

CHAPTER 316  
FORMERLY  
SENATE BILL NO. 314

AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO TRUCK WEIGHTS.

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

Section 1. Amend § 2105(d), Title 21, of the Delaware Code by deleting subsection (d) in its entirety and replacing it with the following:

“(d) Any vehicle which has a gross weight in excess of 26,000 pounds, except as provided in §2152 and §4502(c)(2) of this Title, shall not be registered at a weight in excess of the manufacturer’s gross vehicle weight for such vehicle or the Federal Bridge Formula in the absence of a manufacturer’s gross vehicle weight rating. For those vehicles registered pursuant to §2152 of this Title, the actual gross weight of the vehicle, or each vehicle in combination, shall not exceed the manufacturer’s gross vehicle weight rating. For those vehicles registered for extra weight capacity pursuant to the exception of §4502(c)(2) of this Title, the following shall apply: (i) vehicles registering for such extra weight capacity shall pay a fee of \$100.00 per vehicle at the time of registration; (ii) no vehicle with a manufacturer’s gross vehicle weight rating of less than 65,000 shall be registered at a weight in excess of the manufacturer’s gross vehicle weight rating for such vehicle; (iii) no vehicle being registered for the first time shall be registered at a weight in excess of the manufacturer’s gross vehicle weight rating for such vehicle; (iv) no vehicle with a model year 20 or more years prior to the date of registration shall be registered at a weight in excess of the manufacturer’s gross vehicle weight rating for such vehicle; and (v) commencing June 15, 2022, no vehicle shall be registered at a weight in excess of the manufacturer’s gross vehicle weight rating for such vehicle.”

Section 2. Amend § 4502(c)(2), Title 21, of the Delaware Code by deleting subsection (c)(2) in its entirety and replacing it with the following:

“(2) A vehicle equipped with 3 axles, having each of the 3 axles equipped with 2 hubs, with a power brake on each hub, shall not exceed a total gross weight of 65,000 lbs. or the manufacturer’s gross vehicle weight rating, which ever is less; notwithstanding the above, and as limited in §2105 of this Title, it shall be lawful to operate such a vehicle to and from any construction site located in this State when the total gross weight does not exceed 70,000 lbs.; and it shall also be lawful to operate such a vehicle containing agricultural products when the gross weight, including vehicle and load, does not exceed 70,000 lbs.; provided that vehicles utilizing the above exception shall pay a fee of \$100 per vehicle at the time of registration for this extra weight capacity.”

Section 3. Amend § 4502 (c)(10), Title 21 of the Delaware Code by deleting subsection (c)(10) in its entirety and replacing it with the following:

“(10) Whenever the total gross weight permitted in any provisions of this section exceeds the total gross weight permitted as calculated pursuant to subsection (7), subsection (7) shall be void.”

Approved June 29, 2010