



SPONSOR: Rep. Osienski & Sen. Lockman
Reps. Baumbach, Mitchell; Sens. Ennis, Lopez, Walsh

HOUSE OF REPRESENTATIVES
151st GENERAL ASSEMBLY

HOUSE BILL NO. 167

AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLE ODOMETERS.

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

Section 1. Amend Chapter 64, Title 21 of the Delaware Code by making deletions as shown by strike through and additions as shown by underline and re-designating as follows:

§ 6408. Exemptions.

Notwithstanding the requirements of § 6407 of this title:

(1) A transferor or lessee of any of the following motor vehicles need not disclose the vehicle's odometer mileage:

a. A vehicle having a gross vehicle weight rating of more than 16,000 ~~pounds~~; pounds.

b. A vehicle that is not ~~self-propelled~~; self-propelled.

c. ~~A vehicle that is 10 years old or older~~ A vehicle manufactured in or before the 2010 model year that is transferred at least 10 years after January 1 of the calendar year corresponding to its designated model year.

d. A vehicle manufactured in or after the 2011 model year that is transferred at least 20 years after January 1 of the calendar year corresponding to its designated model year.

~~e.~~ A vehicle sold directly by the manufacturer to any agency of the United States in conformity with contractual specifications.

(2) A transferor of a new vehicle prior to its first transfer for purposes other than resale need not disclose the vehicle's odometer mileage.

(3) A lessor of any of the vehicles listed in paragraph (1) of this section need not notify the lessee of these vehicles of the disclosure requirements of § 6409 of this title.

Section 2. This Act is effective retroactive to January 1, 2021.

SYNOPSIS

The National Highway Traffic Safety Administration (NHTSA) has issued a final rule for odometer disclosure. NHTSA's final rule became effective January 1, 2021. The new rule extends the age of vehicles exempt from odometer disclosure from 10 years old to 20 years old phasing the exemptions in by adding one year at a time for model year 2011 and newer vehicles. For example, a model year 2010 vehicle would be exempt starting in 2020; model year 2011 and

newer vehicles would be exempt starting in 2031. This Act makes Delaware law consistent with the new federal rule. The Act also makes certain technical corrections to make the current law consistent with the Legislative Drafting Manual.