

CHAPTER 237
FORMERLY
SENATE BILL NO. 186
AS AMENDED BY
SENATE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO PARKING IN RESIDENCE DISTRICTS.

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

Section 1. Amend §4512, Title 21, of the Delaware Code by making insertions as shown by underlining as follows:

§ 4512. Oversized motor vehicle and trailer parking.

(a) In any residence district it shall be unlawful to park, store, or permit to be parked or stored on a highway within such residence district any (1) trailer, semi-trailer, or recreational trailer unattached to a motor vehicle, or (2) a motor vehicle the length of which is greater than 276 inches or the width of which is over 96 inches or the height of which is over 120 inches or the gross vehicle weight of which exceeds 10,000 pounds, as such weight has been registered and recorded with the Delaware Division of Motor Vehicles (or as recorded with any other state's Department of Motor Vehicles).

(b) Motor vehicles parked pursuant to the following situations shall be 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 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, delivery trucks, limousine services, and moving trucks.

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

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

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

c. By a municipality or municipal electric company or by others working their behalf.

(c) In any residence district, it shall be 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 (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 (2) unless the exemptions otherwise applicable to motor vehicles in subsection (b) apply.

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

Section 2. Amend §4508(a), Title 21, Delaware Code, by making insertions as shown by underlining as follows:

(a) Any person who violates any requirement of this chapter, relating to size or weight of a vehicle or a combination of vehicles or restrictions regarding parking in residence districts pursuant to §4512 of this Chapter, shall be punished as follows:

(1) A first offense shall be punishable by a fine of not less than \$28.75 nor more than \$230 or by a term of imprisonment of not more than 30 days or both.

(2) A subsequent like offense shall be punishable by a fine of not less than \$115 nor more than \$575 or by a term of imprisonment of not more than 60 days or both.

Approved May 10, 2012