

**2200 Division of Motor Vehicles
Driver Services**

**2216 Periods of Revocation for Persons Convicted Under 21 Del. C. 4177L (Formerly
Reg. No. 89)**

1.0 Authority

The authority to promulgate this regulation is 21 **Del.C.** §305 and 29 **Del.C.** §10115

2.0 Purpose

The purpose of this regulation is to set forth general policy guidelines for periods of revocation for a person who is convicted of 21 **Del.C.** §4177 who drives a motor vehicle in violation of this statute while consuming or after consuming alcoholic liquor in violation of the law and as well as 21 **Del.C.** §2742(b)(2) and 2742(c)(2). These are general policy guidelines for the DMV hearing officers to impose suspensions.

3.0 Substance of Rule of Policy Regulation

In accordance with 21 **Del.C.** §4177L dealing with the period of revocation for a licensee who, under the age of 21 years, drives, operates, or has actual physical control of a vehicle, an off highway vehicle, or a moped while consuming or after consuming alcoholic liquor in violation of the law. The following periods shall be guidelines for periods of suspension of the driver's license and/or privilege to drive in the State of Delaware

First Offense	2 months suspension
Second Offense	6 months suspension
Third and Subsequent Offenses	12 months suspension

The same penalties shall be imposed for violation of §2742(b)(2) and 2742(c)(2) of Title 21.

4.0 Effective Date

The following regulations shall be effective 30 days from the date it is signed in accordance with 29 **Del.C.** §10118.