

L A W S

of the

STATE OF DELAWARE

Passed at the

SPECIAL SESSION OF THE NINETY- SEVENTH GENERAL ASSEMBLY

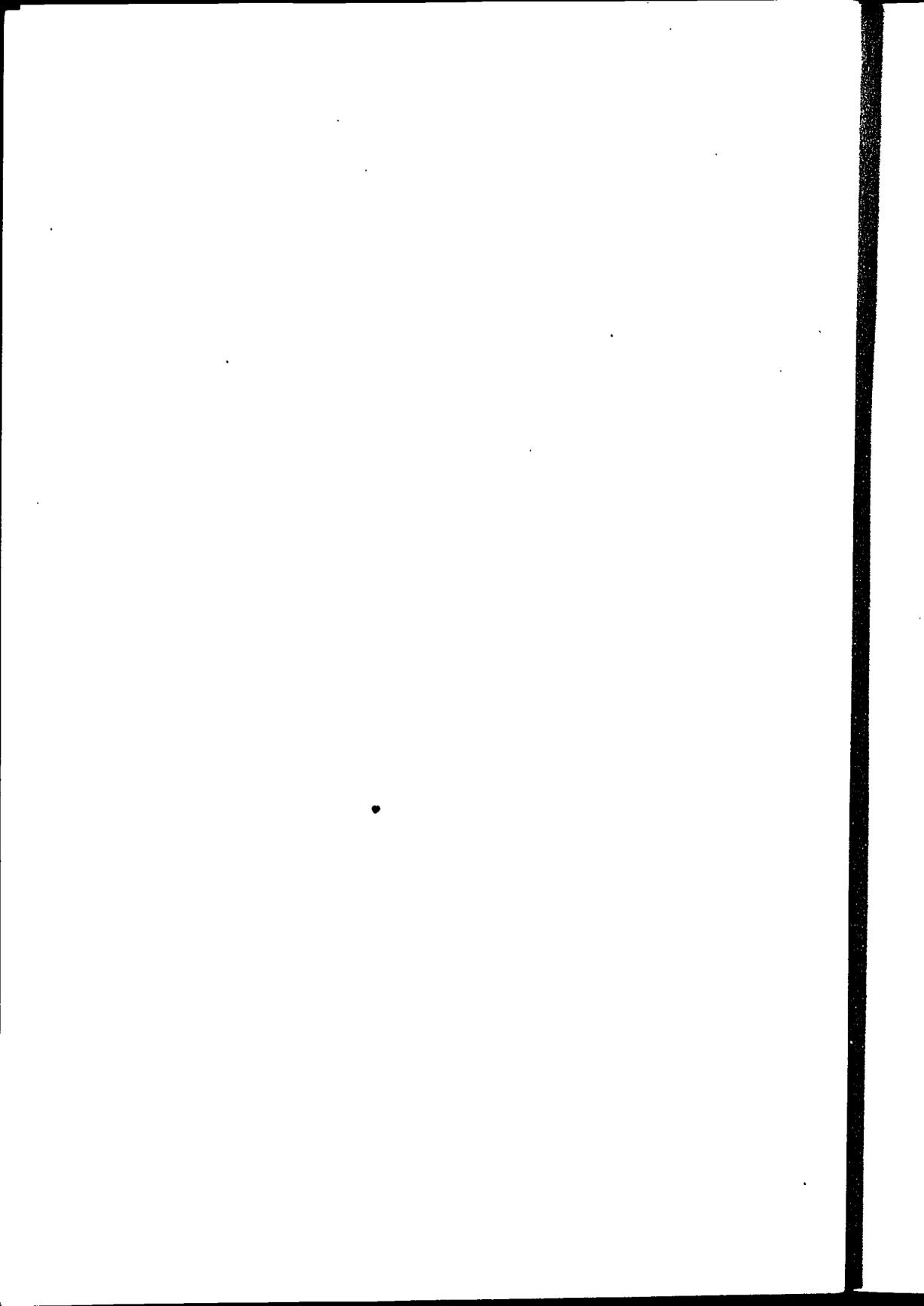
Commenced and Held at Dover

ON MONDAY, MARCH 22, A. D., 1920

And

IN THE YEAR OF THE INDEPENDENCE OF THE UNITED
STATES THE ONE HUNDRED AND FORTY-FOURTH

VOLUME XXXI



LAWS OF DELAWARE

TITLE THREE

State Revenue and Supplies

CHAPTER 1.

STATE REVENUE

INTOXICATING LIQUOR

AN ACT to amend "An Act to provide for the Refunding of a proportion of liquor license fees when the business for which such licenses are taken out, is declared unlawful during the continuance of the license" by providing the time from which said refunds are to be calculated.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 22, Vol. 30, Laws of Delaware, entitled "An Act to Provide for the Refunding of a proportion of liquor license fees when the business for which such Licenses are taken out, is declared unlawful during the continuance of the License," be and the same is hereby amended by adding thereto a new section as follows:

Section 2. For the purpose of ascertaining the proportion of said Liquor Licenses to be refunded as aforesaid, the State Treasurer is hereby authorized and directed to calculate the refund of such Licenses from the first day of July, A. D. 1919.

Approved April 28, A. D. 1920.

MOTOR VEHICLES

CHAPTER 2.

STATE REVENUE

MOTOR VEHICLES

AN ACT to amend Chapter 6 of the Revised Code of the State of Delaware, in relation to Motor Vehicles.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

That Chapter 6 of the Revised Code of the State of Delaware be and the same is hereby amended by the repeal of 238, Section 201, and the insertion in lieu thereof of the following, which shall be styled "238, Section 201."

238, Section 201. Motor vehicles, operated by manufacturers or dealers for the purpose of testing, selling, or demonstrating, shall be exempt from the necessity of individual registration, provided said manufacturer or dealer has taken out a license to engage in the business of purchasing and selling produce, goods, wares, and merchandise, and such manufacturer or dealer registers with the Secretary of State, in the "Dealer's Class." The application for such registration shall state the number of cars to be registered and shall be made upon a blank, provided for the purpose by the said Secretary of State, and shall state the name, business, and the place of business of the applicant, and the number of said license so taken out by him, and shall be certified by oath or affirmation. For each car registered a fee of twenty dollars shall be paid the Secretary of State, who shall issue a certificate of registration for each car registered, and provide, at the expense of the State, two pairs of tags for each registration which shall contain numbers of registration not less than four inches in height, the year and the words "Delaware Dealer." No more than one motor vehicle may be operated at the same time under the same registration number. Such car shall be operated only by licensed drivers, who shall have author-

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ity to operate motor vehicles bearing the said tags for testing or demonstrating purposes; provided, that the Secretary of State shall not issue a Dealer's License to any person, firm or corporation without an affidavit being first filed stating that such person, firm or corporation is a bona fide dealer in automobiles or motor vehicles. and provided further that such dealer's registration tags shall not be used upon any jitneys, taxicabs or other motor vehicles used for hire.

Any such manufacturer or dealer may procure additional registration tags, upon making additional application in the same manner as the aforesaid application was made, and paying an additional fee of Ten Dollars for each additional registration and each additional pair of tags desired.

Approved April 28, A. D. 1920.

MOTOR VEHICLES

CHAPTER 3.

STATE REVENUE

MOTOR VEHICLES

AN ACT to amend Chapter 6 of the Revised Code of the State of Delaware, in relation to Motor Vehicles.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Section 1. That Chapter 6 of the Revised Code of the State of Delaware be and the same is hereby amended by the repeal of 241, Section 204, and the insertion in lieu thereof of the following, to be styled "241, Section 204."

241. Section 204. Every motor vehicle shall be provided, when in use, with good and sufficient brakes and with a horn, bell or other signaling device, producing an abrupt sound sufficiently loud to serve as an adequate warning of danger, but no person operating any motor vehicle shall make or cause to be made any unnecessary noise with such bell, horn or other signaling device or use the same except as a warning of danger; and such bell, horn or other signaling device shall not be sounded while passing a horse or other draft animal upon any of the public roads in this State, except when absolutely necessary to avoid accidents; and such bell, horn or other signaling device shall not be used upon the streets, lanes or alleys of any incorporated town within this State during the period of from one hour after sunset to one hour before sunrise, unless absolutely necessary to avoid accidents. Such bell, horn or other signaling device shall be sounded on approaching curves, hill tops and intersecting highways in the open country where the operator's view is obstructed. Motor vehicles shall from one-half hour after sunset until one-half hour before sunrise, show at least two white lights on the forward part of said vehicles, so placed as to be

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seen from the front and of sufficient illuminating power to be visible at a distance of two hundred feet in the direction in which displayed and to reveal any person, vehicle or substantial object at least twenty-five feet ahead of such lights. Provided, that when any motor vehicle is at rest it may display one light showing white to the front and red to the rear, carried to the left of such motor vehicle, which light shall be visible from both front and rear for a distance of not less than two hundred feet. Motor vehicles shall also display on the rear a lamp so constructed and placed as to show a red light from the rear and throw a white light directly upon the rear registration tags and render the numerals thereon visible for at least twenty-five feet in the direction from which such vehicle is proceeding. Provided, however, that a motorcycle shall only be required to show at least one white light, visible not less than two hundred feet in the direction in which displayed, and one red light shall be shown in the opposite direction. And provided, further, that no person shall be deemed guilty of violating the provisions of this Section if he shows to the satisfaction of the magistrate or court by and before whom he is tried that the absence of any such light or lights was due to an accident and not to his or her mere oversight or neglect. Provided, further, that any lighting device of over four candle power shall not be equipped with a reflector unless the same shall be so designed, deflected or arranged that no portion of the beam of reflected light projected to the left of the axis of the vehicle, when measured seventy-five feet or more ahead of the lamps shall rise above forty-eight inches from the level surface upon which the vehicle stands under all conditions of load. Provided, further, that if, in addition to headlights, any such vehicle is equipped with an auxiliary light, projecting light or device other than a rear lamp, such auxiliary light or lights shall be subject to all the restrictions of this Section regarding the direction or deflection of the beam. The above provisions as to red lights shall also apply to vehicles which are trailed or towed by motor vehicles.

In order that this Section of the Statute may be operative without hardship on the owners and operators of Motor Vehicles, the Secretary of State shall prepare a list of devices and equipment which have been tested by some recognized testing laboratory, acceptable to the Secretary of State, and certified by the testing labor-

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atory to be capable of making the projected light from the front lights or headlamps comply with the provisions of this Section when the adjustment of the front lights or headlamps and candle power of bulb used is as set forth in the certificate. The list shall give the name of the device or equipment, the maximum and minimum candle power of bulbs which may be used with the device or equipment and any special adjustment of the headlamp or device which may be necessary to make the light projected by the headlamp comply with the provisions of the statute. Manufacturers may have their devices certified as being on the approved list by paying a fee of \$10.00 and submitting to the Secretary of State, at the manufacturers expense, a certificate from one of the testing laboratories mentioned above, to the effect that the device will fulfill the provisions of the statute when used under the conditions of adjustment and candle power stated in the certificate; providing the Secretary of State shall decide that the report of the testing laboratory warrants him in placing the device on the approved list.

Approved April 28, A. D. 1920.

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CHAPTER 4.

STATE REVENUE

MOTOR VEHICLES

AN ACT to amend Chapter 6 of the Revised Code of the State of Delaware, in relation to Motor Vehicles.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met :

Section 1. That 254 Section 217 of Chapter 6 of the Revised Code of the State of Delaware be and the same is hereby amended by adding thereto the following new section to be styled "254-F Section 217-F."

254-F Section 217-F. Any person having in his or her possession any motor-cycle or motor vehicle from which the manufacturer's serial number or any other manufacturer's trade or distinguishing number or identification mark has been removed, and effaced, changed, covered or destroyed, for the purpose of concealing or destroying the identity of such motor-cycle or motor vehicle, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not exceeding Two Hundred Dollars (\$200) or imprisoned for a period not exceeding one year, or both, in the discretion of the court.

Approved April 28, A. D. 1920.

APPROPRIATIONS

CHAPTER 5.

STATE REVENUE

APPROPRIATIONS

AN ACT making additional appropriations for the expenses of the State Government, other than legislative expenses, for the fiscal year ending on Monday immediately preceding the second Tuesday in January, in the year of our Lord one thousand nine hundred and twenty-one.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met :

Section 1. That in addition to the amounts appropriated at the regular session of the General Assembly of the year one thousand nine hundred and nineteen, for the years one thousand nine hundred and nineteen and one thousand nine hundred and twenty, as set forth by Chapters 33 and 34 of Volume 30 of the Laws of Delaware, the several amounts named in this Act or so much thereof as may be necessary are hereby appropriated and authorized to be paid out of the Treasury of this State to the respective public officers of the respective departments and divisions of Government, and for the several purposes hereinafter specified, for the current fiscal year ending on Monday immediately preceding the second Tuesday of January in the year of our Lord one thousand nine hundred and twenty-one; provided, however, that all parts or portions of the several sums appropriated by this Act which, on said Monday immediately preceding said second Tuesday of January, A. D. one thousand nine hundred and twenty-one, shall not have been paid out of the treasury, shall be turned to the general fund of the treasury. The said several sums hereby appropriated are as follows, viz:

For Delaware Industrial School for Girls, additional for	
1920	\$10,000.00
For State Live Stock Sanitary Board, for condemned	
tubercular cattle, for 1920.....	50,000.00