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Sens. Blevins, Henry, Marshall, Cloutier, Connor, Copeland, Still,
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DELAWARE STATE SENATE

143rd GENERAL ASSEMBLY

SENATE BILL NO. 193

AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO LICENSE PLATES FOR PERSONS WITH DISABILITIES WHICH LIMIT OR IMPAIR THE ABILITY TO WALK.

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

1 Section 1. Amend § 2134(a), Title 21 of the Delaware Code, by striking the phrase “that are permanent with no prognosis for
2 improvement” as it appears therein.

3 Section 2. Amend § 2134, Title 21 of the Delaware Code, by striking subsection (c) thereof in its entirety and by substituting
4 in lieu thereof the following:

5 “(c)(1) A special license plate may be issued or reissued under this section if the applicant submits proof satisfactory to
6 the Department that the applicant or a household member has a disability as described in paragraphs (a)(1)-(6) of
7 this section.

8 (2) Satisfactory proof required by paragraph (1) of this subsection must include the signature of a licensed physician
9 on a Department special license plate or placard application form on which the physician indicates the applicant’s
10 or household member’s disability.

11 (3) Physician certification must be presented to the Department upon initial issue of a special license plate pursuant to
12 this section.

13 a. If the applicant submits proof satisfactory to the Department that the disability is of limited duration, the
14 Department shall issue a special license plate for a period of time no greater than the expected duration of
15 the disability as provided in the physician certification, and shall require a new physician certification for
16 reissuance thereof.

17 b. If the applicant submits proof satisfactory to the Department that the disability is permanent with no
18 prognosis for improvement, the Department shall issue a special license plate and, whenever the applicant
19 renews the registration for the vehicle to which the special license plate is assigned, shall require that the

20 applicant submit an affidavit stating that he or she continues to require the special license plate for the
21 reasons it was initially issued, but shall not require a new physician certification.
22 (4) The issuance of a special license plate does not preclude the issuance of 1 removable windshield placard pursuant
23 to § 2135 of this title.”

SYNOPSIS

This Act modifies the length of time that special license plates issued to persons with disabilities so that they are issued for periods that more closely reflect the duration of the disability. For initial issuance of a special license plate, this act, like existing law, requires the applicant therefore to submit a physician’s certification of the disability.

Pursuant to this Act, if an applicant submits proof that his or her disability is permanent, or that a member of the applicant’s household is permanently disabled, then the applicant need not submit a new physician certification in order to get the plate reissued, but instead shall be required to submit an affidavit stating that he or she continues to require the special license plate for the reasons it was initially issued. The affidavit need only be submitted when the applicant is renewing the registration for the vehicle to which the special license plate is assigned.

If an applicant submits proof that his or her disability is of a limited duration, this Act provides that the Department must issue a special license plate for a period not to exceed the expected duration of the disability. Under these circumstances, an applicant is required to submit a new physician certification in order to have the plate reissued.

Nothing in this Act affects the issuance of a windshield placard under other provisions of Title 21.

Author: Senator McDowell