



SPONSOR: Sen. Bushweller & Rep. Carson  
Sen. Hocker; Reps. Briggs King, Mitchell, Paradee,  
Wilson

DELAWARE STATE SENATE  
149th GENERAL ASSEMBLY

SENATE BILL NO. 64

AN ACT TO AMEND TITLE 20 OF THE DELAWARE CODE RELATING TO EMERGENCY MANAGEMENT.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend § 3116, Title 20 of the Delaware Code by making insertions as shown by underlining and deletions as shown by strikethrough, as follows:

§ 3116 Powers.

(a) In addition to any other powers conferred upon the Governor by law, the Governor may:

(12) With or without emergency orders, issue a Level 1 Driving Warning addressing the use or operation of motor vehicles on Delaware roads, including highways, express highways, roadways, and private roads as defined in § 101 of Title 21. A “Level 1 Driving Warning” means:

a. Any person operating a motor vehicle shall exercise extra caution in the operation of their motor vehicle.

b. Motorists are encouraged not to operate a motor vehicle on the State’s roadways unless there is a significant safety, health, or business reason to do so.

(b) During an emergency or disaster, the Governor may:

(12) Restrict the use or operation of motor vehicles on Delaware roads, including ~~but not limited to,~~ highways, express highways, roadways, and private roads as defined in § 101 of Title 21. The levels of restriction of the use or operation of motor vehicles during a state of emergency ~~shall be~~ are as follows:

~~(c) Level 1 Driving Warning: A “Level 1 Driving Warning” shall mean that any person operating a motor vehicle when a Level 1 Driving Warning has been activated shall exercise extra caution in the operation of their motor vehicle. Nonessential employees, regardless of whether employed by a public or private entity, are encouraged not to operate a motor vehicle on the State’s roadways when a Level 1 Driving Warning has been activated, unless there is a significant safety, health or business reason to do so.~~

SYNOPSIS

This bill removes the requirement that the Governor must declare a State of Emergency before issuing a Level 1 Driving Warning.

Author: Senator Bushweller