



SPONSOR: Rep. Hall-Long & Sen. Vaughn;
Reps. Atkins, Buckworth, Carey,
Caulk, B. Ennis, D. Ennis, Fallon,
George, Gilligan, Hocker, Houghton,
Hudson, Keeley, Lee, Lofink, Miro,
Mulrooney, Schwartzkopf, Spence,
Stone, Valihura, Viola, Williams;
Sens. Blevins, Bonini

HOUSE OF REPRESENTATIVES

142nd GENERAL ASSEMBLY

HOUSE BILL NO. 138

AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL LICENSE PLATES FOR FARMLAND PRESERVATION.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE (Three-fifths of all members elected to each house thereof concurring therein):

1 Section 1. There is hereby created a Farmland Preservation License Plate Contest. Any Delaware
2 resident may submit a design of farming, farmlands, farmland preservation or agriculture for consideration
3 to be chosen as the design for the farmland preservation license plate to be issued by the Division of Motor
4 Vehicles. The design must be submitted to the Division of Motor Vehicles within 60 days of the enactment
5 of this Act and, the Farmland Preservation Contest Committee shall chose the winning design within 30
6 days after the submission deadline. The Committee shall consist of the Secretary of Agriculture or the
7 Secretary's designee; a representative of the Delaware Farm Bureau; Chairman of the Delaware
8 Agricultural Lands Preservation Foundation or the Chairman's designee; the Director of the Division of
9 Motor Vehicles or the Director's designee; two members of the House of Representatives, one of which is
10 appointed by the Speaker of the House and one of which is appointed by the Minority Leader of the House;
11 two members from the Senate, one of which is appointed by the President Pro Tempore of the Senate and
12 one of which is appointed by the Minority Leader of the Senate; and a Chairperson, who shall be appointed
13 by the Governor.

14 Section 2. Amend Chapter 21, Title 21 of the Delaware Code, by inserting therein a new section
15 as follows:

17 "§2139 H. Farmland Preservation Plates

18 (a) The owner of any vehicle described in paragraph (b) of this subsection may
19 apply to the Division of Motor Vehicles for a special "Farmland Preservation"
20 registration plate.

21 (b) This section applies to:

22 (1) a private passenger vehicle; or

23 (2) a truck with a three-fourths ton or smaller manufacturer's rated
24 capacity.

25 (c) Upon the initial application for a plate to be issued pursuant to this section, a
26 one-time fee of \$50, which includes an administrative fee of \$15, is required in addition
27 to the annual registration fee required by this Title. This additional fee is required for all
28 persons applying for a special plate pursuant to this section, including members of
29 nonprofit organizations even, if members are exempt from registration fees under §2159
30 of this Chapter. A replacement plate may be obtained upon payment of a fee to be set by
31 the Division which shall cover the cost of the plate.

32 (d) The one-time administrative fee collected pursuant to subsection (c) of this
33 section shall be deposited into a special fund and used by the Division of Motor Vehicles
34 for the purpose of promoting the sale of the plate and administering this section.
35 Proceeds remaining after the Division of Motor Vehicles has covered the costs of
36 promoting and administering this section shall be applied pursuant to subsection (e) of
37 this section.

38 (e) The funds derived by the State from that portion of the one-time fee of \$50
39 that is not defined as an administrative fee pursuant to subsection (d) of this section shall
40 be deposited by the Division of Motor Vehicles with the State Treasurer and shall be
41 specifically set aside and deposited with the Delaware Agricultural Lands Preservation
42 Foundation for its deposit in the Delaware Farmland Preservation Fund.

43 (f) All registration plates issued pursuant to this section shall be of the colors
44 and design as determined by the Committee. The numbers and/or letters assigned will be

45 the same as the current license plate assigned to the vehicle. The committee may, at its
46 discretion, drop the wording "The First State" and substitute in place thereof the wording
47 "Preserve Our Farms". The Division of Motor Vehicles shall have the power to refuse
48 any design which it believes would cause a public safety enforcement problem.

49 (g) The Division of Motor Vehicles may promulgate rules and regulations as
50 required to administer this section.

SYNOPSIS

This Act establishes a special "Farmland Preservation" license plate. The provisions of this Act are based upon the provisions for the assignment of other special license plates such as the animal welfare license plates and environmental license plates.