



LAWS OF DELAWARE
VOLUME 85
CHAPTER 391
153rd GENERAL ASSEMBLY
FORMERLY
HOUSE BILL NO. 348

AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO ELECTRIC VEHICLES

WHEREAS, pollution from tailpipe emissions from internal combustion vehicles contributes to human and environmental health issues and is the leading source of greenhouse gas emissions in Delaware; and

WHEREAS, deployment of low-emission vehicles is a key strategy in the Delaware Climate Action Plan and is necessary to meet Delaware's greenhouse gas emission reduction targets as specified in the Delaware Climate Change Solutions Act; and

WHEREAS, the upfront purchase or lease cost of new and used electric vehicles can be higher than a comparable internal combustion engine vehicle including the costs to install home charging; and

WHEREAS, the total cost of ownership of an electric vehicle is less than a comparable internal combustion engine vehicle; and

WHEREAS, financial assistance that offsets a portion of the additional upfront costs of purchasing or leasing electric vehicles is an effective strategy to accelerate deployment of electric vehicles; and

WHEREAS, the federal Inflation Reduction Act (IRA) included a tax credit for new electric vehicles of up to \$7,500 and for used electric vehicles of up to \$4,000 or 30% of the purchase price; and

WHEREAS, the premature end of that federal incentive has created a gap in financial support for households seeking to access the electric vehicle market; and

WHEREAS, price caps established for the State's electric vehicle program do not reflect current market conditions and the rescission of federal tax credits; and

WHEREAS, those same price caps would prohibit enhanced incentives for low income drivers.

NOW, THEREFORE:

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

Section 1. Amend § 8064, Title 29 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows and redesignating accordingly:

§ 8064. Electric vehicle rebate programs [For contingent repeal of this section, see 84 Del. Laws, c. 144, § 3].

(a) As used in this section:

(1) “All-electric vehicle” means as defined in § 8062 of this chapter.

(2) “Department” means the Delaware Department of Natural Resources and Environmental Control.

(3) “Electric vehicle” means as defined in § 8062 of this chapter.

~~(4) “MSRP” means the manufacturer’s suggested retail price for an electric vehicle as set by the electric vehicle’s manufacturer.~~

~~(5)~~ (4) “Plug-in hybrid vehicle” means as defined in § 8062 of this chapter.

(b) The Department shall administer a rebate program to incentivize the purchase ~~and~~ or lease of new and used electric vehicles by Delaware ~~residents; residents and other eligible entities, as determined by the Department.~~ Qualifying electric vehicles ~~shall be~~ are eligible for a rebate in an amount determined by the Department based on availability of funds and ~~the Department’s assessment of the maturation of the market, provided, however, that the rebate for all electric vehicles shall not exceed \$2,500 per vehicle and the rebate for plug-in hybrid vehicles shall not exceed \$1,000 per vehicle;~~ market conditions, including differentiated rebate amounts based on household income, vehicle type, vehicle cost, or other factors necessary to improve access to electric vehicles in Delaware.

~~(c) All of the following are eligible to participate in the rebate programs upon purchase of a qualifying vehicle:~~ The following may be eligible to participate in the rebate programs, subject to availability of funds and program criteria established by the Department:

(1) Delaware residents.

(2) Active-duty military members stationed in Delaware.

(3) Businesses, nonprofit organizations, educational institutions, and local or state government entities operating within the State.

(d) No more than 2 electric vehicle rebates may be permitted per ~~recipient~~ Delaware resident over the life of the program.

(e) The Department shall establish standards and procedures for administration of electric vehicle incentive programs. Such standards may include criteria for establishing qualifying electric vehicles including price caps, mileage range, battery size, and other relevant factors.

~~(f) Eligible vehicles shall not exceed \$50,000 in MSRP.~~

~~(g)~~ (f) Applications for the rebate and incentive programs must be made using forms and procedures developed by the Department.

~~(h)~~ (g) The Department may utilize third-party providers to administer rebate and incentive programs.

~~(i)~~ (h) The Department may utilize funds allocated to the Department under § 6046 of Title 7 for the programs established in subsection (b) of this section. Funds shall be issued on a first-come, first-serve basis as funds are available.

Approved July 23, 2026