

CHAPTER 121
FORMERLY
HOUSE BILL NO. 128

AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO HABITUAL OFFENDERS.

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

Section 1. Amend § 2805, Title 21 of the Delaware Code by making insertions as shown by underlining and deletions as shown by strike through as follows:

§ 2805. Service of Petition; Order to Show Cause.

Upon the filing of the petition, the Court of Common Pleas shall enter an order incorporating by attachment the aforesaid abstract and direct the person named therein to appear at ~~the next criminal session of~~ a time scheduled by the Court and show cause why the person should not be barred from operating or driving a motor vehicle on the highways of this State. A copy of the petition, the show cause order and the abstract shall be served upon the person named therein either by personal delivery thereof or by deposit of such in the United States mail in an envelope with postage prepaid, addressed to such person at that person's address as shown by the records of the Division of Motor Vehicles. The service of the petition, order and abstract by mail is complete upon the expiration of 4 days after such deposit of those documents. Service thereof on any nonresident of this State may be made pursuant to § 3112 of Title 10, except that any fee for such service shall be taxed against the person named in the petition as a part of the cost of such proceeding.

Approved July 16, 2013