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Governor Vetoes HB 462, HB 463

HB 462 would have eliminated a judge's ability to determine punishments for uninsured drivers

HB 463 would have eliminated a job classification for 600 certified massage technicians

Wilmington - Governor Jack Markell has vetoed two bills – House Bill 462 and House Bill 463.

House Bill 462 would have removed a judge's ability to consider the proper punishment for first time offenders in any circumstance and instead would have imposed a mandatory minimum fine of \$1,500 plus costs of several hundred dollars. Judges can currently consider factors like the scope of time without insurance (was it one day from a missed payment, or months of wanton disregard?) when handing down decisions.

"Driving without insurance is a crime. Removing a judge's ability to decide the scope of that crime's punishment does not remove uninsured motorists from our road. It may even eliminate a judge's ability to find a solution that would get many of these drivers insured," Markell said. "The bill sponsors made clear to me that they are concerned fines may not be imposed often enough. If that is happening, that's an issue our judges will want to solve without losing their ability to consider all the facts."

Since 1995, Delaware has had one of the highest fines in the region for failing to maintain automobile insurance. First time violators face a fine of \$1,500 to \$2,000, and driving privileges are suspended for six months. Second and subsequent violations are penalized by fines of \$3,000 to \$5,000 and another six month suspension. Delaware's minimum fine is almost five times higher than the minimum fines imposed by our surrounding states, Maryland (\$150), New Jersey (\$301) and Pennsylvania (\$300).

House Bill 463 sought to change the two-tiered structure for the licensing and certification of massage professionals. Each tier is regulated by the State Board of Massage and Bodywork. Over 600 individuals are classified as Certified Massage Technicians, a designation that requires at least 300 hours of supervised in-class study of massage and coursework in anatomy, physiology, theory and technique. Over 400 individuals completed more than 200 additional hours of supervised in-class study and passed a written, standardized examination to become licensed Massage Therapists. House Bill 463 would have eliminated the ability to become a Massage Technician, which would reduce consumer choice and eliminate a potentially lower-priced option of service.

"While I appreciate the considerable time the Joint Sunset Committee and the sponsors undertook in reviewing the Board and in preparing this legislation, I respectfully disagree with eliminating this entire class of qualified professionals," Markell said.