

LAWS OF DELAWARE
VOLUME 85
CHAPTER 40
153rd GENERAL ASSEMBLY
FORMERLY
HOUSE BILL NO. 164
AS AMENDED BY
HOUSE AMENDMENT NO. 1

AN ACT TO AMEND TITLES 21 AND 30 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLES.

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 § 101, Title 21 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows and by redesignating accordingly:

§ 101. Words and phrases.

For the purposes of this title, unless the context otherwise clearly indicates:

(19) “Electric motor vehicle” means a motor vehicle which is powered only by electric or electromagnetic motors.

(46) “Non-plug-in electric vehicle” means a motor vehicle powered by both an internal combustion motor which uses gasoline, diesel, or another fuel that is subject to the provisions of Chapter 51 of Title 30 and an electric or electromagnetic motor or form of propulsion, which is recharged during the operation of the motor vehicle and is not able to be recharged using a charging port and external power source, such as an electrical outlet or charging station to recharge the vehicle’s batteries.

(54) “Other fuel vehicle” means a motor vehicle other than an electric motor vehicle, plug-in electric vehicle, or non-plug-in electric vehicle, that is powered by an engine or motor which does not function solely on gasoline, diesel, or other fuel subject to the provisions of Chapter 51 of Title 30. It includes a motor vehicle that operates using liquified petroleum gas, propane, natural gas, ethanol, methanol, hydrogen, or another combustible fuel source.

(59) “Plug-in electric vehicle” means a motor vehicle powered by both an internal combustion motor which uses gasoline, diesel, or another fuel that is subject to the provisions of Chapter 51 of Title 30 and an electric or electromagnetic motor or form of propulsion, which is recharged using a charging port and external power source, such as an electrical outlet or charging station.

Section 2. Amend § 2140, Title 21 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 2140. Special registration plates for members of nonprofit organizations.

(f) ~~[Repealed]~~ The nonprofit organization must pay a one-time setup fee of \$200 to the Division to establish the special plate.

Section 3. Amend § 2151, Title 21 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows and by redesignating accordingly:

§ 2151. Fee schedule; time of payment.

At the time of application for the registration of a motor vehicle and prior to the issuance of the current registration plates required by this title, there shall be paid to the Department registration fees according to the following schedule:

(1) For the registration of any motorcycle, \$15 per ~~year~~; year.

(2) For the registration of each motor vehicle commonly used for pleasure or for the chief purpose of carrying persons (except motor vehicles commonly known as passenger buses) and including station wagons, \$40 per ~~year~~; year.

(3) For the registration of other motor vehicles, including those propelled by diesel engines, \$40 per year if the gross load weight does not exceed 5,000 pounds, and an additional \$18 per year for each 1,000 pounds or fraction thereof over and above 5,000 pounds. The gross load weight shall be the weight of the chassis, body, equipment and maximum allowable load as specified by the ~~application~~; application.

(4) Such vehicles as are authorized to operate or to be moved as provided by § 4504 of this title shall be registered in the same manner as other vehicles. The fee for such registration shall be at the same rate required for trucks and ~~semitrailers~~; semitrailers.

(5) For the registration of any recreational vehicle or recreational trailer, the fee shall be \$40 per year if the gross load weight of the vehicle or trailer does not exceed 5,000 pounds, and in the event the gross load weight exceeds 5,000 pounds, \$6.40 per year for each 1,000 pounds or fraction thereof over and above 5,000 pounds. The gross load weight shall be the weight of the chassis, body, equipment and maximum allowable load as specified by the ~~application~~; application.

(6) A fee of \$20, in addition to the registration fee, shall be imposed at the time of renewal of registration of a motor vehicle or semitrailer if the Delaware registration has expired. This fee ~~shall~~ may not be imposed if the registration has expired over 12 months or if a permit has been purchased for the vehicle pursuant to § 2103 of this title. The fee ~~shall~~ may not be imposed if a transfer of ownership on the vehicle has taken place or if the motor vehicle or trailer has been inspected prior to the expiration of ~~registration;~~ registration.

(7) Of each of the motorcycle registration fees collected pursuant to paragraph (1) of this section the sum of \$4.00 per year is appropriated to the Department of Transportation and shall be placed in a special account to be used only for the expenses incurred in the administration of the motorcycle rider education program and improved motorcycle licensing ~~procedures;~~ procedures.

(8) For the registration of a motor farm trucks-truck owned and used exclusively by ~~farmers~~ a farmer who ~~derive~~ derives at least \$1,000 of ~~their~~ the farmer's annual income from the operation of ~~their~~ the farmer's farm and ~~they who own~~ owns or ~~rent~~ rents at least 10 acres which are actively used in the farming operation from which ~~they~~ the farmer ~~derive~~ derives that income, the fee ~~shall be~~ is \$40 per year if the gross load weight does not exceed 5,000 pounds, and an additional \$3.80 per year for each 1,000 pounds or fraction thereof over and above 5,000 pounds. The gross load weight ~~shall be~~ is as calculated in paragraph (3) of this section, but in no case shall the required fee for motor vehicles, except trailers, under this paragraph be less than \$40 per ~~year;~~ year.

(9) For the registration of a farm motor vehicles, vehicle, farm vehicles, vehicle, or farm ~~trailers~~ trailer owned and used exclusively by ~~farmers~~ a farmer who ~~derive~~ derives at least \$1,000 of ~~their~~ the farmer's annual income from the operation of their farm and ~~they~~ the farmer ~~own~~ owns or ~~rent~~ rents at least 10 acres which are actively used in the farming operation from which ~~they~~ the farmer ~~derive~~ derives that ~~income~~ income, and are operated or towed within a 20-mile radius of a farm owned or managed by the owner of the vehicle or trailer, there ~~shall be~~ is a onetime fee of ~~\$40;~~ \$10.

(10) For the registration of trailers with a gross weight of 1,000 pounds or less the fee ~~shall be~~ is \$15 per year; if a trailer's gross load weight exceeds 1,000 pounds there shall be an additional fee of \$5.00 per year for each 1,000 pounds or fraction thereof over and above the 1,000 pounds up to a maximum of 2,000 pounds.

The fee for the registration of trailers with a gross weight exceeding 2,000 pounds ~~shall be~~ is as provided in paragraph (3) of this section.

(11) The Secretary of the Department of Transportation in conjunction with the Secretary of the Department of Agriculture shall promulgate ~~such~~ regulations as ~~they shall deem~~ necessary for the administration and implementation of this section.

Section 4. 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:

§ 2151A. Alternative fuel registration fees.

At the time of application for the registration of a motor vehicle and prior to the issuance of the current registration plates required by this title, there shall be paid to the Department registration fees according to the following schedule:

(1) For the registration of an electric motor vehicle, in addition to the registration fee under § 2151 of this title, a fee of \$110 per year if the gross load weight is 6,000 pounds or less. The additional fee is \$150 per year if the gross load weight is over 6,000 pounds and as much as 10,000 pounds. The additional fee is \$260 per year if the gross load weight is over 10,000 pounds and as much as 26,000 pounds. The additional fee is \$900 per year if the gross load weight is in excess of 26,000 pounds.

(2) For the registration of a plug-in electric vehicle, in addition to the registration fee specified in § 2151 of this title, a fee of \$85 per year if the gross load weight is 6,000 pounds or less. The additional fee is \$115 per year if the gross load weight is over 6,000 pounds and as much as 10,000 pounds. The additional fee is \$200 per year if the gross load weight is over 10,000 pounds and as much as 26,000 pounds. The additional fee is \$600 per year if the gross load weight is in excess of 26,000 pounds.

(3) For the registration of a non-plug-in electric vehicle, in addition to the registration fee specified in § 2151 of this title, a fee of \$60 per year if the gross load weight is 6,000 pounds or less. The additional fee is \$80 per year if the gross load weight is over 6,000 pounds and as much as 10,000 pounds. The additional fee is \$140 per year if the gross load weight is over 10,000 pounds and as much as 26,000 pounds. The additional fee is \$480 per year if the gross load weight is in excess of 26,000 pounds.

(4) For the registration of an other fuel vehicle, in addition to the registration fee specified in § 2151 of this title, a fee of \$110 per year if the gross load weight is 6,000 pounds or less. The additional fee is \$150 per

year if the gross load weight is over 6,000 pounds and as much as 10,000 pounds. The additional fee is \$260 per year if the gross load weight is over 10,000 pounds and as much as 26,000 pounds. The additional fee is \$900 per year if the gross load weight is in excess of 26,000 pounds.

(5) For the registration of a motorcycle, as defined by § 101 of this title, which is an electric motor vehicle, non-plug-in electric motor vehicle, other fuel vehicle, or plug-in electric vehicle, in addition to the registration fee specified in § 2151(1) of this title, a fee of \$15 per year. A moped, as defined by §101 of this title, is exempt from the additional registration fee under this section.

Section 5. Amend § 2608, Title 21 of the Delaware Code by making deletions as shown by strike through and additions shown by underline as follows and by redesignating as follows:

§ 2608. Commercial driver license qualification standards; fee.

(d)(2) The CLP may be issued for a period that does not exceed 1 year. Only 1 renewal or re-issuance may be granted within a 1-year period. The 1-year period begins with the issuance date of the original permit. The holder of a CLP may, unless otherwise disqualified, drive a commercial motor vehicle only when accompanied by the holder of a commercial driver license, valid for the type of vehicle driven who occupies a seat beside the individual for the purpose of giving instruction in driving the commercial motor vehicle; provided that the CLP holder may not operate a commercial motor vehicle transporting hazardous materials as defined in § 2603 of this title.

(3) If for any reason the applicant fails to pass the required examinations during the 1-year period granted by the permit, the CLP is void and the \$10 fee is forfeited.

Section 6. Amend § 2715, Title 21 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 2715. Driver license renewal cycle; fees; photograph.

(a) Upon receipt of the application and a fee of \$40 \$50 and after such examination as provided in this chapter, the Secretary may issue, at the Secretary's discretion, a motor vehicle driver's license which shall expire and be renewable on the eighth anniversary date of the birth of the applicant next following the date of its issuance unless the birth date is February 29, in which event the license shall expire and be renewable on February 28 every eighth year. A permanent resident foreign national may be issued a full 8-year driver's license. However, a driver's license issued to a temporary foreign national must be limited to the period of time that the temporary foreign national is authorized to be in the United States.

Section 7. Amend § 2718, Title 21 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 2718. Information on licenses.

(e) If an applicant is required to register as a sex offender pursuant to § 4120 of Title 11, as amended, for a felony conviction the sentencing court shall take possession of the driver's license and shall tender to the person being sentenced a temporary license, directing that the person report to the Division of Motor Vehicle for a replacement driver's license with the following code under restrictions: Y indicating sex offender. The person shall tender to the Division of Motor Vehicle a fee of ~~\$5.00~~ \$10.00 for the replacement license. Upon a person being removed from the registration requirement, the Division of Motor Vehicle shall issue a license without the sex offender code printed upon the license at no charge. The sentencing court shall forward to the Division all licenses that it receives, along with a copy of the sentencing order.

Section 8. Amend § 2611, Title 21 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 2611. Commercial driver license.

(h) *Fees.* — (1) The fee for a commercial motor vehicle driver license ~~shall be \$48~~ is \$55 except when the commercial motor vehicle driver license is endorsed for the transport of hazardous materials in which event the fee ~~shall be~~ is \$30. The fee for a non-CDL Class A or non-CDL Class B driver license ~~shall be~~ is \$40.

(2) The fee for renewal of a commercial motor vehicle driver license ~~shall be \$48~~ is \$55 except when the commercial motor vehicle driver license is endorsed for the transport of hazardous materials in which event the fee shall be \$30. The fee for renewal of a non-CDL Class A or non-CDL Class B driver license ~~shall be \$40.~~ is \$50. A late fee of \$10 ~~shall be~~ is assessed in addition to the renewal fee for every person whose commercial motor vehicle driver license has expired.

(3) The fee for changing from 1 class to another class ~~shall be~~ is \$10, if the change requires a written examination or skills test. There ~~shall be~~ is no fee assessed if the driver wishes to change to a class of a lower weight vehicle and such change is made at time of renewal of license.

(4) If the applicant wishes to add an endorsement after a commercial driver license has been issued, the fee for adding ~~such~~ the endorsement ~~shall be \$5.00.~~ is \$10.00.

(5) ~~[Repealed.]~~ The fee for removal of a restriction after a commercial driver license has been issued is \$10.00.

Section 9. Amend § 2720, Title 21 of the Delaware Code by making deletions as shown by strike through and additions shown by underline as follows:

§ 2720. ~~Duplicate~~ Replacement licenses; requirements; fee.

(a) In the event that any operator's license issued under this chapter is lost or ~~destroyed~~ destroyed, the person to whom it was issued may apply to the Department for the issuance of a duplicate or substitute license upon executing such forms as may be required by the Department and upon furnishing proof satisfactory to the Department that such license has been lost or destroyed. Each application for the issuance of a duplicate or substitute license under this subsection must be accompanied by a fee of \$20.

(b) In the event a name change is requested for any operator's license issued under this chapter, the person to whom it was issued may apply to the Division for the issuance of an updated license upon submitting such documentation as may be required by the Division. Each application for the issuance of a replacement license must be accompanied by a fee of \$10.

~~(b)~~ (c) Upon receipt of the application and the required fee, the Secretary of Transportation of this State may, at the Secretary's discretion, require an examination of such applicant in accordance with this chapter.

~~(c)~~ (d) Each application for the issuance of a duplicate license certificate ~~shall~~ must be accompanied by a fee of \$20.

~~(d)~~ (e) An individual who presents a valid, unexpired, Delaware personal credential card, issued under § 8915 of Title 29, is exempt from any fee charged under this section for a replacement license.

~~(e)~~ (f) An applicant is not required to pay a fee required by this section if the applicant is a child in the custody of the Department of Services for Children, Youth, and Their Families or meets the requirements under § 9011A(g) of Title 29.

Section 10. Amend § 2764, Title 21 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 2764. Fee for taxicab authorization.

The fee for the authorization specified in § 2762 of this title ~~shall be \$3.45.~~ is \$10.00. The fee for renewals is also ~~\$3.45.~~ \$10.00.

Section 11. Amend § 3105, Title 21 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 3105. Issuance of ~~duplicate~~ replacement cards; fee.

(a) In the event that any identification card issued under this chapter is lost or destroyed, the person to whom it was issued may apply to the Division for the issuance of a ~~duplicate or substitute~~ replacement identification card upon executing such forms as may be required by the Division and upon furnishing proof satisfactory to the Division that such identification card has been lost or destroyed.

(b) In the event a name change is requested for any identification card issued under this chapter, the person to whom it was issued may apply to the Division for the issuance of an updated identification card upon submitting such documentation as may be required by the Division.

~~(b)~~ (c) Upon receipt of the application and a fee of ~~\$5.00~~, \$10.00, the Division shall issue a ~~duplicate~~ replacement identification card.

~~(c)~~ (d) An individual who presents a valid, unexpired, Delaware personal credential card, issued under § 8915 of Title 29, is exempt from any fee charged under this section for a duplicate replacement identification card.

Section 12. Amend § 6302, Title 21 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 6302. License requirements.

(f) *Fee.* —

(1) No ~~The application~~ fee for a license is ~~charged by the Department.~~ \$100.

(2) The license renewal fee is \$50.00.

(3) However, all ~~All~~ dealerships must obtain a yearly dealer business license from the Department of Finance, Division of Revenue. Wholesale dealers ~~shall~~ must also obtain an additional wholesale license pursuant to § 6307 of this title. The business license(s) must be kept at the business location and be available for inspection by the Department.

Section 13. Amend § 3002, Title 30 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 3002. Motor vehicle document fee; claims for refunds [For applicability of this section, see 80 Del. Laws, c. 77, § 2].

(c) The document fee imposed herein shall be computed as follows:

(3) The document fee payable thereafter shall increase in increments of ~~\$4.25~~ \$5.25 per each additional \$100 of purchase price or any fraction thereof, rounded to the nearest dollar; except that the document fee thereafter for mobile homes shall increase in increments of \$3.75 per each additional \$100 of purchase price or any fraction thereof, rounded to the nearest dollar.

Section 14. Except as specified by Section 15 of this Act, this Act is effective on October 1, 2025.

Section 15. Section 13 of this Act is effective as follows:

(a) The document fee charged during fiscal year 2025 must be charged for all title work received by the Division of Motor Vehicles prior to October 1, 2025, but not processed by the Division until after that date. This provision includes mailed title work postmarked prior to October 1, but received by the Division after that date.

(b) Vehicles sold prior to October 1, 2025, as evidenced by a bill of sale, must be processed at the fee rate in effect during fiscal year 2025.

(c) Notwithstanding the foregoing subsections, all titles processed on or after November 1, 2025 must be processed using the fee rates made effective October 1, 2025, no matter when the vehicle was purchased.

Approved June 24, 2025