

CHAPTER 107  
FORMERLY  
SENATE BILL NO. 136  
AS AMENDED BY  
SENATE AMENDMENT NO. 1

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

WHEREAS, the Motor Vehicle Code currently permits the issuance of special license plates for Disabled American Veterans; and

WHEREAS, a Disabled American Veteran license plate does not permit the use of special parking places for those with certain disabilities; and

WHEREAS, there are those veterans with disabilities who do qualify both for the issuance of a Disabled American Veterans license plate and a license plate for those with physical disabilities that require special parking accommodations; and

WHEREAS, a veteran with a disability who does qualify for both must either choose between those two license plates or obtain a Disabled American Veteran's license plate and obtain a separate parking identification placard (rearview mirror hang tag) for persons with disabilities; and

WHEREAS, our veterans with disabilities should not have to choose between displaying their pride in their honorable service to our country and the use of a permanent disabled person's license plate for parking accommodations; and

WHEREAS, combining the two application processes and having a Disabled American Veteran license plate that can also carry the internationally recognized wheelchair symbol of access could save State resources (i.e., paper from unnecessary applications and plastic material used to make parking hang tags) and will provide greater convenience for our veterans with severe disabilities.

NOW THEREFORE:

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 § 2138(c), Title 21 of the Delaware Code by striking the current language of that subsection in its entirety and by substituting in lieu thereof the following:

“(c) Special registration may be issued under this section only if:

(1) The applicant states that:

a. the applicant is a veteran with a disability of any war, the Korean conflict, the Viet Nam conflict, Operation Desert Storm or other military conflict on foreign soil in which United States armed forces were formally engaged in battle; or

b. it has been determined by the United States Department of Veterans Affairs that the applicant meets the qualifications of being a veteran with a service-connected disability; and

(2) a. The United States Department of Defense certifies that the applicant sustained a disabling injury in any war, the Korean conflict, the Viet Nam conflict, Operation Desert Storm or other military conflict on foreign soil in which United States armed forces were formally engaged in battle; or

b. The United States Department of Veterans Affairs certifies that the applicant meets the qualifications of being a veteran with a service-connected disability.”

Section 2. Amend §2138, Title 21 of the Delaware Code by re-designating current subsections “(d)” and “(e)” thereto as new subsections “(e)” and “(f)” and by inserting a new subsection “(d)” thereto to read as follows:

“(d) (1) Any applicant who applies for the assignment of a special plate under this section who also submits proof satisfactory to the Department that the applicant or a household member has a disability that would permit issuance of a special license plate under § 2134 of this Chapter may be issued a special plate

for veterans with disabilities that will be considered in all respects as a special license plate for persons with disabilities issued under § 2134 of this Chapter.

(2) A special license plate issued pursuant to this subsection must, in addition to the special disabled veteran number, display the internationally recognized wheelchair symbol of access on the plate.

(3) The Department may adopt rules and regulations that are reasonable or necessary for the implementation of this subsection.”

Section 3. Amend §2138, Title 21 of the Delaware Code by striking the catchline thereof in its entirety and by substituting in lieu thereof the following:

“§2138. Special license plates for veterans with disabilities.”

Approved July 08, 2011