessary regulations therefor and to prescribe penalties for violation of such regulations, such penalties not to exceed a fine of \$300 or imprisonment for not more than ninety days. Notwithstanding the foregoing provisions of this section those provisions of the District of Columbia Traffic Act of 1925, as amended, for the violation of which specific penalties are provided in said Act, as amended, shall be applicable to the United States Capitol Grounds. Prosecutions for violation of such regulations shall be in the Superior Court of the District of Columbia, upon information by the Corporation Counsel of the District of Columbia or any of his assistants.

**(b) Promulgation of regulations**

Regulations authorized to be promulgated under this section shall be promulgated by the Capitol Police Board and such regulations may be amended from time to time by the Capitol Police Board whenever it shall deem it necessary: *Provided*, That until such regulations are promulgated and become effective, the traffic regulations of the District of Columbia shall be applicable to the United States Capitol Grounds.

**(c) Printing of regulations and effective dates**

All regulations promulgated under the authority of this section shall, when adopted by the Capitol Police Board, be printed in one or more of the daily newspapers published in the District of Columbia, and shall not become effective until the expiration of ten days after the date of such publication, except that whenever the Capitol Police Board deems it advisable to make effective immediately any regulation relating to parking, diverting of vehicular traffic, or the 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. Any expenses incurred under this subsection shall be payable from the appropriation “Uniforms and Equipment, Capitol Police”.

**(d) Cooperation with Mayor of District of Columbia**

It shall be the duty of the Mayor of the District of Columbia, or any officer or employee of the government of the District of Columbia designated by said Mayor upon request of the Capitol Police Board, to cooperate with the Board in the preparation of the regulations authorized to be promulgated under this section, and any future amendments thereof.

(July 31, 1946, ch. 707, §14, 60 Stat. 720; July 11, 1947, ch. 221, 61 Stat. 308; Pub. L. 87-873, §1, Oct. 23, 1962, 76 Stat. 1171; Pub. L. 88-60, §1, July 8, 1963, 77 Stat. 77; 1967 Reorg. Plan No. 3, §401, eff. Nov. 3, 1967, 32 F.R. 11669, 81 Stat. 951; Pub. L. 91-358, title I, §155(a), July 29, 1970, 84 Stat. 570; Pub. L. 93-198, title IV, §421, title VII, §739(g)(6), Dec. 24, 1973, 87 Stat. 789, 829.)

### Editorial Notes

#### REFERENCES IN TEXT

The District of Columbia Traffic Act of 1925, as amended, referred to in subsec. (a), is act Mar. 3, 1925, ch. 443, 43 Stat. 1119, as amended, which is not classified to the Code.

#### CODIFICATION

Section was classified to section 212b of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107-217, §1, Aug. 21, 2002, 116 Stat. 1062.

#### AMENDMENTS

1973—Subsec. (a). Pub. L. 93-198, §739(g)(6), struck out “, except on those streets and roadways shown on the map referred to in section 193a of this title as being under the jurisdiction and control of the Commissioner of the District of Columbia”.

1947—Subsec. (b). Act July 11, 1947, §1, struck out reference to six months after July 31, 1946, as the time for promulgation of regulations and authorized amendment of regulations.

Subsec. (c). Act July 11, 1947, §2, authorized certain traffic regulations to be effective immediately upon placing conspicuous signs containing notice of regulations at the places affected thereby and inserted provision for payment of expenses.

### Statutory Notes and Related Subsidiaries

#### CHANGE OF NAME

“District of Columbia Court of General Sessions” changed to “Superior Court of the District of Columbia” pursuant to Pub. L. 91-358, which provided that such change is effective first day of seventh calendar month which begins after July 29, 1970.

Pub. L. 87-873, §1, Oct. 23, 1962, 76 Stat. 1171 and Pub. L. 88-60, §1, July 8, 1963, 77 Stat. 77, both redesignated the “Municipal Court for the District of Columbia” as the “District of Columbia Court of General Sessions”.

#### EFFECTIVE DATE OF 1973 AMENDMENT

Pub. L. 93-198, title VII, §771(d), Dec. 24, 1973, 87 Stat. 836, provided that the amendment made by Pub. L. 93-198 is effective on Jan. 2, 1975, if a majority of the registered qualified electors in the District of Columbia voting on the charter issue in the charter referendum accepted the charter set out in title IV of Pub. L. 93-198, Dec. 24, 1973, 87 Stat. 785. The charter was approved by the voters on May 7, 1974.

### Executive Documents

#### TRANSFER OF FUNCTIONS

Except as otherwise provided in Reorg. Plan No. 3, of 1967, functions of Board of Commissioners of District of Columbia transferred to Commissioner of District of Columbia by section 401 of Reorg. Plan No. 3 of 1967. Office of Commissioner of District of Columbia, as established by Reorg. Plan No. 3 of 1967, abolished as of noon Jan. 2, 1975, by Pub. L. 93-198, title VII, §711, Dec. 24, 1973, 87 Stat. 818, and replaced by office of Mayor of District of Columbia by section 421 of Pub. L. 93-198. Accordingly, “Mayor” substituted in subsec. (d) for “commissioner”.

### § 1970. Assistance by Executive departments and agencies

#### (a) Assistance

##### (1) In general

Executive departments and Executive agencies may assist the United States Capitol Police in the performance of its duties by providing services (including personnel), equipment, and facilities on a temporary and reimbursable basis when requested by the Capitol Police Board or in accordance with paragraph (4) and on a permanent and reimbursable basis upon advance written request of the Capitol Police Board; except that the Department of Defense and the Coast Guard may provide such assistance on a temporary basis without reimbursement when assisting the United States Capitol Police in its duties directly related to protection under sections 1922, 1961, 1966, 1967, and 1969 of this title and sections 5101 to 5107 and 5109 of title 40.<sup>1</sup> Before making a request under this paragraph, the Capitol Police Board shall consult with appropriate Members of the Senate and House of Representatives in leadership positions, except in an emergency.

##### (2) Procurement

No services (including personnel), equipment, or facilities may be ordered, purchased, leased, or otherwise procured for the purposes of carrying out the duties of the United States Capitol Police by persons other than officers or employees of the Federal Government duly authorized by the Chairman of the Capitol Police Board to make such orders, purchases, leases, or procurements.

##### (3) Expenditures or obligation of funds

No funds may be expended or obligated for the purpose of carrying out this section other than funds specifically appropriated to the Capitol Police Board or the United States Capitol Police for those purposes with the exception of—

(A) expenditures made by the Department of Defense or the Coast Guard from funds appropriated to the Department of Defense or the Coast Guard in providing assistance on a temporary basis to the United States Capitol Police in the performance of its duties directly related to protection under sections 1922, 1961, 1966, 1967, and 1969 of this title and sections 5101 to 5107 and 5109 of title 40;<sup>1</sup> and

(B) expenditures made by Executive departments and agencies, in providing assistance at the request of the United States Capitol Police in the performance of its duties, and which will be reimbursed by the United States Capitol Police under this section.

##### (4) Provision of assistance

Assistance under this section shall be provided—

(A) consistent with the authority of the Capitol Police under sections 1961 and 1966 of this title;

(B) upon the written request of—

- (i) the Capitol Police Board; or
- (ii) in an emergency—

<sup>1</sup> See References in Text note below.