CHAPTER 108
FORMERLY
SENATE BILL NO. 76

AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE SALE OF MOTOR VEHICLES.

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

Section 1. Amend Title 21, Section 6314 of the Delaware Code by adding a new subsection (c) thereof, to read as follows:

"(c)   The Division Director or designated representative may order a temporary emergency dealer license suspension. Any suspension issued under this subsection shall be exempt from the provisions required in subsections (a) and (b) of this section, except as provided herein.

The following guidelines shall apply for this temporary suspension.

(1) If a dealer has five (5) outstanding violations of Sections 2306(e) and/or 2509 of this Title for not submitting a buyer's vehicle title application to the Division within the required 30 days from the date of sale, and

(2) A dealer has been provided five (5) days written notice by the Division to submit the required paperwork but has failed to comply, then the Division will place a temporary emergency dealer license suspension notice on or near the entrance of the dealer's place of business to notify potential buyers that the dealer's license is temporarily suspended.

(3) Unauthorized removal of the notice or failure to comply with the temporary emergency dealer license suspension order may result in the immediate permanent suspension of the dealer's license, after notice and an opportunity for a hearing under subsections (a) and (b) of this section.

(4) The temporary emergency dealer license suspension will be lifted by the division when the required vehicle title applications and payments are submitted to the division.

(5) A dealer who fails to submit the required vehicle title applications and payments within ten (10) days after receiving a temporary emergency dealer license suspension may have its dealer license permanently suspended, after notice and an opportunity for a hearing under subsections (a) and (b) of this section."

Approved July 06, 2009