

DELAWARE

Definitions

Reconstructed vehicle. Any vehicle which has been assembled or constructed largely by means of essential parts, new or used, derived from other vehicles or makes of vehicles of various names, models and types, or which, if originally otherwise constructed, has been materially altered by the removal of essential parts or by the addition or substitution of essential parts, new or used, derived from other vehicles or makes of vehicles.

Specially constructed vehicle. Any vehicle which has not been originally constructed under a distinctive name, make, model or type by a generally recognized manufacturer of vehicles.

Antique motor vehicle. Includes every automobile, truck, motorcycle or other motor vehicle, but not a reproduction thereof, manufactured more than 25 years prior to the current year, which has been maintained in or restored to a condition which is substantially in conformity with manufacturer's specifications.

Street rod. A vehicle, the body and frame of which were manufactured prior to the year 1949 and which has been modified for safe road use, or a kit car which resembles that of an original pre-1949 vehicle and has also been modified for safe road use. For the purposes of this section "modified" means, but is not limited to, a substantial and material alteration, or replacement of the engine, drive-train, suspension or brake system or alteration of the body which may be chopped, channeled, sectioned, filled or otherwise changed dimensionally from the original manufactured body.

Titling & Registration

From Delaware Division of Motor Vehicles:

Vehicle Services

Procedures for Delaware Residents for Antique Vehicles

Antique Vehicle, Law and Division Procedures

Title 21, Section 2196



(a) Upon application, the Department may furnish to the owner of a registered antique motor vehicle a special antique motor vehicle plate to be displayed on such antique motor vehicle. This special plate shall be issued in addition to the plate already issued for such vehicle under this chapter.

(b) The term "antique motor vehicle" includes every automobile, truck, motorcycle or other motor vehicle, but not a reproduction thereof, manufactured more than 25 years prior to the current year, which has been maintained in or restored to a condition, which is substantially in conformity with manufacturer's specifications. A vehicle, which has undergone substantial alterations from its original specifications and appearance, or has had its horsepower or dimensions changed, shall not be eligible for an antique license plate pursuant to this section.

(c) Any antique motor vehicle, registered pursuant to this section, shall be used only **for participation in club activities, exhibits, tours, parades and similar uses, but in no event shall it be used for general transportation.**

(d) Such special antique motor vehicle license plate shall be issued for a fee of \$25 and shall be valid without further payment of a renewal fee as long as the vehicle is in existence and is owned by the same person. This fee shall be in addition to the vehicle document fee, title fee or other fees required by this title.

(e) In the event of a transfer of ownership of an antique motor vehicle registered with a special plate pursuant to this section, the transferor shall surrender the special plate to the Department.

Title 21, Section 2199. Inspection.

(a) A motor vehicle registered as an antique motor vehicle shall be exempt from annual inspection. A motor vehicle must pass an initial inspection prior to the motor vehicle being registered as an antique motor vehicle. Motor vehicles registered, as antique motor vehicles shall be provided Exempt Validating stickers in lieu of the usual expiration date stickers, upon passing the initial inspection.

DMV Procedure

- Certificate of Title must be presented upon application for Antique status to be issued
- Vehicle must be 25 model years or older. There are no weight restrictions
- Vehicle must pass DMV inspection within 90 days of the initial application for Antique status regardless of time remaining on current registration. The vehicle owner must notify the inspection lane technician that they wish to antique the vehicle.
- Delaware titled vehicles with Antique status are exempt from further inspection
- In the event the vehicle is transferred, the Antique Status expires and the new owner must reapply by paying the appropriate fees.
- Applicant will pay \$25 for Antique Status
- Applicant will pay a \$25 or \$35 (with lien) title fee
- No registration fee will be assessed.
- A number license plate will be assigned to the vehicle in accordance with weight restrictions outline in Title 21 (RV, C, PC, CL, MC or Pleasure). This plate will be displayed on the rear of the vehicle
- Trailers are not eligible for Antique status
- The vehicle registration expiration period will be that given at the time of titling, Example: Vehicle titled on 6/4/2002 the registration will expire 5/31/2004
- The vehicle owner will receive an Exempt Sticker for whatever year their registration expires, with above example the owner will be given Exempt 2004
- The registration period will not exceed two years from the date of titling
- The applicant will be given one Antique License Plate to be displayed on the front of the vehicle
- Duplicate Antique License Plates are \$5.00

- Registration Renewal Notifications will be sent out to Antique Vehicle owners notifying them to renew their registration. The Registration Renewal Notification can also be sent to the Antique Vehicle owner via e-mail. To elect to receive the renewal notice via e-mail . The registration will be renewed for whatever expiration period we are issuing at the time of request. The renewal will not exceed two years. An exempt sticker will be given to the vehicle owner in lieu of the regular sticker with the year matching the year of expiration
- There is no late fee for late renewals

From Delaware Administrative Code:

**Title 2 Transportation
Vehicle Services**

**2250 Assessment of Fees for Off-Premise Inspection of Serial Numbers of Vehicles
(Formerly Reg. No. 5)**

WHEREAS the number of off-premise inspection of vehicle serial numbers has increased tremendously over the last few years; and

WHEREAS the costs to the State of Delaware to provide such inspections have likewise risen tremendously over the last few years; and

WHEREAS this service has been provided at the request of the vehicle owners; The applicant should pay the costs of this service.

1.0 Exemptions

Effective immediately, the following fee is to be assessed for all off-site vehicle serial number inspections except mobile homes, house trailers and other trailers with living quarters.

2.0 Inspection Fees

\$15.00 for the first vehicle inspected and \$5.00 for each additional inspection.

This inspection fee is to be collected when the vehicle is titled.

Title 2 Transportation Vehicle Services

2251 Assessment of a Fee When Assigning a Special Serial Number on a Motor Vehicle (Formerly Reg. No. 8)

1.0 Serial Number Fee Required

Effective immediately, when an assigned serial number is issued to a vehicle, a fee of \$2.00 is to be charged.

1.1 This fee is required under Section 2310, Title 21 of the Delaware Code.

1.2 Fee is to be collected at time the title fees are collected.

1.3 Title Clerks can tell if an assigned number has been issued by checking the serial number on all yellow title applications issued by the State Police Auto Theft Unit.

Title 2 Transportation Vehicle Services

2262 Special Assigned Vehicle Identification Number (VIN) Plates (Formerly Reg. No. 37)

1.0 Special Plates

Pursuant to 21 **Del.C.** §302 and 21 **Del.C.** 92310, this Policy Regulation is adopted for implementation, effective January 1, 1979.

1.1 The Delaware State Police Auto Theft Unit, acting as an agent of the Director of the Division of Motor Vehicles, will issue the Special Plates for all motor vehicles and semi trailers.

1.2 The Special Assigned VIN Plate will be made of aluminum and will measure 3 5/8" x 1 3/4". The plate will have a blue background and a silver portion where the information is to be embossed.

1.3 The information on the Special VIN Plate will include the Delaware title number, the date of issue, the code number, the year, the make, the model, the type of vehicle, the plate number, and the originally assigned manufacturer's vehicle identification number. If the original manufacturer's number cannot be determined, then a special assigned number will be issued.

1.4 The Delaware State Police Auto Theft Unit will issue assigned special numbers to vehicles where no serial number has been assigned by the manufacturer. This serial number will consist of a combination of letters and digits, such as (ASN0000IDEL) A log of the Assigned Special Number Plates issued will be controlled and maintained by the DSP Auto Theft Unit.

1.5 Instructions and locations relative to the placement of this Special Number Plate will be as follows:

1.5.1 On all motor vehicles, where feasible, the plate will be attached to the driver's side door post where it can be read clearly by any police officer or inspector of the Division of Motor Vehicles.

1.5.2 On semi trailers, motorcycles, mopeds, motor scooters, and other vehicles, the special number or plate will be either die stamped or attached to the left front or side of the vehicle on a permanent component part.

2.0 Reference "A"

2.1 The new Delaware Special Number Plate will be blue and silver. The information printed on the Special Number Plate will be embossed as indicated.

2.2 Explanation of each block is as follows:

2.2.1 **TITLE** This will be the title, tag and registration number assigned by the Department of Motor Vehicles at the time the VIN number is assigned. (Note: Title, tag and registration number may change in the future, due to retention of tag, etc.)

2.2.2 **DATE ISSUED** This will be three letters followed by four digits. The three letters will designate the month, and the four digits will indicate the day of month and the year.

- 2.2.3 **CODE** This will be a two (2) digit number which designates the type of vehicle for which the Special Number Plate was issued (see Ref. "B").
- 2.2.4 **YEAR** This will be a four (4) digit number pertaining to the year of the vehicle for which the plate is issued.
- 2.2.5 **MAKE** This will be a four (4) letter characterization and will consist of the first four (4) letters of the make of vehicle.
- 2.2.6 **MODEL** This will be the first four (4) letters of the model of the vehicle.
- 2.2.7 **TYPE** This block will be as follows: Coupe, sedan or convertible, etc. (abbreviated).
- 2.2.8 **PLATE NUMBER** This block will be a five (5) digit number in numerical sequence as the Special Number Plates are issued: A log will be kept and maintained, in sequence, by the Delaware State Police Auto Theft Unit on plates issued.
- 2.2.9 **MANUFACTURER'S** This number will be the original manufacturer's serial number
- 2.2.10 **SERIAL NUMBER** assigned to the vehicle by the manufacturer, except on some occasions such as on reconstructed or homemade vehicles. These assigned special numbers will be assigned and maintained by the Division of Motor Vehicles or the Delaware State Police Auto Theft Unit acting as an agent for the Division.

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***77 DEL. LAWS, CH. 327-329 ***

*** ANNOTATIONS CURRENT THROUGH CASES POSTED AS OF APRIL 23, 2010 ***

TITLE 21. MOTOR VEHICLES
PART II. REGISTRATION, TITLE AND LICENSES
CHAPTER 21. REGISTRATION OF VEHICLES
SUBCHAPTER I. GENERAL PROVISIONS

GO TO DELAWARE STATUTES ARCHIVE DIRECTORY

21 Del. C. § 2104 (2010)

- § 2104. Application for registration

(a) Every owner of a vehicle desiring registration shall make application to the Department for the registration thereof upon the appropriate form or forms furnished by the Department. Every such application shall bear the signature of the owner written with pen and ink, and the signature shall be acknowledged by the owner before a person authorized to administer oaths.
- **(b)** The application shall contain:
 - **(1)** The name and address of the owner: When the owner is an individual, the address shall be the bona fide residence of the individual; when the owner is a partnership, association, trust or corporation, the address shall be that of the principal office thereof wherever located together with the address of the principal office within this State, if any;
 - **(2)** A description of the vehicle including, insofar as the following specified data may exist with respect to a given vehicle, the make, model, color, type of body, the serial number of the vehicle, or any number as may be assigned by the Department, and whether new or used and, if a new vehicle, the date of sale by the manufacturer or dealer to the person intending to operate said vehicle;
 - **(3)** Such further information as may reasonably be required by the Department to enable it to determine whether the vehicle is lawfully entitled to registration;
 - **(4)** The Department shall allow the registration of trailers for individuals who are not bona fide residents of Delaware if the individual provides documented proof of ownership of a residence in Delaware and signs a declaration indicating the trailer will remain in Delaware at all times.
- **(c)** In the event that the vehicle for which registration is applied is a specially constructed, reconstructed or a foreign vehicle, such fact shall be stated in the application, and with reference to every foreign vehicle which has been registered theretofore outside of this State, the owner shall surrender to the Department all registration cards and certificates of title or other evidence of such foreign registration or ownership as may be in the owner's possession or under the owner's control, except where in the course of interstate operation of a vehicle registered in another state it is desirable to retain registration of the vehicle in such other state, such applicant need not surrender, but shall submit for inspection, evidences of such foreign registration or ownership, and the Department upon a proper showing may register the vehicle in this State, but shall not issue a certificate of title therefor.
- **(d)** (1) The Department shall allow the registration of motor vehicles owned by individuals who are not bona fide residents of Delaware upon presentation of an affidavit by the applicant, on a form approved by the Department, swearing or affirming:
 - **a.** That the vehicle is principally garaged in Delaware;
 - **b.** That the applicant is the owner of at least 1 other vehicle which is registered and insured in the state of the applicant's domicile; and
 - **c.** To such other information not inconsistent with this subsection as may be deemed appropriate by the Department or the Insurance Commissioner.

- **(2)** An affiant shall notify the Division of Motor Vehicles and the affiant's automobile insurance company of any changes in the above conditions within 30 calendar days from the date of change.
- **(3)** The penalties prescribed by Chapter 24 of Title 18 shall apply to a violation of this subsection.

HISTORY: 36 Del. Laws, c. 10, § 8; 37 Del. Laws, c. 10, § 3; Code 1935, § 5546; 43 Del. Laws, c. 244, § 2; 21 Del. C. 1953, § 2104; 50 Del. Laws, c. 182, § 1; 62 Del. Laws, c. 190, § 5; 70 Del. Laws, c. 186, § 1; 71 Del. Laws, c. 250, § 1; 71 Del. Laws, c. 319, § 1; 75 Del. Laws, c. 240, § 1.

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TITLE 21. MOTOR VEHICLES
PART II. REGISTRATION, TITLE AND LICENSES
CHAPTER 21. REGISTRATION OF VEHICLES
SUBCHAPTER VII. **ANTIQUE** MOTOR **VEHICLES**

GO TO DELAWARE STATUTES ARCHIVE DIRECTORY

21 Del. C. § 2196 (2010)

§ 2196. Special **antique** motor **vehicle plates**

(a) Upon application, the Department may furnish to the owner of a registered **antique** motor **vehicle** a special **antique** motor **vehicle plate** to be displayed on such **antique** motor **vehicle**. This special plate shall be issued in addition to the plate already issued for such vehicle under this chapter.

(b) The term "**antique** motor **vehicle**" includes every automobile, truck, motorcycle or other motor vehicle, but not a reproduction thereof, manufactured more than 25 years prior to the current year, which has been maintained in or restored to a condition which is substantially in conformity with manufacturer's specifications. A vehicle which has undergone substantial alterations from its original specifications and appearance, or has had its horsepower or dimensions changed, shall not be eligible for an **antique** license **plate** pursuant to this section.

(c) Any **antique** motor **vehicle**, registered pursuant to this section, shall be used only for participation in club activities, exhibits, tours, parades and similar uses, but in no event shall it be used for general transportation.

(d) Such special **antique** motor **vehicle** license plate shall be issued for a fee of \$ 25 and shall be valid without further payment of a renewal fee as long as the vehicle is in existence and is owned by the same person. This fee shall be in addition to the vehicle document fee, title fee or other fees required by this title.

(e) In the event of a transfer of ownership of an **antique** motor **vehicle** registered with a special plate pursuant to this section, the transferor shall surrender the special plate to the Department.

HISTORY: 21 Del. C. 1953, § 2196; 50 Del. Laws, c. 283, § 1; 57 Del. Laws, c. 670, §§ 8A-8C; 62 Del. Laws, c. 206, § 1; 64 Del. Laws, c. 364, § 1; 72 Del. Laws, c. 336, § 2.

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TITLE 21. MOTOR VEHICLES
PART II. REGISTRATION, TITLE AND LICENSES
CHAPTER 21. REGISTRATION OF VEHICLES
SUBCHAPTER VII. **ANTIQUE MOTOR VEHICLES**

GO TO DELAWARE STATUTES ARCHIVE DIRECTORY

21 Del. C. § 2197 (2010)

§ 2197. **Street rods**

(a) If any **modified antique** motor **vehicle** manufactured prior to 1949, hereinafter referred to as a **street rod**, is duly registered in the State, the owner of such **street rod** may apply to the Secretary of the Department of Transportation, on special application forms prescribed by the Secretary, for a special **street rod** motor vehicle plate, to be displayed on such **street rod** in lieu of the standard vehicle registration plate.

(b) Any **street rod**, registered pursuant to this section, shall be used only for participation in club activities, exhibits, tours, parades and similar uses, but in no event shall it be used for general transportation.

(c) Upon receipt of an application for a special **street rod** motor vehicle plate on a form prescribed by the Secretary, the Secretary shall issue to such applicant a special **street rod** motor vehicle plate on a permanent basis, and it shall bear the inscription "**STREET ROD**" with yellow letters on a blue background. In addition, such plates shall have displayed thereon the word "DELAWARE," the words "THE FIRST STATE," the expiration date of the plates and the vehicle number assigned to the vehicle by the Secretary. This special plate shall be issued for the applicant's use only for such motor vehicle, and in the event of a transfer of title, the transferor shall surrender the special plate to the Secretary.

(d) Upon approval of the application the Secretary shall assess the applicant an initial fee of \$ 25, in addition to the registration fee levied under this chapter. The special plate shall be renewed upon payment of the registration fee levied under this chapter. Applicants shall, in addition to the prescribed registration validation sticker, be required to display a valid National **Street Rod** Association safety inspection sticker.

(e) A "**street rod**" shall mean a vehicle, the body and frame of which were manufactured prior to the year 1949 and which has been modified for safe road use, or a **kit car** which resembles that of an original pre-1949 **vehicle and has also been modified** for safe road use. For the purposes of this section "modified" means, but is not limited to, a substantial and material alteration, or replacement of the engine, drive-train, suspension or brake system or alteration of the body which may be chopped, channeled, sectioned, filled or otherwise changed dimensionally from the original manufactured body.

(f) **Street rod** requirements:

(1) *Door latches.* -- Every **street rod** that is equipped with doors leading directly into a compartment that contains 1 or more seating accommodations shall be equipped with mechanically or electrically activated door latches which firmly and automatically secure the door when pushed closed and which allow each door to be opened from the inside by the activation of a convenient lever handle or other suitable device.

(2) *Glazing.* -- Every **street rod** shall be equipped with a laminated safety glass windshield that complies with the provisions appearing in the current ANSI z 26.1 Standard, ASI or AS10. The windshield shall be in such a position that it affords continuous horizontal frontal protection to the driver and front seat occupants.

The minimum vertical height of the windshield glass shall be not less than 7 inches, or as originally equipped by a recognized manufacturer.

a. *Side and rear glass.* -- These items are not required, but if they are present, they must comply with the provisions of current ANSI z 26.1 Standard. (AS1, AS2, AS4, AS6, AS10, or AS11.)

b. *Window tinting* . -- Shall be allowed only as permitted in Delaware Motor Vehicle Regulations, § 4313 if this title and Division of Motor Vehicles Policy Regulation number 76.

(3) *Hood latches* . -- A front opening hood should be equipped with a primary and a secondary latching system to hold in a closed position.

(4) *Hood* .

a. Hoods on **street rods** shall be optional, but if the hood, top and/or sides are removed from the vehicle, the fan must be enclosed within a shroud of substantial rigid material to prohibit anyone from inadvertently being injured and to prevent the fan from flying up from the engine compartment should it become loose.

b. Protrusions from engine compartment shall be no more than 6 inches above the highest point of the hood, or when the hood has been removed 6 inches above the highest point of the hood's normal location.

(5) *Instrumentation & controls* .

a. *Speedometer* . -- Every **street rod** shall be equipped with an operating speedometer calibrated to indicate "miles per hour."

b. *Odometer* . -- Every **street rod** shall be equipped with an operating odometer calibrated to indicate "total miles driven."

c. *Steering wheel* . -- Every **street rod** shall be equipped with a circular steering wheel with an outside diameter of not less than 13 inches.

(6) *Rear view mirror* . -- Every **street rod** shall be equipped with two rear view mirrors, each providing a clear field of vision 200 feet to the rear.

One shall be mounted on the inside of the vehicle in such a position that it affords the driver a clear view to the rear. The other shall be mounted on the outside of the vehicle on the driver's side in such a position that it affords the driver a clear view to the rear. When an inside mirror does not give a clear view to the rear due to window tint or other obstructions, a right-hand outside mirror shall be required in lieu thereof. The mirror mounting shall provide for mirror adjustment by tilting in both horizontal and vertical directions.

(7) *Seat belts* .

Every **street rod** shall be equipped with a safety belt system for each occupant of the vehicle. Any such safety belt system must at a minimum be a Type 1 (lap belt) and must meet Federal Motor Vehicle Safety Standard 209. All safety belts systems shall be securely anchored to the body or frame.

(8) *Windshield wipers* . -- Every **street rod** shall be equipped with at least 1 windshield wiper installed in a position which effectively clears the windshield area directly in front of the driver. The operation of the windshield wiper shall be controlled by the driver from within the vehicle and shall be electrically or vacuum operated.

(9) *Accelerator control system* . -- Every **street rod** shall be equipped with an accelerator control system that returns the engine throttle to an idle position when the driver removes the actuating force from the accelerator control.

(10) *Service brakes* . -- Every **street rod** shall be equipped with hydraulic brakes acting on all wheels. The service brakes, upon application, must meet all the requirements as specified in the Delaware Motor Vehicle Regulations, § 4303 of this title.

(11) *Parking brakes* . -- Shall meet all the requirements of the Delaware Motor Vehicle Regulations, § 4304 of this title.

(12) *Bumpers* . -- Shall be optional on **street rods**.

(13) *Exhaust systems* . -- Every **street rod** shall be equipped with an exhaust system that is free of leaks including the exhaust manifolds (including headers), the piping leading from the flange of the exhaust manifold(s) and the tail piping.

Exhaust systems on **street rods** shall discharge the exhaust fumes at a location to the rear of the vehicle body or direct the exhaust fumes outward from the side of the vehicle body at a location rearward of any operable side windows. No part of the exhaust system shall pass through any area of the vehicle that is used as a passenger carrying compartment. Every **street rod** must be equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise. Muffler cutouts or mufflers without internal baffle plates are prohibited.

(14) *Fenders* . -- **Street rods** shall have fenders on all wheels that cover the entire tread width of the tire that comes in contact with the road surface. Coverage of the tire tread circumference shall be from at least 15 degrees in front to at least 75 degrees to the rear of the vertical center line at each wheel, measured from the center of wheel rotation.

(15) *Fuel systems* . -- Every **street rod** shall have all fuel system components, such as tank tubing, hoses, clamps, etc., securely fastened to the vehicle with fasteners designed for this purpose so as not to interfere with the vehicles' operation and shall be leak proof.

Fuel lines shall be positioned so as not to be in contact with high temperature surfaces or moving components.

(16) *Steering* . -- A **street rod** shall have no steering components extending below the wheel rims in their lowest position. The use of unconventional steering components such as chain drive, sprockets or electric solenoids shall be prohibited. The steering system shall remain unobstructed when turned from lock to lock.

(17) *Suspension* . -- A **street rod** shall be equipped with a damping device at each wheel.

(18) *Tires & wheels* . -- The tires and wheels on **street rods** shall comply with current Federal Motor Vehicle Safety Standards (D.O.T. approved). All tires must be grooved and have 3/32" tread depth minimum.

(19) *Electrical system* .

a. *Lighting* .

1. **Street rods** shall have a minimum of 2 headlights.

2. All headlights must be equipped with 2 position dimmer switch which will lower and raise the candle power of the headlights. Rheostat type switch not allowed.

3. Vehicle must be equipped with taillight, brake lights and a license plate light which illuminates the license plate.

4. Two taillights and 2 brake lights required. Each light shall provide 6 square inches of luminous lens area unless a National **Street Rod** Association inspector verifies the lights are original equipment.

5. All replacement lenses shall be made of approved reflective material.

6. **Street rods** shall have turn signals, front and rear. Each turn signal shall provide 6 square inches of luminous lens area, unless a National **Street Rod** Association inspector verifies the turn signals are original equipment.

b. *Horn* . -- Every **street rod** shall be equipped with a horn that is electrically operated and that will emit a minimum sound level of 92 db(A) measured at a distance of 200 feet directly in front of the vehicle under clear weather conditions. The switch used to actuate the horn shall be easily accessible to the driver when operating the vehicle.

(20) *Automatic transmission lockout* . -- **Street rods** equipped with an automatic transmission shall have a neutral safety switch which allows the vehicle to start in either neutral and/or park only.

(21) *Emission* . -- **Street rods** shall be exempt from state and federal emission standards.

HISTORY: 61 Del. Laws, c. 62, § 2; 67 Del. Laws, c. 411, §§ 13, 14; 71 Del. Laws, c. 321, § 1; 72 Del. Laws, c. 336, § 1; 74 Del. Laws, c. 110, §§ 45, 46; 76 Del. Laws, c. 207, §§ 1, 2.

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TITLE 21. MOTOR VEHICLES
PART II. REGISTRATION, TITLE AND LICENSES
CHAPTER 21. REGISTRATION OF VEHICLES
SUBCHAPTER VII. **ANTIQUE** MOTOR **VEHICLES**

GO TO DELAWARE STATUTES ARCHIVE DIRECTORY

21 Del. C. § 2198 (2010)

§ 2198. Inspection

(a) A motor **vehicle** registered as an **antique** motor **vehicle** shall be exempt from annual inspection. A motor vehicle must pass an initial inspection prior to the motor **vehicle** being registered as an **antique** motor **vehicle**. Motor **vehicles** registered as **antique** motor **vehicles** shall be provided EXEMPT validating stickers in lieu of the usual expiration date stickers upon passing the initial inspection.

(b) A motor vehicle registered as a **street rod** shall be exempt from annual inspection. A **street rod** must pass an initial inspection as prescribed in subsection (f) (**street rod** requirements) of § 2197 of this title, prior to the motor vehicle being registered as a **street rod**.

HISTORY: 21 Del. C. 1953, § 2198; 50 Del. Laws, c. 283, § 1; 59 Del. Laws, c. 338, § 1; 61 Del. Laws, c. 62, § 1; 62 Del. Laws, c. 28, § 1; 67 Del. Laws, c. 411, § 15; 72 Del. Laws, c. 336, § 1; 73 Del. Laws, c. 261, § 1; 76 Del. Laws, c. 207, §§ 3, 4.

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TITLE 21. MOTOR VEHICLES

PART IV. MISCELLANEOUS
CHAPTER 67. THEFT, UNAUTHORIZED USE AND DAMAGE TO MOTOR VEHICLES
SUBCHAPTER II. SALVAGE YARDS

GO TO DELAWARE STATUTES ARCHIVE DIRECTORY

21 Del. C. § 6715 (2010)

§ 6715. **Rebuilt** motor **vehicles**

If any vehicle being kept in a motor vehicle salvage yard or junkyard is rebuilt and application is made for a negotiable title to the vehicle, said vehicle shall be examined by members of the State Police Auto Theft Unit or by a person designated by the Director of the Division of Motor Vehicles prior to the issuance of any negotiable title to such vehicle.

HISTORY: 59 Del. Laws, c. 544, § 1.

Equipment Exemptions

From Delaware Code Annotated:

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TITLE 21. MOTOR VEHICLES
PART III. OPERATION AND EQUIPMENT
CHAPTER 43. EQUIPMENT AND CONSTRUCTION OF VEHICLES
SUBCHAPTER I. EQUIPMENT REQUIREMENTS

GO TO DELAWARE STATUTES ARCHIVE DIRECTORY

21 Del. C. § 4313 (2010)

§ 4313. Safety glass -- Federal safety standards applicable to windshield, front side windows and side wings; window tinting

(a) No person shall operate any motor vehicle on any public highway, road or street with the front windshield, the side windows to the immediate right and left of the driver and/or side wings forward of and to the left and right of the driver that do not meet the requirements of Federal Motor Vehicle Safety Standard 205 in effect at the time of its manufacture.

(b) Nothing in this section shall prohibit the use of any products or materials along the top edge of the windshield so long as such products or materials are transparent and do not encroach upon the AS-1 portion of the windshield as provided by FMVSS 205 and FMVSS 128.

(c) No person shall operate any motor vehicle on any public highway, road or street which does not conspicuously display a certificate by the manufacturer of any "after manufacture" window tinting material which may have been installed that such window tinting material meets the requirements of FMVSS 205 in effect at the time of the vehicle's manufacture. It shall be a valid defense to any charge under this subsection if the person so charged produces in court a validated mandatory inspection notice showing that the Division of Motor Vehicles has examined the motor vehicle since the date of offense and certifies compliance with FMVSS 205.

(d) No person shall be convicted under this section if that person possesses a statement signed by a licensed practitioner of medicine and surgery or osteopathic medicine or optometry verifying that tinted windows are medically necessary for the owner or usual operator of said vehicle.

(e) This section shall not apply to anodized glass which is correctly installed in the windshield and windows of an **antique** motor **vehicle** or **streetrod**, as such are defined in §§ 2196 and 2197 of this title or of a motor vehicle validly insured under an antique, classic or **street rod** designated motor vehicle insurance policy that covers the motor vehicle, pursuant to § 2118 of this title.

(f) This section shall not apply to any surveillance vehicles operated by a police officer, as defined under § 8401(5) of Title 11. This exception shall not apply to marked vehicles, or those unmarked vehicles used primarily for regular duty patrols.

HISTORY: 40 Del. Laws, c. 35, § 4; Code 1935, § 5717; 46 Del. Laws, c. 63; 21 Del. C. 1953, § 4313; 57 Del. Laws, c. 670, § 15B; 64 Del. Laws, c. 33, § 1; 67 Del. Laws, c. 227, § 1; 68 Del. Laws, c. 210, § 1; 70 Del. Laws, c. 357, § 1; 71 Del. Laws, c. 396, § 1; 74 Del. Laws, c. 393, § 1.

*** THIS DOCUMENT IS CURRENT THROUGH 77 DEL. LAWS, CH. 315 AND ALSO INCLUDES ***

***77 DEL. LAWS, CH. 327-329 ***

*** ANNOTATIONS CURRENT THROUGH CASES POSTED AS OF APRIL 23, 2010 ***

TITLE 21. MOTOR VEHICLES
PART III. OPERATION AND EQUIPMENT
CHAPTER 43. EQUIPMENT AND CONSTRUCTION OF VEHICLES
SUBCHAPTER I. EQUIPMENT REQUIREMENTS

GO TO DELAWARE STATUTES ARCHIVE DIRECTORY

21 Del. C. § 4318 (2010)

§ 4318. Bumper, frame rail, and body heights

(a) No passenger vehicle or station wagon that is required to be registered under Chapter 21 of this title shall be registered or operated upon any highway of the State if the bumper height of such vehicle exceeds 22 inches from the ground to the bottom of the bumper, or if the vehicle frame rail is higher than the attached bumper, or if the maximum distance between the vehicle body and vehicle frame rail exceeds 3 inches.

(b) Vehicles not included in subsection (a) of this section that are required to be registered under Chapter 21 of this title shall not be registered or operated upon any highway of the State if the bumper height of such vehicle exceeds 30 inches from the ground to the bottom of the bumper, or if the vehicle frame rail is higher than the attached bumper, or if the maximum distance between the vehicle body and vehicle frame rail exceeds 3 inches.

(c) The following **vehicles** are exempt from this section: **antique** motor **vehicles** registered under § 2196 of this title; authorized emergency vehicles; motor vehicles with a gross vehicle weight rating of 10,000 pounds or greater; and vehicles registered with farm truck plates (FT tags), as defined in § 2113(1) of this title.

(d) Any person found guilty of operating a motor vehicle in violation of this section shall, for the first offense, be fined not less than \$ 50 nor more than \$ 115 For each subsequent like offense within one year, such person shall be fined not less than \$ 100 nor more than \$ 230. Measurements made with an over-the-counter measuring device shall be prima-facia evidence of a violation.

HISTORY: 62 Del. Laws, c. 147, § 1; 68 Del. Laws, c. 9, § 45; 70 Del. Laws, c. 85, § 1; 70 Del. Laws, c. 186, § 1.

GO TO DELAWARE STATUTES ARCHIVE DIRECTORY

21 Del. C. § 6408 (2010)

§ 6408. Exemptions

Notwithstanding the requirements of § 6407 of this title:

(1) A transferor or lessee of any of the following motor vehicles need not disclose the vehicle's odometer mileage:

- a. A vehicle having a gross vehicle weight rating of more than 16,000 pounds;
- b. A vehicle that is not self-propelled;
- c. A **vehicle** that is 10 **years old or older**; or

d. A **vehicle** sold directly by the manufacturer to any agency of the United States in conformity with contractual specifications.

(2) A transferor of a new vehicle prior to its first transfer for purposes other than resale need not disclose the vehicle's odometer mileage.

(3) A lessor of any of the vehicles listed in subdivision (1) of this section need not notify the lessee of these vehicles of the disclosure requirements of § 6409 of this title.

HISTORY: 69 Del. Laws, c. 113, § 4.

Emissions Exemptions

Emissions inspections are required for vehicles being registered or titled for the first time in Delaware and biennially based upon the MY (during registration renewals).

Diesel Vehicles:

Diesel vehicles MY 1997 and newer are required to be tested.

Exemptions:

1. New vehicles for the newest five (5) MYs
2. Pre-1968 MY vehicles
3. Vehicles with a GVWR of more than 8,500 lbs