

LAWS OF DELAWARE  
VOLUME 84  
CHAPTER 226  
152nd GENERAL ASSEMBLY  
FORMERLY  
SENATE SUBSTITUTE NO. 1  
FOR  
SENATE BILL NO. 107

AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLE DOCUMENTATION FEE.

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

Section 1. Amend § 3001, Title 30 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 3001. Definitions.

As used in this chapter:

(1) “Motorcycle” — the definition of motorcycle shall be the same as that found in § 101 of Title 21.

(2) “Motor vehicle” — the definition of motor vehicle shall be the same as that found in § 101 of Title 21.

(3) “Motor vehicle dealer” includes every person in the business of buying, selling or trading new or used motor vehicles, trailers, truck trailers or motorcycles.

(4) “Owner” — the definition of owner shall be the same as that found in § 101 of Title 21.

(5) “Purchase price” means the value or any other consideration given by the owner to the seller for a motor vehicle; where trade-ins or allowances are given in conjunction with the purchase of any motor vehicle, the purchase price shall be the gross purchase price less any trade-in or allowance given by the seller of the motor vehicle to the owner of the motor vehicle; except that where a motor vehicle having been bought and registered outside the State and not subject to the limitation of § 3002(a)(4) of this title is first registered and titled in this State, “purchase price” shall mean the fair market value as of the date of such titling and registration. If the owner made no trade-in in conjunction with the purchase of any motor vehicle or trailer but 60 days prior to or subsequent to the date on which a certificate of title was issued in Delaware on such vehicle such owner sold privately the previously owned vehicle, credit shall be given in the same amount on the document fee as if the owner had made a trade-in of such previously owned vehicle in connection with the purchase of another vehicle. Credit shall be given for only 1 motor vehicle or trailer per application. Application for such credit in event of a prior sale shall be made at the time application is made for title of the purchased vehicle. In the event of a subsequent sale, application for such credit shall be made not later than 15 calendar days after such sale in person or by registered mail to the Division of Motor Vehicles. Proof of prior ownership and the amount of sale shall be furnished at the time the owner claims credit pursuant to rules and regulations promulgated by the Division of Motor Vehicles. For park trailers, the owner shall be allowed to submit an appraisal to be accepted by the Department to demonstrate the fair market value of the park trailer. The appraisal shall come from a Delaware dealer authorized to provide an appraisal for park trailer models. Furnishings, site modifications, geographical location, and other items that are not applicable to the documentation fee shall not be included in the purchase price or fair market value for purposes of calculating the documentation fee.

Approved September 21, 2023