



SPONSOR: Rep. Hocker & Rep. Smith;
Reps. Atkins, Booth, Boulden,
Buckworth, Carey, Caulk, B. Ennis,
Lee, Quillen, Van Sant; Sen. Henry

HOUSE OF REPRESENTATIVES

142nd GENERAL ASSEMBLY

HOUSE BILL NO. 234

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

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

1 Section 1. Amend § 2104(b)(2), Title 21 of the Delaware Code, by inserting therein the word “color,” between the
2 word “make,” and the phrase “type of body,”.

3 Section 2. Amend § 2104, Title 21 of the Delaware Code, by adding thereto the following new subsection:

4 “(e) Every owner of a vehicle registered pursuant to this section who desires to change the color of the
5 vehicle to a color that is different from the color that appears in the vehicle’s registration information
6 shall, within 30 days after making such change, amend the vehicle’s registration information by
7 submitting notice of the change in color, including a description of the vehicle’s new color, to the
8 Department upon the appropriate form or forms furnished by the Department. Whoever violates this
9 subsection shall be fined \$50. Failure of a vehicle’s actual color to match the vehicle’s color as
10 indicated on the vehicle’s registration card issued pursuant to § 2107 of this title shall be considered
11 prima facie evidence of a violation of this subsection.”

12 Section 3. Amend § 2106, Title 21 of the Delaware Code, by redesignating paragraph (3) thereof as paragraph (4),
13 and by substituting in lieu thereof a new paragraph (3) as follows:

14 “(3) The color of the vehicle;”.

15 Section 4. Amend § 2107(b), Title 21 of the Delaware Code, by inserting therein the phrase “the color and” between
16 the phrase “the registration number assigned to the vehicle,” and the phrase “such description of the vehicle as may be
17 determined by the Secretary” as they appear therein.

18 Section 5. Nothing in this Act shall be construed to require owners of vehicles registered in Delaware on the date this
19 act is enacted into law to submit the information required herein to the Department of Public Safety, Division of Motor
20 Vehicles or to subject said owners to any penalty proscribed herein or through the operation of law for the failure to do so,
21 prior to the date on which the vehicle is reregistered or the registration for the vehicle is next renewed. Upon renewing
22 the registration of or reregistering any vehicle which is registered in Delaware on the date this act is enacted into law, the
23 Department shall note the vehicle's color in the vehicle's registration information.

24 Section 6. This bill shall become effective on August 1, 2004.

SYNOPSIS

This Act requires that vehicle registration information which is maintained by the Division of Motor Vehicles include a description of the vehicle's color and that the color also appear on the vehicle's registration cards. This Act also requires every owner of a vehicle registered in Delaware to notify the DMV within 30 days if they change the color of the vehicle. Failure to so notify the DMV can result in a \$50 fine. Failure of a vehicle's actual color to match the vehicle's color as indicated on the vehicle's registration card shall be considered prima facie evidence of a violation.

Nothing in this Act requires the owners of vehicles registered in Delaware on the date it is enacted into law to submit the information required by it or to subject them to any penalty for the failure to do so, prior to the date on which the vehicle is reregistered or the registration for the vehicle is next renewed. Upon renewing the registration of or reregistering any vehicle which is registered in Delaware on the date this act is enacted into law, the Department shall note the vehicle's color in the vehicle's registration information.

This bill shall become effective on August 1, 2004.