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2 Councilmember Mary M. Cheh

Councilmember Tommy Wells

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6 Councilmember Jack Evans

Councilmember Jim Graham

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10 Councilmember Yvette M. Alexander

Councilmember Michael A. Brown

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13 _____
14 Councilmember Muriel Bowser

Chairman Kwame R. Brown

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17 _____
18 Councilmember Marion Barry

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21 A BILL

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25 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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29 Councilmember Wells introduced the following bill which was referred to the
30 Committee on _____.

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32 To create a civil cause of action for a person who while riding a bicycle is the victim of an
33 intentional assault, injury, or harassment or the threat of assault, injury, or harassment,
34 and to provide for civil penalties, punitive damages, and attorney’s fees.

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36 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this
37 act may be cited as the “Assault of Bicyclists Prevention Act of 2011”.

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39 Sec. 2. Civil action.

40 (a) Irrespective of any criminal prosecution or the result of a criminal prosecution, a
41 person who while riding a bicycle is intentionally physically assaulted or otherwise intentionally
42 injured; threatened with physical assault or injury, whether by words, a vehicle, body part of

1 another, or other object; or intentionally distracted, or the attempt thereof, shall have a civil cause
2 of action in a court of competent jurisdiction for appropriate relief, which shall include:

3 (1) An injunction;

4 (2) Actual damages with regard to each such violation, or up to 3 times the
5 amount of the actual damages or \$1,000, whichever is greater;

6 (3) Punitive damages in the an amount to be determined by a jury or a court
7 sitting without a jury; and

8 (4) Reasonable attorney's fees and costs.

9 (b)(1) The relief provided for in subsection (a) of this section shall be in addition to all
10 other remedies provided by law.

11 (2) Nothing in this act shall preclude an aggrieved person from pursuing any other
12 remedy provided by law.

13 Sec. 3. Fiscal impact statement.

14 The Council adopts the fiscal impact statement in the committee report as the fiscal
15 impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act,
16 approved December 24, 1973 (84 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

17 Sec. 4. Effective date.

18 This act shall take effect following approval by the Mayor (or in the event of veto by the
19 Mayor, action by the Council to override the veto), a 30-day period of Congressional review as
20 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
21 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
22 Columbia Register.