



SPONSOR: Sen. Lawson & Rep. Hilovsky
Sens. Huxtable, Pettyjohn, Wilson; Rep. Gray

DELAWARE STATE SENATE
152nd GENERAL ASSEMBLY

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

23 ownership and the amount of sale shall be furnished at the time the owner claims credit pursuant to rules and
24 regulations promulgated by the Division of Motor Vehicles. For park trailers and mobile homes that are located on an
25 existing site at the time of purchase, the owner shall be given an opportunity to demonstrate the retail value of the park
26 trailer or mobile home through an appraisal provided by a licensed Delaware dealership. Furnishings, site
27 modifications, geographical location and other items that are not applicable to the documentation fee shall not be
28 included in the purchase price or fair market value for purposes of calculating the documentation fee. Any owner who
29 has filed an appeal since July 1, 2022, whether responded to or not, shall have their previously paid documentation fee
30 adjusted and refunded no later than August 1, 2023.

SYNOPSIS

This Act clarifies that in calculating the document fee to be paid by the owner upon the sale, transfer, or registration of a new park trailer or mobile home that the owner shall be given an opportunity to demonstrate the retail value of the park trailer or mobile home. This Act also excludes furnishings, site modifications, geographical location, and other items that are not related to the actual value of the park trailer or mobile home from being included in the calculation. Finally, this Act provides a mechanism for those effected by the prior method of calculating the document fee to receive relief for what would amount to overpayments under this new calculation process.

Author: Senator Lawson