HOUSE OF REPRESENTATIVES

145th GENERAL ASSEMBLY

HOUSE BILL NO. 462

AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO PENALTIES FOR VIOLATIONS OF REQUIRED MOTOR VEHICLE INSURANCE, INCLUDING FICTITIOUS PROOFS OF INSURANCE.

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

Section 1. Amend § 2118(s)(1), Title 21 of the Delaware Code by striking the phrase “be fined” where it appears once in the first sentence of subsection (s)(1) and once in the second sentence, and by substituting in lieu thereof in each place “a mandatory fine, which may not be suspended, of”; and by striking the final sentence of subsection (s)(1) and substituting in lieu thereof the following:

“A mandatory fine levied under this section may not be suspended for any reason, including the securing of insurance between the time of arrest and the time of sentencing, unless the person charged affirmatively proves that the insurer did not send notice of cancelled or terminated insurance to the named insured, as required under subsection (1) of this section.”.

Section 2. Amend § 2118A(c), Title 21 of the Delaware Code by striking the phrase “be fined for the first offense” where it appears in the first sentence of subsection (c), and by substituting in lieu thereof “receive a mandatory fine, which may not be suspended, for the first offense of”.

Section 3. Amend § 2118A(c), Title 21 of the Delaware Code by striking the phrase “be fined” where it appears in the second sentence of subsection (c) and by substituting in lieu thereof “receive a mandatory fine, which may not be suspended, of”.

SYNOPSIS
This bill provides for mandatory fines, which may not be suspended, for the violation of motor vehicle insurance laws in 21 Del.C. § 2118, and for the unlawful possession, manufacture, sale, distribution, or circulation of fictitious insurance ID cards or any fictitious proof of insurance in 21 Del.C. § 2118A.