SPONSOR: Rep. Briggs King & Rep. Keeley & Sen. Lopez & Sen. Pettyjohn
Reps. Osienski, Outten, B. Short, D. Short, Wilson; Sen. Hocker

HOUSE OF REPRESENTATIVES
149th GENERAL ASSEMBLY

HOUSE BILL NO. 294
AS AMENDED BY
HOUSE AMENDMENT NO. 2

AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVING UNDER THE INFLUENCE.

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

Section 1. Amend § 4177D, Title 21 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 4177D. Courses of instruction; rehabilitation programs.

~~The Secretary of Safety and Homeland Security, through the Office of Highway Safety~~ The Secretary of the Department of Health and Social Services, through the Division of Substance Abuse and Mental Health, shall establish courses of instruction and programs of rehabilitation for persons whose drivers' licenses have been revoked for ~~operating~~ driving a vehicle while under the influence of ~~intoxicating liquor or drugs~~ alcohol or any drug, or both. ~~The Secretary of Safety and Homeland Security~~ The Secretary of the Department of Health and Social Services shall administer such courses and programs ~~and adopt rules and regulations therefor, and~~ and adopt rules and regulations for such courses and programs. The Secretary of the Department of Health and Social Services shall establish a schedule of fees for enrollment in such courses and ~~programs which shall not~~ programs. The schedule of fees may not exceed the maximum fine imposed for ~~the offense as set forth in § 4177~~ an offense under § 4177 of this title. ~~Successful~~ A person's successful completion of the Court of Common Pleas Driving Under the Influence Treatment Program ~~shall be considered~~ is equivalent to a course of instruction ~~and/or~~ or program of rehabilitation approved under this section.

Section 2. This Act transfers the responsibilities relating to courses of instruction and programs of rehabilitation for persons whose drivers' licenses have been revoked for driving while under the influence of alcohol or drugs or both of the Secretary of Safety and Homeland Security, through the Office of Highway Safety, to the

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Secretary of Delaware Health and Social Services through the Division of Substance Abuse and Mental Health as such responsibilities are currently established.

Section 3. This Act takes effect 6 months after its enactment into law.

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