SPONSOR: Rep. Cooke & Sen. Hoffner
Reps. Briggs King, Dukes, Griffith, K. Johnson, Osienski, Parker Selby, D. Short, K. Williams; Sens. Buckson, Hansen, Huxtable, Lawson, Lockman, Pettyjohn, Pinkney, Poore, Richardson, Sokola, Townsend, Walsh, Wilson

HOUSE OF REPRESENTATIVES
152nd GENERAL ASSEMBLY

HOUSE BILL NO. 120
AS AMENDED BY
SENATE AMENDMENT NO. 2

AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD.

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

Section 1. Amend § 4175, Title 21 of the Delaware Code by making deletions as shown by strikethrough and insertions as shown by underline as follows:

§ 4175. Reckless driving.

(a) No person shall drive any vehicle in willful or wanton disregard for the safety of persons or ~~property, and this offense shall be known as reckless driving.~~ property.

(b) No person shall drive any vehicle on a public roadway at a speed of 90 miles an hour or more.

~~(b)~~ (c) Whoever violates ~~subsection~~ subsection (a) of this section shall for the first offense be fined not less than $100 nor more than $300 or be imprisoned not less than 10 nor more than 30 days, or both. For each subsequent like offense occurring within 3 years of a former offense, the person shall be fined not less than $300 nor more than $1,000 or be imprisoned not less than 30 nor more than 60 days, or both. No person who violates ~~subsection~~ subsection (a) of this section shall receive a suspended sentence. However, for the first offense, the period of imprisonment may be suspended. Whoever is convicted of violating ~~subsection~~ subsection (a) of this section and who has had the charge reduced from the violation of § 4177(a) of this title shall, in addition to the above, be ordered to complete a course of instruction or program of rehabilitation established under § 4177D of this title and to pay all fees in connection therewith. In such cases, the court disposing of the case shall note in the court's record that the offense was alcohol-related or drug-related and such notation shall be carried on the violator's motor vehicle record.

(d) Whoever violates subsection (b) of this section shall, unless suspended by the court:

(1) For a first offense, be fined not less than $150 nor more than $300, or be required to complete a traffic safety course approved by the Division of Motor Vehicles, or both.

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(2) For a second offense committed within 3 years of a prior offense, be fined not less than $300 nor more than $800, or be required to perform at least 10 but not more than 30 hours of community service picking up litter along a public roadway, or both.

(3) For a third offense committed within 3 years of 2 prior offenses, be fined not less than $500 nor more than $1000, or be required to perform at least 30 but not more than 90 hours of community service picking up litter along a public roadway, or both.