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DELAWARE STATE SENATE
151st GENERAL ASSEMBLY

SENATE BILL NO. 66

AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO REVOKED LICENSE OR DRIVING PRIVILEGES FEES.

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

1 Section 1. Amend § 2738, Title 21 of the Delaware Code by making deletions as shown by strike through and
2 insertions as shown by underline as follows:

3 § 2738. Fee for return of revoked license ~~and/or~~ or driving privileges.

4 (a) Except as otherwise provided in subsection (b) of this section, Any person an individual whose license and/or
5 or driving privileges has have been revoked ~~shall~~ must pay a fee of \$200 at the end of the such revocation for the
6 reinstatement of the ~~person's~~ individual's license or driving privileges. ~~The above-stated fee~~ reinstatement fee described in
7 this subsection does not include the fee for the issuance of a new license.

8 (b) An individual eligible for reinstatement of the individual's license or driving privileges who applies for
9 reinstatement within 1 year of being released from the custody of the Department of Correction may not be charged the
10 reinstatement fee described in subsection (a) of this section. For purposes of this subsection, "custody of the Department of
11 Correction" has the same meaning as "Accountability Level V sanction" as defined in § 4204(c) of Title 11.

SYNOPSIS

This Act exempts an individual from having to pay the revoked license or driving privileges reinstatement fee if the individual is eligible for and applies for reinstatement of the individual's license or driving privileges within 1 year of their release from Department of Correction Level V supervision. The purpose of this Act is to limit financial barriers that may impede an individual from successfully reintegrating into the community after that individual has served their time. The ability to legally drive is imperative for an individual to secure and maintain employment, access educational opportunities, and foster family and community connection that may lower recidivism. Additionally, if an individual was incarcerated, the individual likely could not renew their license or driving privileges before the license or privilege lapsed. This Act makes it easier for an individual reintegrating to restore their license or driving privileges.

This Act also makes technical corrections to conform existing law to the standards of the Delaware Legislative Drafting Manual.

Author: Senator Lopez