



SPONSOR: Sen. Henry & Rep. Ewing

DELAWARE STATE SENATE

143rd GENERAL ASSEMBLY

SENATE BILL NO. 323

AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO UNCOLLECTIBLE FEES; PENALTIES.

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

1 Amend §314, Title 21 of the Delaware Code by deleting that section in its entirety and substituting in lieu thereof a new
2 §314 to read as follows:

3 “§314. Uncollectible fees; penalties.

4 (a) Whenever any payment given to the Department in payment of any fee or for any other purpose is
5 returned to the Department as uncollectible, the Secretary shall charge the person presenting such
6 payment, in addition to the protest fee, a reasonable fee, not to exceed \$25, to cover the cost of its
7 collection. The Department shall notify the individual presenting such payment by certified mail
8 sent to the last known address of the individual that such payment has been returned as
9 uncollectible and allow the individual 10 days to furnish payment.

10 (b) If payment is not received within 10 days following the date of mailing such certified mail, the
11 Department shall forthwith suspend the individual’s driver’s license or vehicle registration
12 obtained by means of the uncollectible payment until payment and a penalty fee in the amount of
13 \$25 has been paid in full. If the uncollectible payment was issued for a registration of a motor
14 vehicle or vehicle, the driver’s license of the owner of such motor vehicle or vehicle shall also be
15 suspended.”

SYNOPSIS

The current law under §314 only allows for the collection of bad checks issued to the Department. The Division of Motor Vehicles is in the process of allowing fees to be paid by credit card. This Legislation updates §314 to allow the Department to collect on any payment method that is uncollectible.

Author: Senator Henry