



SPONSOR: Rep. Matthews & Sen. Hansen

HOUSE OF REPRESENTATIVES  
152nd GENERAL ASSEMBLY

HOUSE BILL NO. 409

AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO UNIQUE VEHICLES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE (Three-fifths of all members elected to each house thereof concurring therein):

1 Section 1. Amend § 101, Title 21 of the Delaware Code by making deletions as shown by strike through and  
2 insertions as shown by underline as follows:

3 § 101. Words and phrases.

4 For the purposes of this title, unless the context otherwise clearly indicates:

5 (74) "~~Specialized-Unique~~ vehicle" shall mean ~~a vehicle or motor vehicle which may be registered by the~~  
6 ~~Division of Motor Vehicles, but with special restrictions as determined by the Division of Motor Vehicles.~~means a  
7 vehicle, frame, or body, which was not manufactured to meet all Federal Motor Vehicle Safety Standards (FMVSS) in  
8 effect for the model year in which it was manufactured. It includes a vehicle which at the time of registration does not  
9 meet the requirements of the Division of Natural Resources and Environmental Control (DNREC) emissions inspection  
10 program under Regulations 1126 or 1131 of Title 7 of the Delaware Administrative Code. A Unique vehicle may be  
11 registered and branded by the Division of Motor Vehicles and may have special restrictions as determined by the  
12 Division. A Unique vehicle includes a vehicle which is more than 25 years old, which was not originally manufactured  
13 for import into the United States, or which is not otherwise eligible to be titled and registered pursuant to Chapter 21 of  
14 this title.

15 Section 2. Amend § 2120A, Title 21 of the Delaware Code by making deletions as shown by strike through and  
16 insertions as shown by underline as follows:

17 § 2120A. Registration of ~~specialized~~Unique vehicles; fees; restrictions.

18 (a) The Division of Motor Vehicles may title and register a ~~specialized~~Unique vehicle for operation on the roads of  
19 the State which will~~does~~ not meet the Division's standards for inspection or ~~performance.~~emissions performance only when  
20 it is modified to meet all Federal Motor Vehicle Safety Standards (FMVSS) safety and equipment requirements and  
21 Division of Natural Resources and Environmental Control's (DNREC's) emissions inspection requirements under  
22 Regulations 1126 or 1131 of Title 7 of the Delaware Administrative Code which are in effect at the time of the initial

23 application for titling or registering of the vehicle. The specialized A Unique vehicle ~~shall~~ may be titled and registered with  
24 restrictions as determined by the Division to be in the best interest of highway safety.

25 (c) ~~Specialized~~ A Unique vehicles shall be subject to ~~annual~~ an initial inspection in accordance with regulations as  
26 adopted by the Division of Motor Vehicles.

27 (d) ~~Specialized~~ A Unique ~~self-propelled~~ vehicles ~~shall~~ may not be registered unless such vehicles ~~are~~ is insured  
28 pursuant to §§ 2118 and 2902 of this title.

29 (e) A Unique unregistered vehicle title may be issued for proof of ownership only if the Unique vehicle does not  
30 meet the Division of Motor Vehicles' inspection requirements, FMVSS safety and equipment requirements, or DNREC's  
31 emission standards. A Unique unregistered vehicle title does not permit the operation of the Unique unregistered motor  
32 vehicle on the roads of the State or any other state in any capacity other than as specified in subsection (f).

33 (f) A Unique unregistered vehicle titled pursuant to subsection (e) shall be used only for participation in club  
34 activities, exhibits, tours, parades, and similar uses (a "Permitted use"). A Unique vehicle participating in a Permitted use  
35 must be insured as required by §§ 2118 and 2902 of this title. A Unique vehicle may not be used for general transportation  
36 and may not be operated on the roads of this State at any time other than when traveling to or from a Permitted use or  
37 actively participating in the Permitted use.

38 (g) The Division of Motor Vehicles shall ~~may~~ not assign a Vehicle Identification Number (VIN) to a Unique  
39 vehicle that was assigned a VIN by the vehicle manufacturer unless it meets the requirements as described in this title. A  
40 dealership or manufacturer may not assign a VIN to a Unique vehicle unless the dealership or manufacturer are approved  
41 by National Highway Traffic Safety Administration (NHTSA) to assign VIN numbers, in accordance with 49 CFR Part  
42 565.

43 (h) The owner of a Unique vehicle modified to meet all requirements outlined in this section and Chapter 43 of  
44 this title must apply to the Division of Motor Vehicles for a unique blue and gold identification plate which shall be  
45 displayed on the front of such vehicle in addition to the standard vehicle registration plate. The Division of Motor Vehicles  
46 has the authority to issue any additional regulations, rules, policies or procedures necessary to implement this Unique  
47 identification plate requirement.

48 (i) The onetime fee for the Unique vehicle identification plate described in subsection (h) shall be \$50. This fee  
49 shall be in addition to any vehicle document fee, title fee, or onetime registration fee. Unique vehicle status shall be  
50 forfeited in the event of a transfer of ownership and the transferor shall surrender the special plate to the Division of Motor  
51 Vehicles. The purchaser of any previously titled or registered Unique vehicle must reapply for a Unique vehicle status at  
52 the time of any transfer. At the time of any post transfer titling or registration application, the Unique vehicle must meet the

53 FMVSS, DNREC and all other requirements at the time of the new titling and/or registration application as if the Unique  
54 vehicle was being titled and or registered for the first time.

55 §2120B. Unique Vehicle safety requirements:

56 The Division of Motor Vehicles may promulgate regulations, rules, policies, or procedures necessary to implement  
57 the requirements of § 2120A of this title. The Division of Motor Vehicles may promulgate additional Regulations, rules,  
58 policies, and procedures which the Division determines are necessary to ensure that the titling, registration, and operation of  
59 a Unique vehicle on the roads of the State do not pose a safety risk to the motoring public.

60 Section 3. Amend § 2198, Title 21 of the Delaware Code by making deletions as shown by strike through and  
61 insertions as shown by underline as follows:

62 § 2198. Inspection.

63 (c) A vehicle registered as a Unique vehicle, which includes a vehicle assigned a Unique unregistered vehicle title,  
64 is exempt from annual inspection. A Unique vehicle must pass an initial inspection prior to being registered as a Unique  
65 vehicle. A vehicle registered as a Unique vehicle shall be provided EXEMPT validating stickers in lieu of the usual  
66 expiration date stickers upon passing the initial inspection.

#### SYNOPSIS

This Act defines a Unique vehicle as one not manufactured to meet all Federal Motor Vehicle Safety Standards (FMVSS) in effect for the model year in which it was manufactured or which does not meet the requirements of the Division of Natural Resources and Environmental Control (DNREC) emissions inspection program. It identifies the requirements for those vehicles to be titled, registered, and branded for operation within this State.