



SPONSOR: Rep. Ewing & Sen. Henry

HOUSE OF REPRESENTATIVES

142nd GENERAL ASSEMBLY

HOUSE BILL NO. 256

AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO LOW-SPEED VEHICLES.

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

1 Section 1. Amend Title 21, Chapter 21 of the Delaware Code by adding thereto a new § 2113A. to read as
2 follows:

3 “§ 2113A. Low-Speed Vehicles.

4 (a) Definition. Low-speed vehicle means a 4-wheeled motor vehicle, other than a truck, whose speed
5 attainable in one (1) mile is more than twenty (20) miles per hour but no more than twenty-five
6 (25) miles per hour on a paved level surface.

7 (b) Operation of Low-Speed Vehicles. Low-speed vehicles shall only be operated on roads where the
8 posted speed limit is not more than 35 miles per hour. A low-speed vehicle may cross a highway
9 at an intersection where the highway has a posted speed limit of more than thirty-five (35) miles
10 per hour. Nothing in this Section shall prevent local governments from adopting more stringent
11 local ordinances governing low-speed vehicle operation. All low-speed vehicles shall meet the
12 requirements of Part 49, § 571.500 of the Code of Federal Regulations.

13 (c) Driver's License Requirement. All persons operating a low-speed vehicle on the highways of this
14 State shall hold a valid driver's license.

15 (d) Safety Inspections. Low-speed vehicles shall be exempt from Delaware's safety inspection.
16 Division of Motor Vehicle personnel will verify the Vehicle Identification Number on those
17 vehicles titled in another jurisdiction, which are being titled in Delaware for the first time. A fee
18 of fifteen (\$15.00) dollars shall be charged for Division of Motor Vehicle technicians to perform
19 an offsite Vehicle Identification Number verification. Upon registration and renewal of a low-

20 speed vehicle's registration, the owner shall certify, under penalty of perjury, that all lights,
21 brakes, tires, seat belts and all other vehicle equipment are in good working condition.

22 (e) Insurance. Low-speed vehicles shall be required to maintain insurance as required by Delaware
23 Title 21, § 2118.

24 (f) Title and Registration. Low-speed vehicles shall be titled as specified in Title 21, Chapters 23
25 and 25 of the Delaware Code. The manufacturer's certificate of origin and Delaware title shall
26 clearly identify the vehicle as a low-speed vehicle. The Division shall not issue vehicle
27 identification numbers to homemade low-speed vehicles or retrofitted golf carts unless these
28 vehicles meet all of the requirements of the Federal Motor Vehicle Safety Standard, Part 49, §
29 571.500, of the Code of Federal Regulations. Normal title and document fees shall be charged to
30 register a low-speed vehicle in Delaware:

31 (1) Registration fees shall be the same as a normal passenger vehicle as defined in Title 21, §
32 2151(2). Registration periods shall comply with Title 21, § 2109 and § 2110. A regular
33 license plate shall be displayed on the rear of the vehicle.

34 (g) Dealer Requirements. Any person engaged in the retail sale of low-speed vehicles must be
35 licensed by the Division of Motor Vehicles as a licensed motor vehicle dealer, must comply with
36 all of the requirements of Title 21, Chapter 63, and must meet all Division of Motor Vehicles
37 rules and regulations.”.

SYNOPSIS

This Act sets the requirements for low-speed vehicles to operate on Delaware highways. The National Highway Traffic Safety Administration has issued regulations and safety standards for the production and safety equipment requirements for these vehicles. These regulations apply only to low-speed vehicles operating with a speed range of between twenty to twenty-five (20 – 25) miles per hour. Vehicles operating above these speeds are considered regular passenger vehicles and must comply with passenger vehicle standards. Vehicles with maximum speeds below twenty (20) miles per hour are regulated by State and local laws regarding safety equipment and operations.

This Act will allow low-speed vehicles to operate on Delaware highways that have a posted speed limit of thirty-five (35) miles per hour or less. These vehicles will also be allowed to cross other higher speed highways at a marked intersection. Vehicle owners will pay the normal fees for title and registration.

The vehicles will be exempt from the Division's normal safety inspection since the thirty-five (35) miles per hour highway speed restriction would prevent the vehicle from being driven to a Division inspection facility. Operators of these vehicles must have a valid driver's license and insurance on the vehicle.