

CHAPTER 210
FORMERLY
HOUSE BILL NO. 122
AS AMENDED BY
HOUSE AMENDMENT NOS. 1 & 2

AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO REGISTRATION OF VEHICLES.

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 § 2113, Title 21 of the Delaware Code by making insertions as shown by underlining and deletions as shown by strike through as follows:

§ 2113. Special farm vehicle registration.

Farmers may register vehicles for farm use in the following manner:

(1) Farm truck, semitrailer, and trailer license plates ("FT" tags):

a. Farmers may qualify for the reduced registration fee for "FT" license tags if they derive at least \$1,000 of their annual income from the operation of their farm and they own or rent at least 10 acres which is actively used in the farming operation from which they derive that income.

b. Any vehicle, semitrailer or trailer upon which an "FT" license tag is affixed must be used exclusively in the operation of a farm or for personal use other than nonfarming commercial use.

c. Farmers shall not hire or rent the farm truck, semitrailer, or trailer, or permit a farm truck, semitrailer, or trailer to be used for hauling merchandise, farm products, or other items whatsoever under rent, hire, or for pay.

d. [Repealed.]

(2) ~~Farm vehicles~~ vehicle license plates ("FV" tags) exempt from inspection ~~and registration ("Farm Vehicle" tags):~~

a. Except as hereinafter provided, after 180 days from the enactment of this Act, no person shall operate any farm vehicle within the State unless such vehicle has been registered in accordance with this chapter. Such registration shall not permit the vehicle to be operated on any highway except as hereinafter specifically provided. This registration is for identification only and does not constitute being "registered" in this State, for purposes of 21 Del. C. § 2118, or any other requirement of this Chapter.

~~a-b.~~ Farmers may qualify for a registration and an inspection waiver for a farm motor vehicle, farm vehicle, or farm trailer if they derive at least \$1,000 of their annual income from the operation of their farm and they own or rent at least 10 acres which are actively used in the farming operation from which they derive that income.

~~b-c.~~ Any vehicle or trailer upon which a "Farm Vehicle" "FV" tag is affixed must be used exclusively in the operation of a farm, or for personal use other than nonfarming commercial use.

~~e-d.~~ No farm motor vehicle, farm vehicle, or farm trailer may be used for hire or for any use except in the exclusive operation of a farm owned or rented by the owner of such vehicle or trailer, or in aid of and assistance to another farmer for harvest purposes.

~~d-e.~~ Farmers shall not hire or rent any farm motor vehicle, farm vehicle, or farm trailer, or permit a farm motor vehicle, farm vehicle, or farm trailer to be used for hauling merchandise, farm products, or other items whatsoever under rent, hire, or for pay.

~~e-f.~~ Farmers shall not use any vehicle or trailer upon which an "Farm Vehicle" "FV" tag is affixed for any use except in the operation of a farm owned or rented by the titled owner of such vehicle or trailer or in aid of and assistance to another farmer for harvest purposes, or for personal use other than nonfarming commercial use.

~~f-g.~~ No farm motor vehicle, farm vehicle, or farm trailer to which an "FV" tag is affixed may be operated or towed upon the public highways or roads unless:

1. Those highways and roads are within a 20-mile radius of a farm owned or managed by the owner of the vehicle or trailer;

2. The vehicle or trailer is operated or towed by a person who is properly licensed by the Division of Motor Vehicles;

3. The vehicle or trailer is properly equipped with a stop light, turn signals and brakes which are in a safe operating condition.

Section 2. Amend § 2151, Title 21 of the Delaware Code by making insertions as shown by underlining and deletions shown by strike through as follow:

§ 2151. Fee schedule; time of payment.

At the time of application for the registration of a motor vehicle and prior to the issuance of the current registration plates required by this title, there shall be paid to the Department registration fees according to the following schedule:

(1) For the registration of any motorcycle, \$15 per year;

(2) For the registration of each motor vehicle commonly used for pleasure or for the chief purpose of carrying persons (except motor vehicles commonly known as passenger buses) and including station wagons, \$40 per year;

(3) For the registration of other motor vehicles, including those propelled by diesel engines, \$40 per year if the gross load weight does not exceed 5,000 pounds, and an additional \$18 per year for each 1,000 pounds or fraction thereof over and above 5,000 pounds. The gross load weight shall be the weight of the chassis, body, equipment and maximum allowable load as specified by the application;

(4) Such vehicles as are authorized to operate or to be moved as provided by § 4504 of this title shall be registered in the same manner as other vehicles. The fee for such registration shall be at the same rate required for trucks and semitrailers;

(5) For the registration of any recreational vehicle or recreational trailer, the fee shall be \$40 per year if the gross load weight of the vehicle or trailer does not exceed 5,000 pounds, and in the event the gross load weight exceeds 5,000 pounds, \$6.40 per year for each 1,000 pounds or fraction thereof over and above 5,000 pounds. The gross load weight shall be the weight of the chassis, body, equipment and maximum allowable load as specified by the application;

(6) A fee of \$10, in addition to the registration fee, shall be imposed at the time of renewal of registration of a motor vehicle or semitrailer if the Delaware registration has expired. This fee shall not be imposed if the registration has expired over 12 months or if a permit has been purchased for the vehicle pursuant to § 2103 of this title. The fee shall not be imposed if a transfer of ownership on the vehicle has taken place or if the motor vehicle or trailer has been inspected prior to the expiration of registration;

(7) Of each of the motorcycle registration fees collected pursuant to paragraph (1) of this section the sum of \$4 per year is appropriated to the Department of Transportation and shall be placed in a special account to be used only for the expenses incurred in the administration of the motorcycle rider education program and improved motorcycle licensing procedures;

(8) For the registration of motor farm trucks owned and used exclusively by farmers who derive at least \$1,000 of their annual income from the operation of their farm and they own or rent at least 10 acres which are actively used in the farming operation from which they derive that income, the fee shall be \$40 per year if the gross load weight does not exceed 5,000 pounds, and an additional \$3.80 per year for each 1,000 pounds or fraction thereof over and above 5,000 pounds. The gross load weight shall be as calculated in paragraph (3) of this section, but in no case shall the required fee for motor vehicles, except trailers, under this paragraph be less than \$40 per year;

(9) For the registration of farm motor vehicles, farm vehicles, or farm trailers owned and used exclusively by farmers who derive at least \$1,000 of their annual income from the operation of their farm and they own or rent at least 10 acres which are actively used in the farming operation from which they derive that income and are operated or towed within a 20 mile radius of a farm owned or managed by the owner of the vehicle or trailer, there shall be a onetime fee of \$10.

~~(10)(9)~~ For the registration of trailers with a gross weight of 1,000 pounds or less the fee shall be \$15 per year; if a trailer's gross load weight exceeds 1,000 pounds there shall be an additional fee of \$5.00 per year for each 1,000 pounds or fraction thereof over and above the 1,000 pounds up to a maximum of 2,000 pounds. The fee for the registration of trailers with a gross weight exceeding 2,000 pounds shall be as provided in paragraph (3) of this section.

(11) The Secretary of the Department of Transportation in conjunction with the Secretary of the Department of Agriculture shall promulgate such regulations as they shall deem necessary for the administration and implementation of this section.

Approved April 10, 2014