



SPONSOR: Rep. Osienski & Sen. Hansen
Reps. Baumbach, Briggs King, Keeley, Wilson

HOUSE OF REPRESENTATIVES
149th GENERAL ASSEMBLY

HOUSE BILL NO. 246

AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO REGISTRATION, TITLE, AND
LICENSES OF MOTOR VEHICLES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1 Section 1. Amend § 2109, Title 21 of the Delaware Code by making deletions as shown by strikethrough and
2 insertions as shown by underline as follows:

3 § 2109. Period of registration; effective date.

4 (a) Any vehicle described in § 2151 of this title may be registered for 24 months, 12 months or 6 months and the
5 effective date of the registration shall be the date the vehicle is titled. Any used vehicle not more than ~~5~~ 7 model years old
6 may be registered from 6 to ~~48~~ 72 months based on a model year and mileage formula established by the Division of Motor
7 Vehicles. The Division of Motor Vehicles may require vehicles to be registered for less than 24 months as may be
8 necessary to ensure a balanced monthly distribution of vehicle inspections and registrations; all fees shall be prorated. The
9 registration of a vehicle shall expire at midnight on the last day of the period for which it is registered, and the vehicle shall
10 not thereafter be operated upon the highways of this State until it has been reregistered according to law. This section shall
11 not apply to the vehicles registered under the International Registration Plan or to vehicles registered under temporary or
12 limited permits or certificates as otherwise provided by this title.

13 (b) The owner of any semitrailer or trailer who wishes to match that vehicle's license plate expiration with the
14 towing vehicle's license plate expiration may register such semitrailer or trailer for a period of from 1 to 12 months. In
15 addition to the registration fee, which shall be prorated for the number of months registered, there shall be a service fee of
16 \$3.00. This subsection shall not apply to those vehicles which are under a fleet account as specified in § 2143(c) of this
17 title.

18 (c) Notwithstanding subsections (a) and (b) of this section, any newly-manufactured current model year motor
19 vehicle or trailer with a gross registered weight of 10,000 pounds or less not previously registered or titled in any state or
20 country may be initially registered by the owner for ~~5~~ 7 years or less. Newly-manufactured previous model year motor
21 vehicles or trailers having the above criteria may initially be registered for ~~4~~ 6 years or less by a prorated formula
22 established by the Division of Motor Vehicles. The effective date of registration shall be the date the vehicle is titled. The

registration fee shall be the number of years selected multiplied by the annual registration fee. Thereafter, the registration shall be renewed pursuant to § 2110 of this title.

(d) In calculating the prorated fees or combined annual fees payable pursuant to this section, the fees shall be calculated using the rates in effect or scheduled to be in effect during the period of the prorated or extended registration.

Section 2. Amend § 2110, Title 21 of the Delaware Code by making deletions as shown by strikethrough and insertions as shown by underline as follows:

§ 2110. Renewal of registration; new card and plate; cancellation of renewal by owner prior to effective date.

(a) Prior to the expiration of the period for which a vehicle is registered pursuant to § 2109 of this title, the registration may be renewed to extend from the date of expiration for an additional period of 6 months or 1 year or 2 years, and the effective date of the renewed registration shall be based on the calendar day the vehicle was titled. Vehicles no more than ~~5~~7 model years old may be renewed for up to ~~48~~72 months based on a prorated model year formula established by the Division of Motor Vehicles.

Any time prior to the expiration of the period for which a vehicle is registered with a commercial, trailer or farm truck license plate, the registration thereof may be renewed to extend from the date of expiration for an additional period of 3 months, 6 months, 1 year or 2 years.

(b) Upon renewing the registration of any vehicle or upon reregistering any vehicle, the Department shall furnish a new registration plate or plates showing the new registration period or the expiration date thereof and shall issue a new registration card or appropriately endorse the new registration period on the original card.

(c) A renewal registration of a vehicle for an additional period to take effect at the expiration of the registration thereof may be canceled on application to the Secretary at any time before the renewal registration is to take effect, and thereupon the Secretary shall refund to the owner the registration fee so paid for such renewal registration upon the receipt for cancellation by the Secretary for any such renewal registration card or registration plates, or both, issued pursuant to such renewal and otherwise cancel any endorsement of such renewal entered on the original card.

(d) Notwithstanding the provisions of subsections (a), (b) and (c) of this section, the registration of any trailer with a gross registered weight of 4,000 pounds or less and for which the annual safety inspection is waived may be renewed for 3 years, at the option of the owner. If this option is selected, the registration fee shall be 3 times the annual registration fee.

(e) In calculating the prorated fees or combined annual fees payable pursuant to this section, the fees shall be calculated using the rates in effect or scheduled to be in effect during the period of the prorated or extended registration.

Section 3. Amend § 2143, Title 21 of the Delaware Code by making deletions as shown by strikethrough and insertions as shown by underline as follows:

§ 2143. Inspection of motor vehicle before registration; exception; vehicles outside State.

(a) Before the Department registers, renews the registration of or reregisters a motor vehicle required to be registered under this title, such vehicle shall first be inspected by the Department and determined to be safe and fit for operation and found equipped according to law. The Department may waive all inspection requirements with respect to the registration of new motor vehicles and the initial registration or renewal of vehicles no older than ~~5~~ 7 model years. Upon application, subject to approval by the Secretary, the Department may assign to a motor vehicle dealer the authority to perform safety and vehicle identification number (VIN) inspections on motor vehicles, ~~5~~ 7 model years old or newer, as such inspections relate to the motor vehicle's registration or reregistration, provided that the motor vehicle is owned by that motor vehicle dealer and such inspection occurs at a motor vehicle dealer facility.

Section 4. Amend § 2160, Title 21 of the Delaware Code by making deletions as shown by strikethrough and insertions as shown by underline as follows:

§ 2160. Optional ~~5-year~~ 7-year registration plates for trailers.

(a) The owner of a fleet of trailers, meeting the requirements specified under § 2143(c) of this title, may elect to register such trailers for a ~~5-year~~ 7-year period, by making application to the Department in accordance with this section.

(b) The application shall be made on a form and contain information as prescribed by the Secretary. Upon payment of the required fees and upon meeting other requirements prescribed by the Secretary, there shall be issued, to each vehicle for which application has been made, a registration plate and validation sticker which shall be valid for ~~5~~ 7 years, provided that all requirements of this section are complied with.

(c) At the time application for registration or renewal of registration is made under this section, the applicant shall pay all fees required under this title for the first year of the ~~5-year~~ 7-year plate. The applicant shall submit acceptable evidence of a surety bond in a form and with a surety approved by the Secretary and in an amount equal to the total registration fees required for all vehicles registered pursuant to this section to the applicant for the remaining ~~4~~ 6 years.

(d) The owner is required to pay all registration renewal fees for vehicles registered pursuant to this section on an annual basis prior to the expiration date of such registrations.

(e) The Secretary may adopt rules and regulations necessary for the administration and enforcement of this section.

SYNOPSIS

This bill would increase the exemption from inspection from 5 years to 7 years.