DOVER
P.O. Box 698
DOVER, DE 19903
(302) 744-2500

GEORGETOWN
23737 DUPONT BLVD.
GEORGETOWN, DE 19947
(302) 853-1000

STATE OF DELAWARE
DEPARTMENT OF TRANSPORTATION
DIVISION OF MOTOR VEHICLES

Delaware City
2101 Mid County Dr.
New Castle, DE 19720
(302) 326-5000

WILMINGTON
2230 HESSLER BLVD.
NEW CASTLE, DE 19720
(302) 434-3200

JENNIFER COHAN
SECRETARY

November 15, 2019

Administrator
National Highway Traffic Safety Administration
1200 New Jersey Avenue, SE Washington, DC 20590

Re: Petition for Reconsideration of Docket No. NHTSA-2019-0089; RIN 2127-AL39 – Odometer Disclosure Requirements

Dear Acting Administrator Owens:

The State of Delaware is aware that NHTSA has recently promulgated its final rule regarding electronic odometer disclosure requirements. Delaware does have serious concerns with the effective date of the final rule. The final rule amends 49 CFR 580.17 such that a transferor or lessee must disclose odometer mileage for an expanded number of vehicles extending beyond the previous 10-year limitation to a 20-year limitation. The current effective date of the final rule is December 31, 2019.

Delaware will require a statutory amendment to execute this change. Delaware's General Assembly is not a full time body. The next session starts on January 14, 2020. Legislation to make changes to Delaware Statute to comply with the final rule would proceed after that date. Obviously, Delaware cannot meet the December 31, 2019 deadline.

It is only the effective date and time needed to prepare for the change that is challenging. As such, Delaware requests NHTSA reconsider the final rule's effective date such that it gives Delaware, and other states, the appropriate time to properly legislate and prepare for the additional vehicle population. Delaware requests NHTSA consider revising the effective date of the rule to December 31, 2020 and beginning with model year 2011 vehicles. If the rule is not revised, Delaware would like to ask for a waiver or extension until legislation is passed.

Thank you for your consideration of this petition. If I can be of additional assistance, please feel free to reach me at scott.clapper@delaware.gov
Sincerely,

Scott Clapper
Chief of Vehicle Services
Delaware Division of Motor Vehicles

DelDOT