

CHAPTER 153
FORMERLY
HOUSE BILL NO. 74

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

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 Chapter 21, Title 21 of the Delaware Code by inserting therein the following:

“§ 2139M. Law Enforcement Memorial license plate.

(a)

(1) The owner of any vehicle described in subsection (2) hereafter may apply to the Department for assignment to that vehicle of a special Law Enforcement Memorial registration number; provided, however, that the owner of the vehicle must possess documentation: (i) that indicates that such person is a police officer as defined in § 8401(5), Title 11 of the Delaware Code, (ii) that indicates that such person is an immediate family member of a police officer as defined in § 8401(5), Title 11 of the Delaware Code who was killed in the line of duty, or (iii) from the Delaware Police Chiefs' Council that it is appropriate for such person to receive a special Law Enforcement Memorial registration number.

(2) This section applies only to:

a. A private passenger vehicle; or

b. A truck or van with a three-fourths ton or smaller manufacturer's rated capacity.

(b) No fee in addition to the annual registration fee otherwise required by this title is required for registration under this section; provided, however, that an original application under this section shall be subject to a \$35 administrative fee, which shall be deposited into a special fund and used by the Division of Motor Vehicles for the purposes of administering this section and to fund Department projects notwithstanding the provisions of Chapters 13 and 14 of Title 2 to the contrary.

(c) All registration plates issued pursuant to this section shall be of the colors and design as determined by the Law Enforcement Memorial License Plate Committee created pursuant to subsection (d). The license plate may also include words, a slogan or an emblem supporting the Law Enforcement Memorial. The Committee may at its discretion drop the wording “The First State” and substitute in lieu thereof “Law Enforcement Memorial”. The Division of Motor Vehicles shall have the power to refuse any design which it believes would cause a public safety enforcement problem.

(d) For purposes of this section, the ‘Law Enforcement Memorial License Plate Committee’ shall consist of the following:

(1) The Director of the Division of Motor Vehicles or designee;

(2) The Chairperson of the Delaware Police Chiefs' Foundation or designee;

(3) The Colonel of the Delaware State Police or designee; and

(4) The Chairperson of the Delaware Police Chiefs' Council or designee.

(e) The Department shall reserve sufficient special license plates including the letters “LEM” and numbered consecutively beginning with the numeral “1” as are necessary to implement this section.

(f) The Delaware Police Chiefs' Council shall have the authority to assign the license plate numbers at its discretion.

(g) Upon receipt by the Department of information that the individual to whom the special plate has been issued is no longer affiliated with such organization or has died, whichever is applicable, the Department shall write to such person or the representative of that person's estate, requesting that such plate be returned to the Department within 90 days.

(h) The Division of Motor Vehicles may promulgate rules and regulations as required to administer this section.”.

Approved July 27, 2011