

LAWS OF DELAWARE  
VOLUME 84  
CHAPTER 178  
152nd GENERAL ASSEMBLY  
FORMERLY  
SENATE BILL NO. 155

AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL LICENSE 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 making deletions as shown by strike through and insertions as shown by underline as follows:

§ 2140O. Special registration plates supporting Plastic Free Delaware.

(a) The owner of any vehicle described in subsection (b) of this section may apply to the Division of Motor Vehicles for a special waste reduction registration plate. The Division shall issue the plate if it receives at least 200 of such applications.

(b) This section applies to:

(1) A private passenger vehicle; or

(2) Subject to paragraph (b)(2)b of this section, a motor vehicle, including a truck or trailer, with a manufacturer's gross vehicle weight rating (GVWR) of 26,000 pounds or less.

a. The motor vehicle described in this paragraph may be owned by an individual or an artificial entity, including corporation, company, association, firm, partnership, society, or joint-stock company.

b. A truck that qualifies to register for the International Registration Plan (IRP), individually, or as part of a combination of vehicles, as defined section 101 of this Title, may not be issued a special plate under this section.

(c) Upon the initial application for a plate to be issued pursuant to this section, a 1-time fee of \$50, which includes an administrative fee of \$15.00, is required in addition to the annual registration fee required by this title. This additional fee is required for all persons applying for a special plate pursuant to this section, including members of nonprofit organizations, even if members are exempt from registration fees under § 2159 of this title. A replacement plate may be obtained upon payment of a fee to be set by the Division, which shall cover the cost of the plate.

(d) The 1-time administrative fee collected pursuant to subsection (c) of this section shall be deposited into a special fund and used by the Division of Motor Vehicles for the purpose of promoting the sale of the plate and administering this section. Proceeds remaining after the Division of Motor Vehicles has covered the costs of promoting and administering this section shall be applied pursuant to subsection (e) of this section.

(e) The funds derived by the State from that portion of the 1-time fee of \$50 that is not defined as an administrative fee pursuant to subsection (c) and (d) of this section shall be deposited by the Division of Motor Vehicles with the State Treasurer and shall be specifically set aside and deposited to support education and outreach programs in Plastic Free Delaware's Fund.

(f) All registration plates issued pursuant to this section shall be of the colors and design as determined by the Division and Plastic Free Delaware. The numbers and letters assigned will be the same as the current license plate assigned to the vehicle. The committee may, at its discretion, drop the wording "The First State" and substitute in lieu thereof the wording agreed upon with the organization.

(g) The Division of Motor Vehicles shall have the power to refuse any design which it believes would cause a public safety enforcement problem. The Division of Motor Vehicles may promulgate rules and regulations as required to administer this section.

Approved August 22, 2023