

CHAPTER 19  
FORMERLY  
HOUSE BILL NO. 68

AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO HABITUAL OFFENDERS STATUS FOR DRIVING DURING A PERIOD OF SUSPENSION OR REVOCATION.

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

Begin Section 1. Amend §2802, Title 21 of the Delaware Code by striking paragraph e. of subsection (1) thereof in its entirety and substituting in its place the following:

“e. Driving a motor vehicle during a period of suspension or revocation, in violation of §2756 of this title. Notwithstanding the foregoing, if the judge determines that the sole reason that an individual was convicted of a violation of §2756 of this title was because the individual’s driver’s license was suspended or revoked for a failure to pay a fine for a traffic offense which is eligible for voluntary assessment (whether or not the voluntary assessment procedure was offered or used), then such violation of §2756 of this title may not be considered to establish habitual offense status pursuant to this paragraph of this subdivision;”.

Approved May 12, 2009