SPONSOR: Rep. Mitchell & Sen. Ennis
Rep. Keeley; Sens. Henry, Poore

HOUSE OF REPRESENTATIVES
149th GENERAL ASSEMBLY

HOUSE BILL NO. 342
AS AMENDED BY
HOUSE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SALE OF MOTOR VEHICLES.

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

Section 1. Amend Chapter 63, Title 21 of the Delaware Code by making deletions as shown by strike through and additions as shown by underline as follows:

§ 6313 Grounds for denying application for, or renewal of, dealer license; suspension or revocation of license [For application of this section, see 79 Del. Laws, c.161 § 5]

A dealer license applied for or issued pursuant to this chapter may be denied, suspended, or revoked for any 1 of the following reasons:

(1) Material misstatement or omission on the application for a dealer license.

(2) Failure to maintain an established place of business, business phone or Division of Revenue Dealer Business License.

(3) Failure to comply subsequent to receipt from the Division of a cease and desist order; or a written warning or arrest; or failure to comply with this title and Title 30.

(4) Failure to comply with this Title or Title 30.

(4)(5) Conviction of the dealership licensee(s) of any fraudulent or criminal act in violation of Title 11 or Title 30 in connection with the business of selling vehicles.

(6) The Department makes a determination, so far as can be ascertained, that the applicant or licensee no longer meets the standard set forth in section 6312 of this chapter.

(5)(7) Failure to maintain a service facility, if the licensee is a dealer of new recreational vehicles. Recreational vehicle dealers with multiple locations in Delaware may maintain a service facility at 1 location to satisfy this requirement.

(8) The applicant was a previous holder of a license that was suspended or revoked by the Department and the terms of such suspension have not been satisfied.

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(9) The applicant or licensee solely employs call forwarding, telephone answering services and/or mail forwarding services during scheduled business hours or otherwise sells motor vehicles from a remote or otherwise unlicensed location.