



SPONSOR: Rep. Smyk & Rep. Carson & Rep. Cooke & Sen. Ennis
Reps. Brady, Bush, Dorsey Walker, Gray, Lambert,
Longhurst, Ramone, Schwartzkopf, Yearick; Sens. Gay,
Hocker, Wilson

HOUSE OF REPRESENTATIVES
151st GENERAL ASSEMBLY

HOUSE BILL NO. 59

AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO EQUIPMENT VIOLATIONS.

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

1 Section 1. Amend § 4315, Title 21 of the Delaware Code by making deletions as shown by strike through and
2 insertions as shown by underline as follows:

3 § 4315. Penalties for §§ 4301-4316.

4 (f) A violation of § 4303(c) of this title shall also constitute a moving violation which shall be part of the person's
5 driving record.

6 (g) A violation of §§ 4306, 4308, or 4313 may be dismissed before trial if the defendant establishes that repairs
7 have been made so that the vehicle is in compliance.

8 Section 2. Amend § 4358, Title 21 of the Delaware Code by making deletions as shown by strike through and
9 insertions as shown by underline as follows:

10 § 4358. Penalties.

11 Whoever violates this subchapter shall for the first offense be fined not less than \$10 nor more than \$28.75. For
12 each subsequent like offense, the person shall be fined not less than \$28.75 nor more than \$100. A violation of §§ 4333,
13 4334, 4336, 4337, or 4351 may be dismissed before trial if the defendant establishes that repairs have been made so that the
14 vehicle is in compliance.

SYNOPSIS

This bill would allow a court of competent jurisdiction to dismiss minor equipment violations upon a showing that repair(s) have been made. The sections include inoperative horn, missing rear-view mirror, improper window tint, and inoperable headlights, taillights, turn signal lights, and lighting on a motorcycle.