

LAWS OF DELAWARE
VOLUME 84
CHAPTER 403
152nd GENERAL ASSEMBLY
FORMERLY
HOUSE BILL NO. 416

AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO LOW-SPEED VEHICLES.

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

Section 1. Amend § 2113A, Title 21 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 2113A. Low-speed vehicles.

(a) *Definition.* — “Low-speed vehicle” means a 4-wheeled motor vehicle, other than a truck, whose speed attainable in 1 mile is more than 20 miles per hour but no more than 25 miles per hour on a paved level surface. The low-speed vehicle shall be limited to a gross vehicle weight rating (GVWR) of ~~less than 2,500~~ 3,000 pounds ~~or less~~.

(b) *Operation of low-speed vehicles.* — Low-speed vehicles shall only be operated on roads where the posted speed limit is not more than 35 miles per hour. A low-speed vehicle may cross a highway at an intersection where the highway has a posted speed limit of more than 35 miles per hour. Low-speed vehicles shall not be operated on dual highways, as defined in § 135 of Title 17 and located in the unincorporated portions of the State, except as needed to cross them. Low-speed vehicles may be operated on such dual highways within incorporated cities and towns if the respective municipal government enacts an ordinance permitting such movement, subject to the other limitations of this section. All low-speed vehicles shall meet the requirements of 49 C.F.R. § 571.500.

(c) *Driver’s license requirement.* — All persons operating a low-speed vehicle on the highways of this State shall hold a valid driver’s license.

(d) *Safety inspections.* — Low-speed vehicles shall be exempt from Delaware’s safety inspection. Division of Motor Vehicles personnel will verify the vehicle identification number on those vehicles titled in another jurisdiction, which are being titled in Delaware for the first time. A fee of \$15 shall be charged for Division of Motor Vehicles technicians to perform offsite vehicle identification number verification. Upon registration and renewal of a low-speed vehicle’s registration, the owner shall certify, under penalty of perjury, that all lights, brakes, tires, seat belts and other vehicle equipment are in good working condition.

(e) *Insurance.* — Low-speed vehicles shall be required to maintain insurance as required by § 2118 of this title. Delaware automobile insurance companies may provide automobile insurance on these vehicles at their option. These automobile insurance companies shall not be mandated to provide insurance on low-speed vehicles by regulation or law.

(f) *Title and registration.* — (1) Low-speed vehicles shall be titled as specified in Chapters 23 and 25 of this title. The manufacturer’s certificate of origin and Delaware title shall clearly identify the vehicle as a low-speed vehicle. The Division shall not issue vehicle identification numbers to homemade low-speed vehicles or retrofitted golf carts unless these vehicles meet all of the requirements of the Federal Motor Vehicle Safety Standard, 49 C.F.R. § 571.500. Normal title and document fees shall be charged to register a low-speed vehicle in Delaware.

(2) Registration fees shall be the same as a normal passenger vehicle as defined in § 2151(2) of this title.

Registration periods shall comply with §§ 2109 and 2110 of this title. A regular license plate shall be displayed on the rear of the vehicle.

(g) *Dealer requirements.* — Any person engaged in the retail sale of low-speed vehicles must be licensed by the Division of Motor Vehicles as a licensed motor vehicle dealer, must comply with all of the requirements of Chapter 63 of this title, and must meet all Division of Motor Vehicles rules and regulations.

(h) Whoever violates this section shall for the first offense be fined not less than \$50 nor more than \$100. For each subsequent like offense, the person shall be fined not less than \$100 nor more than \$200, or imprisoned not less than 10 days nor more than 30 days or both.

Approved September 19, 2024