



SPONSOR: Rep. Cooke & Sen. Poore  
Reps. K. Johnson, Osienski, Harris; Sen. Wilson

HOUSE OF REPRESENTATIVES  
152nd GENERAL ASSEMBLY

HOUSE BILL NO. 352

AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO ENFORCEMENT AND REMOVAL OF ABANDONED VEHICLES.

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

1           Section 1. Amend § 4402, Title 21 of the Delaware Code by making deletions as shown by strike through and  
2 insertions as shown by underline as follows:

3           § 4402. Enforcement; removal of abandoned vehicles; transfer thereof.

4           (a) This chapter shall be enforced with respect to state or public highways or property within a municipality which  
5 maintains a police force by that police force. In all other instances, the State Police or the Department of Safety and  
6 Homeland Security (hereinafter "Department") shall enforce this chapter, except that, in New Castle County, the New  
7 Castle County Police shall have concurrent authority to enforce this chapter. ~~New Castle County Code Enforcement~~  
8 ~~Constables~~ County code enforcement constables in each county shall have concurrent authority to enforce ~~the notice~~  
9 ~~provisions of~~ subsections (d) and (e) of this section. The Department of Transportation shall have a limited role in causing  
10 vehicles to be removed from state or public highways, as stated herein.

SYNOPSIS

This Act gives county code enforcement constables the authority to tow abandoned vehicles on private property.