



SPONSOR: Rep. Chukwuocha & Sen. Brown & Rep. Heffernan
Reps. Harris, Berry, Bolden, K. Johnson, Lambert,
Morrison, Neal, Phillips, Romer, Ross Levin, Hensley;
Sens. Walsh, Wilson

HOUSE OF REPRESENTATIVES
153rd GENERAL ASSEMBLY

HOUSE BILL NO. 280

AN ACT TO AMEND TITLE 21 AND TITLE 11 OF THE DELAWARE CODE RELATING TO DRIVER'S LICENSE OR IDENTIFICATION CARD INFORMATION.

1 WHEREAS, "Eric's ID Law" was inspired by the advocacy of Eric Carpenter-Grantham, a young Black autistic
2 man, and his mother, Linda Carpenter-Grantham, who sought to promote understanding, safety, and equitable treatment for
3 individuals with disabilities in interactions with law enforcement; and

4 WHEREAS, "Eric's ID Law" establishes the use of a butterfly symbol above the words "hidden disability" on
5 state driver's licenses and identification cards to provide a discreet, voluntary way for individuals with nonapparent
6 disabilities to communicate their needs and circumstances.

7 NOW, THEREFORE:

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

9 Section 1. Amend § 2718, Title 21 of the Delaware Code by making deletions as shown by strike through and
10 insertions as shown by underline as follows:

11 § 2718. Information on licenses.

12 (h) The Division of Motor Vehicles (Division) shall provide a method for permitting a person applying for a
13 license or identification card, or for renewal thereof, to have designated thereon that such person has a nonapparent
14 disability.

15 (1) Upon such designation, the Division shall in a manner prescribed by the Division make a suitable notation
16 upon the license or identification card indicating that such person has a disability which may require special attention.

17 (2) At the time a person authorizes the designation to appear on the person's license or identification card, the
18 person shall be notified that the designation can be removed only upon written notice to the Division.

19 (3) For purposes of this subsection, "license" does not include a temporary license.

20 (4) No designation shall be noted upon the license or identification card of any person under 18 years of age
21 unless written permission of a parent or guardian is provided.

22 (5) For the purposes of this subsection "disability" includes a developmental disability and an intellectual
23 disability.

24 Section 2. Amend § 8405, Title 11 of the Delaware Code by making deletions as shown by strike through and
25 insertions as shown by underline as follows:

26 § 8405. Mandatory training; exceptions.

27 (c) All police officers and all persons seeking permanent appointment as a police officer shall undergo training to
28 assist them in identifying symptoms of mental illness, mental disability, and/or physical disability and in responding
29 appropriately to situations involving persons having a mental illness, mental disability, and/or physical disability. The
30 training must include all of the following:

31 (1) ~~instruction~~ Instruction concerning the interaction between police officers and minors that have a mental
32 illness, mental disability and/or physical disability.

33 (2) Instruction concerning the driver's license notation available to indicate a person has a disability.

34 (3) Instruction concerning best practices for safe interactions during traffic stops that involve a person with a
35 disability, including developmental and intellectual disabilities.

36 Section 3. Upon enactment of this Act, the Division of Motor Vehicles shall do all of the following:

37 (1) Consult with developmental disability and intellectual disability advocacy groups regarding the design of
38 the nonapparent disability notation.

39 (2) Conduct public outreach efforts to educate the public on the availability of the nonapparent disability
40 designation.

41 Section 4. This Act is effective immediately and is to be implemented within 6 months of the effective date.

SYNOPSIS

This Act, advocated by Eric Carpenter-Grantham and his mother Linda Carpenter-Grantham, promotes equitable treatment for individuals with nonapparent disabilities in interactions with law enforcement. Also referred to as "Eric's ID Law", this Act establishes the use of a butterfly symbol on state driver's licenses and identification cards to provide individuals with nonapparent disabilities to communicate their needs and circumstances.

This Act requires the Division of Motor Vehicles to make available a notation on a driver's license or identification card that indicates a person has a disability, including an intellectual or developmental disability. It also requires that police officer training include instruction on the notation and best practices for safe interactions during a traffic stop with a person with a nonapparent disability.

Upon passage of the Act, the Division of Motor Vehicles is directed to consult with disability advocacy groups regarding the design of the notation and to conduct public outreach to make the availability of the notation known.

The Act is effective immediately and to be implemented within 6 months of its enactment.