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DELAWARE STATE SENATE
145th GENERAL ASSEMBLY

SENATE BILL NO. 215

AN ACT TO AMEND TITLES 7 AND 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLES.

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

1 Section 1. Amend §2101, Title 21, Delaware Code, by adding a new subsection (d) to read as follows:

2 “(d) Notwithstanding any law or regulation to the contrary, a motor vehicle need not be registered and
3 shall not be in violation of §2115, of Title 21, if the vehicle is being driven by a repair technician for drive cycle testing,
4 certified under the Delaware Emission Education Program (“DEEP”) who has in his or her possession:

- 5 (1) A permit issued by the Department of Natural Resources permitting such operation;
6 (2) Testing equipment for an on board diagnostic test is installed in the vehicle; and
7 (3) The operator has evidence of a current and applicable garage keeper’s policy on hand,
8 evidencing insurance coverage available for such operation.”

9 Section 2. Amend Title 7, Delaware Code, by adding a new Section 6709, to read as follows:

10 “§6709. Permits for operation of motor vehicles during testing.

11 The Department of Natural Resources shall issue permits to all certified repair technicians to conduct on
12 board diagnostic testing of vehicles that are not in compliance with §2115 of Title 21. The Department may
13 recover costs reasonably related to the issuance of such permits.”

SYNOPSIS

This Bill provides an exception to Title 21 registration requirements for certified emission technicians while testing vehicles in order to aid in passing inspections at DMV. It permits driving only during the on board diagnostic testing process, with a permit to be issued by the Department of Natural Resources.

Author: Senator Venables