

**2200 Division of Motor Vehicles
Driver Services**

2207 Suspension of Permanent Licenses (Formerly Reg. No. 41)

1.0 Authority

The authority to promulgate this regulation is 21 **Del.C.** §302 and 29 **Del.C.** §10115.

2.0 Purpose

This policy regulation establishes administrative procedures regarding the suspension of permanent licenses and reinstatement thereof.

3.0 Applicability

This policy regulation interprets the following sections found in 21 **Del.C.** §2732(b), (g), §2733(1), §2118, §2942 and §2943

4.0 Substance of Policy

- 4.1 If the suspension of a permanent license is for a non moving violation, such as failure to answer summons, default of a court fine, uncollectible check, judgment, or failure to have liability insurance on a motor vehicle, the permanent license shall be returned to the licensee at the time of reinstatement.
- 4.2 If the suspension of a permanent license is for a moving violation (s), the permanent license is canceled, and at the time of reinstatement, a new driver's license shall be issued to the applicant for the balance of the period remaining on the license. The licensee shall not be required to pay for this license.
- 4.3 In both cases cited above, the normal reinstatement fee pursuant to 21 **Del.C.** §2737 shall be assessed.

5.0 Severability

If any part of this rule is held to be unconstitutional or otherwise contrary to law by a court of competent jurisdiction, said portion shall be severed and the remaining portions of this rule shall remain in full force and effect under Delaware law.

6.0 Effective Date

The following regulation shall be effective 10 days from the date the order is signed and it is published in its final form in the Register of Regulations in accordance with 29 **Del.C.** §10118(e).

9 DE Reg. 1988 (06/01/06)