



SPONSOR: Sen. Delcollo & Rep. K. Williams
Sen. Ennis; Rep. Brady

DELAWARE STATE SENATE
150th GENERAL ASSEMBLY

SENATE BILL NO. 124

AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO PERMITS FOR PARKING OVERSIZE VEHICLES IN RESIDENTIAL DISTRICTS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE (Three-fifths of all members elected to each house thereof concurring therein):

1 Section 1. Amend § 4504, Title 21 of the Delaware Code by making deletions as shown by strike through and
2 insertions as shown by underline as follows:

3 § 4504. Regulations; fees; permits for excessive size and weights.

4 (a) The Secretary of Transportation may adopt such regulations, issue permits and may impose such fees as the
5 Secretary may deem reasonable to implement the requirements of this chapter. The fee for permits issued ~~pursuant to~~ under
6 paragraph (c)(1) of this section for vehicles operating on any interstate highway within this State ~~shall be~~ is \$1.00 per single
7 trip permit.

8 (h) The Secretary of Transportation shall issue a parking permit for an oversize vehicle that exceeds the gross
9 vehicle weight under § 4512(a)(2) of this title if the vehicle meets all of the following:

10 (1) Complies with all other requirements to park under § 4512(a).

11 (2) Is an individual's primary or sole mode of transportation.

12 (3) Is provided by the individual's employer or essential to an individual's business.

13 Section 2. Amend § 4512, Title 21 of the Delaware Code by making deletions as shown by strike through and
14 insertions as shown by underline as follows:

15 § 4512. Oversized motor vehicle and trailer parking.

16 (a) In any residence district it ~~shall be~~ is unlawful to park, store, or permit to be parked or stored on a highway
17 within such residence district any of the following:

18 (1) Trailer, semi-trailer, or recreational trailer unattached to a motor ~~vehicle~~; or vehicle.

19 (2) A motor vehicle the length of which is greater than 276 inches or the width of which is over 96 inches or
20 the height of which is over 120 inches or the gross vehicle weight of which exceeds 10,000 pounds, as such weight has
21 been registered and recorded with the Delaware Division of Motor Vehicles (or as recorded with any other state's
22 Department of Motor Vehicles).

23 (b) Motor vehicles parked ~~pursuant to~~ under the following situations ~~shall be~~ are exempt from this section:

(1) Any motor vehicle parked on a highway within a residence district in conjunction with ongoing legal service or work being performed in relation to a residence or business contained therein. Notwithstanding the above, the motor vehicle may remain parked within such residence district only for the time necessary to complete such work or service. This exemption ~~shall only apply~~ applies only if such motor vehicle is parked immediately and entirely adjoining the property of the residence or business, being serviced. Examples of ~~such~~ motor vehicles ~~include, but are not limited to,~~ under this paragraph (b)(1) of this section include delivery trucks, limousine services, and moving trucks.

(2) Any motor vehicle used for work being performed or on call in case of emergencies by any of the following:

a. ~~By a~~ A public utility ~~as defined in under § 102(2) of Title 26 or by others working on its behalf;~~ behalf of a public utility.

b. In connection with a cable television system ~~as defined in under § 102(4) of Title 26;~~ or 26.

c. By a municipality or municipal electric company or by others working on ~~their behalf;~~ behalf of a municipality or municipal electric company.

(3) A motor vehicle with a permanent permit under § 4504(h) of this title.

(c) In any residence district, it ~~shall be~~ is unlawful to park, store, or permit to be parked or stored on a highway within such residence district, any motor vehicle with a trailer, semi-trailer, or recreational trailer attached unless either of the following exist:

(1) It is parked, stored, or permitted to be parked or stored on the highway immediately and entirely adjacent to the owner's ~~property;~~ or property.

(2) ~~Unless the exemptions~~ An exemption otherwise applicable to motor vehicles ~~in under~~ subsection (b) of this section ~~apply;~~ applies.

(d) This section ~~shall apply to~~ applies to only New Castle County.

SYNOPSIS

This Act creates a permit which allows an individual to park a vehicle, that would otherwise be prohibited because of weight, on a residential street in New Castle County if the vehicle complies with all other size requirements; is the individual's sole or primary mode of transportation; and the vehicle is either provided by the individual's employer or essential to the individual's business.

This Act also makes technical corrections to conform existing law to the standards of the Delaware Legislative Drafting Manual.

Author: Senator Delcollo