SEC. 4. All laws now in force relating to the subsidiary silver coins of the United States and the coining or striking of the same; regulating and guarding the process of coinage; providing for the purchase of material, and for the transportation, distribution, and redemption of the coins; for the prevention of debasement or counterfeiting; for the security of the coin; or for any other purposes, whether said laws are penal or otherwise, shall, so far as applicable, apply to the coinage herein directed.

SEC. 5. The coins authorized herein shall be issued in such numbers, and at such times as they may be requested by the committee, person or persons duly authorized by said mayor of Hudson, New York, in the case of coins issued in commemoration of the founding of that city, and by the Providence Tercentenary Committee in the case of coins commemorating the founding of the city of Providence, Rhode Island, and in each case only upon payment to the United States of the face value of such coins.

Approved, May 2, 1935.

[CHAPTER 89.]

AN ACT

To promote safety on the public highways of the District of Columbia by providing for the financial responsibility of owners and operators of motor vehicles for damages caused by motor vehicles on the public highways in the District of Columbia; to prescribe penalties for the violation of the provisions of this Act, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act shall in no respect be considered as a repeal of any of the provisions of the Traffic Acts for the District of Columbia but shall be construed as supplemental thereto.

SEC. 2. The motor-vehicle operator’s permit and all of the registration certificates of any person who shall by a final order or judgment have been convicted of or shall have forfeited any bond or collateral given for a violation of any of the following provisions of law, to wit—

Driving while intoxicated,

Leaving the scene of an automobile accident in which personal injury occurs without making identity known, as provided in section 10 of said Traffic Acts;

A conviction of an offense in any other State, which if committed in the District of Columbia would be a violation of any of the aforesaid provisions of the Traffic Acts of the District of Columbia;

shall be suspended by the Commissioners of the District of Columbia or their designated agent and shall remain so suspended and shall not at any time thereafter be renewed, nor shall any other motor vehicle be thereafter registered in his name until he shall give proof of his ability to respond thereafter in damages resulting from the ownership or operation of a motor vehicle and arising by reason of personal injury to or death of any one person of at least $5,000, and, subject to the aforesaid limit for each person injured or killed, of at least $10,000 for such injury to or the death of two or more persons in any one accident, and for damage to property of at least $1,000 resulting from any one accident. Such proof in said amounts shall be furnished for each motor vehicle owned or registered by such person. If any such person shall fail to furnish said proof, his operator’s permit and registration certificates shall remain suspended and shall not at any time thereafter be renewed, nor shall any other
motor vehicle be thereafter registered in his name until such time as said proof be given. If such person shall not be a resident of the District of Columbia the privilege of operating any motor vehicle in the District of Columbia and the privilege of operation within the District of Columbia of any motor vehicle owned by him shall be withdrawn until he shall have furnished such proof: Provided, That in case of both residents and nonresidents, however, if it shall be duly established to the satisfaction of the said Commissioners or their designated agent, and the said Commissioners or their designated agent shall so find (a) that any such person so convicted, or who shall have pled guilty or forfeited bond or collateral, was, upon the occasion of the violation upon which such conviction, plea, or forfeiture was based, a chauffeur or motor-vehicle operator, however designated, in the employ of the owner of such motor vehicle; or a member of the same family and household of the owner of such motor vehicle, and (b) that there was not, at the time of such violation, or subsequent thereto, up to the date of such finding, any motor vehicle registered in the District of Columbia in the name of such person convicted, entering a plea of guilty or forfeiting bond or collateral, as aforesaid, then in such event, if the person in whose name such motor vehicle is registered shall give proof of ability to respond in damages, in accordance with the provisions of this Act (and the said Commissioners or their designated agent shall accept such proof from such person), such chauffeur or other person, as aforesaid, shall thereupon be relieved of the necessity of giving such proof in his own behalf. It shall be the duty of the clerk of the court in which any such judgment or order is rendered or other action taken to forward immediately to the said Commissioners or their designated agent a certified copy or transcript thereof, which said certified copy or transcript shall be prima facie evidence of the facts therein stated.

Sec. 3. The operator’s permit and all of the registration certificates of any person, in the event of his failure to satisfy every judgment arising from an accident, or accidents, happening subsequently to the effective date of this Act and which shall have become final by expiration, without appeal, of the time within which appeal might have been perfected or by final affirmance on appeal, rendered against him by a court of competent jurisdiction in the District of Columbia or any State, or in a district court of the United States, for damages on account of personal injury, or damages to property in excess of $100, resulting from the ownership or operation of a motor vehicle by him, his agent, or any other person with the express or implied consent of the owner, shall be forthwith suspended by the said Commissioners or their designated agent upon receiving a certified copy of such final judgment or judgments from the court in which the same is or are rendered showing such judgment or judgments to have been still unsatisfied more than thirty days after the same became final, and shall remain so suspended and shall not be renewed, nor shall any other motor vehicle be thereafter registered in his name while any such judgment remains unstayed, unsatisfied, and subsisting, nor until every such judgment is satisfied or discharged, except by a discharge in bankruptcy, and until the said person gives proof of his ability to respond in damages, as required in section 4 of this Act, for future accidents. It shall be the duty of the clerk of the court in which any such judgment is rendered to forward immediately upon the expiration of said thirty days to the said Commissioners or their designated agent a certified copy of such judgment or a transcript thereof. In the event the defendant is a nonresident, it shall be the duty of the said Commissioners or their
designated agent to transmit to the Commissioner of motor vehicles
(or officer in charge of the issuance of operators' permits and regis-
tration certificates) of the State of which the defendant is a resident
a certified copy of the said judgment. If after such proof has been
given any other such judgment shall be recovered against such person
for any accident occurring before such proof was furnished, and after
the effective date of this Act such permit and certificates shall again
be and remain suspended while any such judgment remains unsatis-
fixed and subsisting: Provided, however, That (1) when $5,000 has
been credited upon any judgment or judgments rendered in excess of
that amount for personal injury to or the death of one person as the
result of any one accident; (2) when, subject to the limit of $5,000
for each person, the sum of $10,000 has been credited upon any judg-
ments rendered in excess of that amount for personal injury to or the
death of more than one person as the result of any one accident; or
(3) when $1,000 has been credited upon any judgment or judgments
rendered in excess of that amount for damage to property as the
result of any one accident resulting from the ownership or operation
of a motor vehicle by such judgment debtor his agent, or any other
person, with his express or implied consent, then and in such event
such payment or payments shall be deemed a satisfaction of such
judgment or judgments for the purposes of this section only: And
provided further, That a judgment debtor to whom this section
applies may, for the sole purpose of giving authority to the Commis-
sioners or their designated agent to authorize the judgment debtor
to operate a motor vehicle thereafter, on due notice to the judgment
creditor, apply to the court in which the trial judgment was obtained
for the privilege of paying such judgment in installments, and the
court, in its discretion and without prejudice to any other legal
remedies which the judgment creditor may have, may so order, fixing
the amounts and times of payment of the installments. While the
judgment debtor is not in default in payment of such installments,
the Commissioners or their designated agent upon his giving proof
of ability to respond in damages for future accidents, as herein pro-
vided, may, in their discretion, restore or refrain from suspending
his operator's permit and registration certificate or certificates; but
such permit and certificate or certificates shall be suspended as here-
inbefore provided if and when the Commissioners or their designated
agent are satisfied that the judgment debtor has failed to comply
with the terms of the court order.

Whenever any motor vehicle, after the passage of this Act, shall
be operated upon the public highways of the District of Columbia
by any person other than the owner, with the consent of the owner,
express or implied, the operator thereof shall, in case of accident,
be deemed to be the agent of the owner of such motor vehicle, and
the proof of the ownership of said motor vehicle shall be prima
facie evidence that such person operated said motor vehicle with the
consent of the owner.

If any such motor-vehicle owner or operator shall not be a resident
of the District of Columbia, the privilege of operating any motor
vehicle in the District of Columbia and the privilege of operation
within the District of Columbia of any motor vehicle owned by him
shall be withdrawn, while any final judgment procured against him
for damages, including personal injury or death caused by the oper-
ation of any motor vehicle, in the District of Columbia or elsewhere,
shall be unstayed, unsatisfied, and subsisting, for more than thirty
days, and until he shall have given proof of his ability to respond
in damages for future accidents as required in section 4 of this Act.
The operation by a nonresident or by his agent of a motor vehicle on any public highway of the District of Columbia shall be deemed equivalent to an appointment by such nonresident of the director of vehicles and traffic or his successor in office to be his true and lawful attorney upon whom may be served all lawful processes in any action or proceedings against such nonresident growing out of any accident or collision in which said nonresident or his agent may be involved while operating a motor vehicle on any such public highway, and said operation shall be a signification of his agreement that any such process against him, which is so served, shall be of the same legal force and validity as if served upon him personally in the District of Columbia. Service of such process shall be made by leaving a copy of the process with a fee of $2 in the hands of the director of vehicles and traffic or in his office, and such service shall be sufficient service upon the said nonresident: Provided, That the plaintiff in such action shall first file in the court in which said action is commenced an undertaking in form and amount, and with one or more sureties, approved by said court, to reimburse the defendant, on the failure of the plaintiff to prevail in the action, for the expenses necessarily incurred by the defendant, including a reasonable attorney's fee in an amount to be fixed by the said court, in defending the action in the District of Columbia: And provided further, That notice of such service and a copy of the process are forthwith sent by registered mail by the plaintiff, or his attorney, to the defendant, and the defendant's return receipt appended to the writ and entered with the declaration, or such notice of such service and a copy of the process may be served upon the defendant in the manner provided by section 105 of the Code of Laws for the District of Columbia. The court in which the action is pending may order such continuances as may be necessary to afford the defendant a reasonable opportunity to defend the action, and no judgment by default in any such action shall be granted until at least twenty days shall have elapsed after service upon the defendant, as hereinabove provided, of a copy of the process and notice of service of said process upon the director of vehicles and traffic.

Sec. 4. Proof of ability to respond in damages when required by this Act may be evidenced by the written certificate or certificates of any insurance carrier, duly authorized to do business within the District of Columbia, or in the case of a nonresident by an insurance carrier authorized to transact business in any of the several States, that it has issued to or for the benefit of the person named therein a motor-vehicle liability policy or policies as defined in this Act which, at the date of said certificate or certificates, is in full force and effect and designating therein by explicit description or by other appropriate reference all motor vehicles with respect to which coverage is granted by the policy certified to. The said Commissioners or their designated agent shall not accept any certificate or certificates unless the same shall cover all motor vehicles registered in the name of the person furnishing such proof. Additional certificates as aforesaid shall be required as a condition precedent to the registration of any additional motor vehicle or motor vehicles in the name of such person required to furnish proof as aforesaid. Said certificate or certificates shall certify that the motor-vehicle liability policy or policies therein cited shall not be canceled except upon ten days' prior written notice thereof to the said Commissioners or their designated agent.

Such proof may be the bond of a surety company duly authorized to do business within the District of Columbia or a bond with at least two individual sureties, each owning unencumbered real estate in the District of Columbia, approved by a judge of a court of
Conditions prescribed.

Deposit with the Court.

Provisions governing.

Notice of cancellation, etc., of liability policy to be given Commissioners.

New evidence of ability to respond in damages required.

Penalty for failure.

Furnishing information.

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record, and filed with the said Commissioners or their designated agent, which said bond shall be conditioned for the payment of the amounts specified in section 2 hereof and shall not be cancelable except after ten days' written notice to the said Commissioners or their designated agent. Such bond in the case where individual sureties are offered shall contain a schedule of the real estate of said sureties and shall constitute a lien in favor of the District of Columbia upon said real estate, which lien shall exist in favor of any holder of any final judgment thereafter rendered on account of damage to property over $100 in amount or injury to any person or persons caused by the operation of such person's motor vehicle. Said bond shall be recorded by the principal named therein among the land records of the District of Columbia before the same is filed with the Commissioners or their designated agent. If a final judgment rendered after the filing of the bond as aforesaid against the principal named in the surety or real-estate bond for damages sustained to person or property while said bond remains in force or effect shall not be satisfied within thirty days after its rendition, the judgment creditor may, for his own use and benefit and at his sole expense, bring an action in the name of the District of Columbia against the company or persons executing such bond.

Such proof of ability to respond in damages may also be evidence presented to the said Commissioners or their designated agent of a deposit by such person with the clerk of the Supreme Court of the District of Columbia of a sum of money, the amount of which money shall be $11,000. The said clerk shall accept such deposit and issue a receipt therefor. But the said clerk shall not accept a deposit of money where any judgment or judgments, therefore recovered against such person as a result of damages arising from the operation of any motor vehicle, shall not have been paid in full. Such money shall be held by the said clerk to satisfy, in accordance with the provisions of this Act, any execution issued against such person in any suit arising out of damage caused by the operation of any motor vehicle owned or operated by such person. Money so deposited shall not be subject to attachment or execution unless such attachment or execution shall arise out of a suit for damages, including injury to property, and personal injury or death, as a result of the operation of a motor vehicle.

Sec. 5. The said Commissioners or their designated agent shall be notified of the cancelation or expiration of any motor-vehicle liability policy of insurance certified under the provisions of this Act or of any surety or real estate bond at least ten days before the effective date of such cancelation or expiration. In the absence of such notice of cancelation or expiration said policy of insurance shall remain in full force and effect. Upon receipt of such notice of cancelation or expiration the said Commissioners or their designated agent shall require other evidence of ability to respond in damages, and upon failure to furnish the same before the effective date of such cancelation or expiration, the operator's permit and all of the registration certificates of the person failing to comply herewith shall be suspended by the Commissioners or their designated agent and shall remain so suspended until such other evidence of ability to respond in damages shall have been given.

Sec. 6. The director of vehicles and traffic shall, upon request, furnish any insurer, person, or surety a certified abstract of the operating record of any person subject to the provisions of this Act, which abstract shall fully designate the motor vehicles, if any, registered in the name of such person, and if there shall be no record
of any conviction of such person of a violation of any provision of any statute or regulation relating to the operation of a motor vehicle or of any injury or damage caused by such person as herein provided the said director shall so certify. The said director shall collect for each such certificate the sum of $1.

Sec. 7. The director of vehicles and traffic shall furnish any person who may have been injured in person or property by any motor vehicle, upon written request, with all information of record in his office pertaining to the evidence of the ability of any operator or owner of any motor vehicle to respond in damages.

Sec. 8. Any operator or any owner whose operator's permit or certificate of registration shall have been suspended as herein provided, shall immediately return to the director of vehicles and traffic his operator's permit, certificate of registration, and the number plates issued thereunder. If any person shall fail to return to the said director the operator's permit, certificate of registration, and the number plates issued thereunder as provided herein, the said director shall forthwith direct any member of the Metropolitan Police of the District of Columbia to secure possession thereof and to return the same to the office of the said director. Any person failing to return on demand such operator's permit or such certificate and number plates shall be guilty of a misdemeanor and shall be fined not more than $100, and each day such person shall fail to return the same shall constitute a separate offense.

Sec. 9. The said Commissioners or their designated agent may cancel such bond or return such evidence of insurance, or the clerk of the Supreme Court of the District of Columbia may, with the consent of the said Commissioners or their designated agent, return such money to the person furnishing the same, provided three years shall have elapsed since the filing of such evidence or the making of such deposit, during which period such person shall not have violated any provision of the Traffic Acts referred to in section 2, and provided no suit or judgment for damages on account of personal injury or damage to property in excess of $100 resulting from the operation of a motor vehicle by him or his agent shall then be outstanding against such person; and the affidavit of such person that he has not so violated the motor vehicle laws and that there are then outstanding against him no suits or judgments for damages as aforesaid, shall be sufficient proof thereof in the absence of evidence to the contrary then before the Commissioners or their designated agent. The said Commissioners or their designated agent may direct the return of any money to the person who furnished the same upon the acceptance and substitution of other evidence of his ability to respond in damages or, at any time after three years from the expiration of the latest registration or permit issued to such person, provided no written notice shall have been filed with the director stating that such suit had been brought against such person by reason of the ownership, maintenance, or operation of a motor vehicle and upon the filing by such person with the said Commissioners or their designated agent of an affidavit that he has abandoned his residence in the District of Columbia or that he has made bona fide sale of any and all motor vehicles owned by him and does not intend to own or operate any motor vehicle in the District of Columbia for a period of one or more years.

Sec. 10. Any person who by any other law of the District of Columbia is required to make provision for the payment of loss occasioned by injury to or death of persons or damage to property shall, to the extent of such provision so made and not otherwise, be exempt from this Act.
For any person who shall forge or, without authority, sign any evidence of ability to respond in damages as required by the said Commissioners or their designated agent in the administration of this Act shall be fined not less than $100 nor more than $1,000 or imprisoned not to exceed one year, or both.

Sec. 12. "Motor-vehicle liability policy", as used in this Act, shall be taken to mean a policy of liability insurance issued to the person therein named as insured by an insurance carrier authorized to transact business in the District of Columbia, or in the case of a nonresident, by an insurance carrier authorized to transact business in any of the several States, which policy shall designate, by explicit description or by appropriate reference, all motor vehicles with respect to which coverage is intended to be granted by said policy, and shall insure the insured named therein and any other person using or responsible for the use of any such motor vehicle with the consent, express or implied, of such insured, against loss from the liability imposed upon such insured by law or upon such other person for injury to or death of any person, other than such person or persons as may be covered, as respects such injury or death by any workmen's compensation law, or damage to property except property of others in charge of the insured or the insured's employees growing out of the maintenance, use, or operation of any such motor vehicle in the United States of America; or which policy shall, in the alternative, insure the person therein named as insured against loss from the liability imposed by law upon such insured for injury to or death of any person, other than such person or persons as may be covered as respects such injury or death by any workmen's compensation law, or damage to property, except property of others in charge of the insured or the insured's employees, growing out of the operation or use by such insured of any motor vehicle, except a motor vehicle registered in the name of such insured, and occurring while such insured is personally in control, as driver or occupant, of such motor vehicle within the United States of America, to the amount or limit of $5,000, exclusive of interest and costs, on account of injury to or death of any one person, and, subject to the same limit as respects injury to or death of one person, of $10,000, exclusive of interest and costs, on account of any one accident resulting in injury to or death of more than one person; and of $1,000 for damage to property of others, as herein provided, resulting from any one accident; or a binder pending the issuance of any such policy, or an indorsement to an existing policy as hereinafter provided: Provided, That this section shall not be construed as preventing such insurance carrier from granting any lawful coverage in excess of or in addition to the coverage herein provided for, nor from embodying in such policy any agreements, provisions, or stipulations not contrary to the provisions of this Act and not otherwise contrary to law: Provided, however, that separate concurrent policies covering, respectively, (a) personal injury or death, as aforesaid, and (b) property damage, as aforesaid, shall be considered a motor-vehicle liability policy within the meaning of this Act.

No motor-vehicle liability policy shall be issued or delivered in the District of Columbia until a copy of the form of policy shall have been on file with the Superintendent of Insurance for at least thirty days, unless sooner approved in writing by the Superintendent of Insurance, nor if within said period of thirty days the Superintendent of Insurance shall have notified the carrier in writing that in his opinion, specifying the reasons therefor, the form of policy does not comply with the laws of the District of Columbia. The Superintendent of Insurance shall approve any form of policy which dis-
closes the name, address, and business of the insured, the coverage
afforded by such policy, the premium charged therefor, the policy
period, the limit of liability, and the agreement that the insurance
thereunder is provided in accordance with the coverage defined in
this section as respects personal injury and death or property dam-
age, or both, and is otherwise subject to all the provisions of the Act.

Such motor-vehicle liability policy shall be subject to the follow-
ing provisions, which need not be contained therein:

(a) The liability of any company under a motor-vehicle liability
policy shall become absolute whenever loss or damage covered by
said policy occurs, and the satisfaction by the insured of a final
judgment for such loss or damage shall not be a condition precedent
to the right or duty of the carrier to make payment on account of
such loss or damage. No such policy shall be canceled or annulled
as respects any loss or damage by any agreement between the carrier
and the insured after the said insured has become responsible for
such loss or damage, and any such cancelation or annulment shall be
void. Upon the recovery of a final judgment against any person for
any such loss or damage, if the judgment debtor was at the accrual of
the cause of action insured against liability therefor under a motor-
vehicle liability policy, the judgment creditor shall be entitled to
have the insurance money applied to the satisfaction of the judg-
ment. But the policy may provide that the insured, or any other
person covered by the policy, shall reimburse the company for pay-
ments made on account of any accident, claim, or suit involving a
breach of the terms, provisions, or conditions of the policy; and
further, if the policy shall provide for limits in excess of the limits
designated in this section, the insurance carrier may plead against
such judgment creditor, with respect to the amount of such excess
limits of liability, any defenses which it may be entitled to plead
against the insured. Any such policy may further provide for the
prorating of the insurance thereunder with other applicable valid
and collectible insurance.

(b) The policy, the written application therefor (if any), and
any rider or endorsement which shall not conflict with the provisions
of this Act shall constitute the entire contract between the parties.

(c) The insurance carrier shall, upon the request of the insured,
deliver to the insured for filing, or at the request of the insured shall
file direct, with the said Commissioners or their designated agent an
appropriate certificate as set forth in section 4 hereof.

(d) Any carrier authorized to issue motor-vehicle liability policies
as provided for in this Act may, pending the issuance of such a
policy, execute an agreement, to be known as a binder; or may, in
lieu of such a policy, issue an endorsement to an existing policy,
each of which shall be construed to provide indemnity or protection
in like manner and to the same extent as such a policy. The pro-
visions of this section shall apply to such binders and endorsements.

Sec. 13. The following words, as used in this Act, shall have the
following meanings:

(a) The singular shall include the plural. The masculine shall
include the feminine and neuter, as requisite.

(b) “Person” shall include individuals, partnerships, corpora-
tions, receivers, referees, trustees, executors, and administrators; and
shall also include the owner of any motor vehicle as requisite, but
shall not include the District of Columbia.

(c) “Motor vehicle” shall include trailers, motorcycles, and
tractors.

(d) “Public highway” shall include any street, road, or public
thoroughfare.
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Administrative rules. Sec. 14. The said Commissioners shall make rules and regulations necessary for the administration of this Act.

Other processes permitted. Sec. 15. Nothing herein shall be construed as preventing the plaintiff in any action at law from relying for security upon the other processes provided by law.

Saving provision. Sec. 16. If any part, subdivision, or section of this Act shall be deemed unconstitutional, the validity of its remaining provisions shall not be affected thereby.

Effective date. Sec. 17. This Act shall go into effect ninety days after its passage and approval by the President of the United States.

Approved, May 3, 1935.

[CHAPTER 90.] AN ACT

May 3, 1935. [H. R. 5914.] [Public, No. 56.] To authorize the coinage of 50-cent pieces in connection with the California-Pacific International Exposition to be held in San Diego, California, in 1935 and 1936.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, to indicate the interest of the Government of the United States in the fulfillment of the ideals and purposes of the California-Pacific International Exposition, there shall be coined by the Director of the Mint silver 50-cent pieces to the number of not more than 250,000, of standard weight and fineness and of a special appropriate design to be fixed by the Director of the Mint, with the approval of the Secretary of the Treasury, but the United States shall not be subject to the expense of making the models for master dies or other preparations for this coinage.

Sec. 2. That the coins herein authorized shall be issued at par and only upon the request of the California-Pacific International Exposition Company or its duly authorized agent.

Disposal. Sec. 3. Such coins may be disposed of at par or at a premium by said Exposition and all proceeds shall be used in furtherance of the California-Pacific International Exposition projects.

Coinage laws applicable. Sec. 4. That all laws now in force relating to the subsidiary silver coins of the United States and the coining or striking of the same; regulating and guarding the process of coinage; providing for the purchase of material, and for the transportation, distribution, and redemption of the coins; for the prevention of debasement or counterfeiting; for security of the coin; or for any other purposes, whether said laws are penal or otherwise, shall, so far as applicable, apply to the coinage herein directed.

Approved, May 3, 1935.

[CHAPTER 91.] AN ACT


Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act approved June 25, 1934 (Public, Numbered 465, Seventy-third Congress), is hereby amended to read as follows:

"That the Commissioners of the District of Columbia are hereby authorized to borrow for the District of Columbia from the Federal Emergency Administration of Public Works created by the National