



SPONSOR: Sen. Poore

DELAWARE STATE SENATE
152nd GENERAL ASSEMBLY

SENATE AMENDMENT NO. 1
TO
HOUSE BILL NO. 352

1 AMEND House Bill No. 352 on line 8 by inserting “and municipal police” after “in each county”.

2 FURTHER AMEND House Bill No. 352 by adding the following after line 10:

3 “(d) If an abandoned vehicle is on private property with the consent of the owner or occupant thereof, of
4 if an abandoned vehicle is owned by the owner or occupant of the private property where the vehicle is located,
5 representatives of the Department, ~~or~~ State Police, a county code enforcement constable, or a municipal police
6 officer may enter upon the property where such vehicle is located to ascertain its ownership. The Department,
7 county, or municipality shall notify the owner of the abandoned vehicle by certified mail sent to the owner’s last
8 known address to remove such vehicle within 7 days from the date of the mailing. If the vehicle is not removed
9 within 7 days or if the owner cannot be located for the purpose of sending the written notice, then representatives
10 of the Department, ~~or~~ State Police, county code enforcement, or municipal police may enter upon the property
11 where the vehicle is located and conspicuously affix thereto a sticker or tag showing the time and date of its
12 affixing, advising the owner that if the vehicle is not removed within 24 hours from the time of the affixing of the
13 sticker, the vehicle shall be removed to a storage area designated by the ~~Department~~ Department, ~~or the State~~
14 ~~Police.~~ Police, a county code enforcement agency, or a municipal police department. This subsection shall not
15 apply to automobile graveyards as defined in § 1202(b)(2) of Title 17 nor to any vehicle on private property
16 which is not visible from the street or road and is not otherwise a nuisance or a health or fire hazard.”

SYNOPSIS

This amendment adds municipal police to Section 4402(a) of Title 21 thereby granting them concurrent authority to enforce Sections 4402(d) and (e) related to abandoned vehicles. This amendment also adds county code enforcement constables and municipal police officers to Section 4402(d) related to the authority to ascertain the ownership of abandoned vehicles, and authorizes counties and municipalities to provide required notices to owners of abandoned vehicles.

Author: Senator Poore