



SPONSOR: Sen. Lawson & Rep. Hilovsky
Sen. Huxtable

DELAWARE STATE SENATE
152nd GENERAL ASSEMBLY

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:

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

3 § 3001. Definitions.

4 As used in this chapter:

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

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

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

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

10 (5) "Purchase price" means the value or any other consideration given by the owner to the seller for a motor
11 vehicle; where trade-ins or allowances are given in conjunction with the purchase of any motor vehicle, the purchase
12 price shall be the gross purchase price less any trade-in or allowance given by the seller of the motor vehicle to the
13 owner of the motor vehicle; except that where a motor vehicle having been bought and registered outside the State and
14 not subject to the limitation of § 3002(a)(4) of this title is first registered and titled in this State, "purchase price" shall
15 mean the fair market value as of the date of such titling and registration. If the owner made no trade-in in conjunction
16 with the purchase of any motor vehicle or trailer but 60 days prior to or subsequent to the date on which a certificate of
17 title was issued in Delaware on such vehicle such owner sold privately the previously owned vehicle, credit shall be
18 given in the same amount on the document fee as if the owner had made a trade-in of such previously owned vehicle in
19 connection with the purchase of another vehicle. Credit shall be given for only 1 motor vehicle or trailer per
20 application. Application for such credit in event of a prior sale shall be made at the time application is made for title of

21 the purchased vehicle. In the event of a subsequent sale, application for such credit shall be made not later than 15
22 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, the owner shall be allowed to submit an
25 appraisal to be accepted by the Department to demonstrate the fair market value of the park trailer. The appraisal shall
26 come from a Delaware dealer authorized to provide an appraisal for park trailer models. 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.

SYNOPSIS

This Act clarifies that in calculating the document fee to be paid by the owner upon the sale, transfer, or registration of a park trailer, the owner shall be allowed to demonstrate the fair market value of the park trailer through an appraisal by a Delaware dealer authorized to provide an appraisal for park trailer models. This Act also excludes furnishings, site modifications, geographical location, and other items that are not related to the actual value of the park trailer from being included in the calculation.

Author: Senator Lawson