

CHAPTER 33  
FORMERLY  
HOUSE BILL NO. 112  
AS AMENDED BY  
HOUSE AMENDMENT NO. 2

AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL LICENSE PLATES.

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

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

§ 2140E. Special bicycle friendly license plates.

(a) The owner of a motor vehicle may apply to the Division of Motor Vehicles for the assignment to that vehicle of a special Bicycle Friendly Delaware registration plate.

(b) Upon the initial application for the plate to be issued pursuant to this section, a 1-time fee of \$40, which includes an administrative fee of \$15, is required in addition to the annual fee required by this title. This additional fee is required for all persons applying for a special plate pursuant to this section, including members of nonprofit organizations, even if members are exempt from registration fees under § 2159 of this title. A replacement plate may be obtained upon payment of a fee to be set by the Division of Motor Vehicles, which shall cover the cost of the plate.

(c) The 1-time administrative fee collected pursuant to subsection (b) of this section shall be deposited into a special fund by the Division of Motor Vehicles for the purpose of promoting the sale of the plate and administering this section. Proceeds remaining after the Division of Motor Vehicles have covered the costs of promoting and administering this section shall be applied pursuant to the subsection (f) of this section.

(d) After making the initial application for a plate to be issued pursuant to this section, the owner shall pay a \$25 surcharge annually for each plate in addition to the regular registration fee.

(e) All registration plates issued pursuant to this section shall be of the colors and design as determined by a committee of at least three persons including representation of both the Division of Motor Vehicles and Bike Delaware, Inc. The size, composition, and operation of the committee shall be determined by, and at the discretion of, the Director of the Division of Motor Vehicles. The numbers or letters assigned will be the same as the current registration plate assigned to the vehicle. The plate may also include words, a slogan, an emblem or a design indicating support for, or interest in, bicycling or the mission of Bike Delaware. The Committee may, at its discretion, drop the wording "The First State" and substitute in place thereof either "Bicycle Friendly Delaware" or "Bicycle Friendly." The Division of Motor Vehicles shall have the power to refuse any design which it believes would be inappropriate or cause a public safety enforcement problem.

(f) The funds derived from the State from that portion of the initial fee of \$40 that is not defined as an administrative fee pursuant to subsections (b) and (c) of this section and the \$25 surcharge under subsection (d) shall be deposited by the Division of Motor Vehicles with the State Treasurer, and said funds shall be used to support Bike Delaware, Inc.'s mission to promote safe non-motorized transportation for Delaware residents.

Approved June 5, 2019