

CHAPTER 168
FORMERLY
HOUSE BILL NO. 174
AS AMENDED BY
HOUSE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO VEHICULAR ASSAULT AND VEHICULAR HOMICIDE.

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

Section 1. Amend § 628, Title 11 of the Delaware Code by striking the phrase “B misdemeanor” as it appears in the title thereof and within that section and substituting in lieu thereof the phrase “A misdemeanor”.

Section 2. Amend Chapter 5, Title 11 of the Delaware Code by redesignating current “§ 628” as “§ 628A” and by inserting new “§ 628” as follows:

“§ 628. Vehicular Assault in the Third Degree; class B misdemeanor.

A person is guilty of vehicular assault in the third degree when, while in the course of driving or operating a motor vehicle, the person’s criminally negligent driving or operation of said vehicle causes physical injury to another person.

Vehicular assault in the third degree is a class B misdemeanor.”.

Section 3. Amend § 630, Title 11 of the Delaware Code by striking the phrase “F felony” as it appears in the title and within that section and substituting in lieu thereof the phrase “D felony”.

Section 4. Amend § 630A, Title 11 of the Delaware Code by striking the phrase “E felony” as it appears in the title and within that section and substituting in lieu thereof the phrase “C felony”.

Section 5. Amend § 631, Title 11 of the Delaware Code by striking the phrase “E felony” as it appears in the title thereof and within that section and substituting in lieu thereof the phrase “D felony”.

Section 6. Amend §1448(a)(7)b., Title 11 of the Delaware Code by striking the phrase “§628” and substituting in lieu thereof the phrase “§628A”.

Section 7. Amend §2702(b)(5), Title 11 of the Delaware Code by striking the phrase “§628” and substituting in lieu thereof the phrase “§628A”.

Section 8. Amend §9401(2), Title 11 of the Delaware Code by striking the phrase “§628” and substituting in lieu thereof the phrase “§628A”.

Section 9. Amend §2732 (a)(2)(b), Title 21 of the Delaware Code by striking the phrase “§628” and substituting in lieu thereof the phrase “§628A”.

Approved August 03, 2011