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STATE OF DELAWARE
DEPARTMENT OF TRANSPORTATION
DIVISION OF MOTOR VEHICLES

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June 6, 2023

Notice To All Dealers: Bill of Sale – Calculation of Documentation Fees

The Division of Motor Vehicles (DMV) will no longer use the pre-determined list of accessories and discounts to validate the document fee for vehicles sold by a dealership. Documentation fees must be in accordance with 21 *Del.C.* §6305 and 30 *Del.C.* §3001(5).

The dealerships are responsible for calculating documentation fees on the price of the vehicles minus the trade-in credit or any allowance, or credit against the purchase price granted by the manufacturer.

§ 6305. Bill of Sale.

Every motor vehicle dealer shall complete, in duplicate, a bill of sale for each sale or exchange of a motor vehicle. The original shall be retained for a period of 5 years. A duplicate copy shall be delivered to the purchaser at the time of sale or exchange. The bill of sale shall be signed by both buyer and seller. A bill of sale shall include the following:

- (1) The name and address of the person to whom the vehicle was sold or traded;
- (2) The date of the sale or trade;
- (3) The name and address of the motor vehicle dealer selling or trading the vehicle;
- (4) The make, model, year, vehicle identification number, and body style of the vehicle;
- (5) The sale price of the vehicle;
- (6) The amount of any deposit made by the buyer;
- (7) A description of any Delaware-titled vehicle used as a trade-in and the amount credited to the buyer for the trade-in;
- (8) The amount of the document fee, title fee, registration fee, or any other fee for which the buyer is responsible, and the dealer has collected; each fee shall be individually listed and identified; and
- (9) The amount of any balance due at settlement.

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§ 3001. Definitions.

(5) “Purchase price” means the value or any other consideration given by the owner to the seller for a motor vehicle; where trade-ins or allowances are given in conjunction with the purchase of any motor vehicle, the purchase price shall be the gross purchase price less any trade-in or allowance given by the seller of the motor vehicle to the owner of the motor vehicle; except that where a motor vehicle having been bought and registered outside the State and not subject to the limitation of § 3002(a)(4) of this title is first registered and titled in this State, “purchase price” shall mean the fair market value as of the date of such titling and registration. If the owner made no trade-in in conjunction with the purchase of any motor vehicle or trailer but 60 days prior to or subsequent to the date on which a certificate of title was issued in Delaware on such vehicle such owner sold privately the previously owned vehicle, credit shall be given in the same amount on the document fee as if the owner had made a trade-in of such previously owned vehicle in connection with the purchase of another vehicle. Credit shall be given for only 1 motor vehicle or trailer per application. Application for such credit in event of a prior sale shall be made at the time application is made for title of the purchased vehicle. In the event of a subsequent sale, an application for such credit shall be made not later than 15 calendar days after such sale in person or by registered mail to the Division of Motor Vehicles. Proof of prior ownership and the amount of sale shall be furnished at the time the owner claims credit pursuant to rules and regulations promulgated by the Division of Motor Vehicles.