

CHAPTER 277
FORMERLY
SENATE BILL NO. 120

AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL REGISTRATION PLATES TO SUPPORT MIGRATORY SHOREBIRDS.

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

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

§ 2140E. Special registration plates supporting migratory shorebirds.

(a) An owner of a motor vehicle may apply to the Division of Motor Vehicles (“Division”) for the assignment to that motor vehicle of a migratory shorebird special registration plate.

(b)(1) On the initial application for a special registration plate under this section, a 1-time fee of \$50, which includes an administrative fee of \$15, is required in addition to the annual fee required by this title. After making the initial application for a special registration plate under this section, an owner of a motor vehicle shall pay a \$25 annual surcharge for each plate, in addition to the regular registration fee.

(2) The 1-time fee and annual surcharge under paragraph (b)(1) of this section are required for all persons applying for a special registration plate under this section, including members of nonprofit organizations, even if members are exempt from registration fees under § 2159 of this title.

(3) A replacement special registration plate may be obtained upon payment of a fee to be set by the Division, which must cover the cost of the plate.

(c) The Division shall deposit the moneys collected under paragraph (b)(1) of this section into a special fund for the purpose of promoting the sale of the special registration plate and administering this section. The Division shall apply the proceeds remaining after the Division has covered the costs of promoting and administering this section as provided under subsection (d) of this section.

(d) The Division shall deposit with the State Treasurer the annual surcharge and the non-administrative portion of the 1-time fee required under paragraph (b)(1) of this section. The State Treasurer shall direct the deposited funds to the Delaware Ornithological Society for use to support its mission.

(e)(1) All special registration plates issued under this section must be of the colors and design as determined by the Delaware Ornithological Society and a member of the Division.

(2) The numbers and letters assigned by the Division must be the same as the registration plate assigned to an owner’s motor vehicle at the time of the application for the special registration plate. The Division may not assign special numbers or letters for special registration plates issued under this section.

(3) The Division may refuse any design which it believes would cause a public safety enforcement problem.

(f) The Division may promulgate rules and regulation to administer this section.

Approved August 6, 2020