

**JOHN L. MITCHELL, JR**  
STATE REPRESENTATIVE  
Thirteenth District



HOUSE OF REPRESENTATIVES  
STATE OF DELAWARE  
LEGISLATIVE HALL  
DOVER, DELAWARE 19901

COMMITTEES  
Public Safety & Homeland  
Security, Chair  
Appropriations  
Gaming & Pari-mutuels  
Joint Finance  
Judiciary  
Telecommunication Internet  
& Technology

**Public Safety & Homeland Security Committee**  
Meeting Minutes  
June 2, 2010

Vice-Chairman Atkins called the meeting to order at 2:53 p.m. Members present included Chairman Mitchell, Representatives George, J. Johnson, Lee, Outten and Wilson. Representative Schwartzkopf was also present. For a list of guests present, please see attached.

After calling the meeting to order, Vice-Chairman Atkins chose to address **HB 397, AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL LICENSE OR REGISTRATION PLATES**, and recognized Rep. Schwartzkopf, the bill's sponsor. Rep. Schwartzkopf explained that this bill adds a special license plate option for the Safe Haven No Kill Animal Sanctuary. He explained that the founders of the organization are from his district and he is a supporter of the organization, and he was happy to sponsor this bill. Rep. Wilson also stated that members of the group were from his district as well, and he supports the bill. Rep. Lee inquired about the fee imposed, because it was different from the fee of other specialty plates. Rep. Schwartzkopf stated that he believed the fee amount came from the Department of Motor Vehicles.

Rep. George motioned to release the bill from committee; Rep. J. Johnson seconded the motion. The bill was released on a 0-6-0 vote.

Vice-Chairman Atkins then addressed **HB 415, AN ACT TO AMEND CHAPTER 64A, TITLE 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF SAFETY AND HOMELAND SECURITY**, and recognized Chairman Mitchell, the bill's sponsor. He explained that this bill authorizes the Department of Technology and Information and the Division of Communications of the Department of Safety and Homeland Security (DSHS) to transfer to DSHS the authority to enter into leases and license space for communication facilities on telecommunication towers and other facilities constructed for the 800 MHz Trunked Radio System.

Rep. George motioned to release the bill from committee; Rep. Wilson seconded the motion. The bill was released on a 0-6-0 vote.

Finally, Vice-Chairman Atkins addressed **SB 215, AN ACT TO AMEND TITLES 7 AND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLES**. Vice-Chairman Atkins explained that the bill provides an exception to Title 21 registration

requirements for certified emission technicians while testing vehicles in order to aid in passing DMV inspections. It permits driving only during the on board diagnostic testing process, with a permit to be issued by the Department of Natural Resources.

Vice-Chairman Atkins then recognized Ed Osbourne of Osbourne's Auto Service. Mr. Osbourne explained that this bill fixes an issue that emissions technicians face when drive testing a vehicle for inspection. He stated that sometimes a car is required to be driven for up to an hour, and that the issue arises when the tags have already expired. He stated that part of the issue is that insurance companies do not always consider unregistered vehicles to be insured. He explained that this bill excludes certified emission technicians from the registration requirements, provided they have a permit from the Department of Natural Resources and Environmental Control as well as insurance while the car is in the care of the particular shop.

Rep. George motioned to release the bill from committee; Rep. Lee seconded the motion. The bill was released on a 0-6-0 vote.

Vice-Chairman Atkins adjourned the meeting at 3:03 p.m.

Respectfully submitted by,

Katie Anderson