



SPONSOR: Sen. Townsend & Rep. Osienski
Sens. Ennis, Sokola; Reps. Baumbach, Brady, Cooke,
Kowalko

DELAWARE STATE SENATE
150th GENERAL ASSEMBLY

SENATE BILL NO. 185

AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVING IN THE RIGHT LANE OF A ROADWAY.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE (Three-fifths of all members elected to each house thereof concurring therein):

1 Amend § 4114, Title 21 of the Delaware Code by making deletions as shown by strike through and insertions as
2 shown by underline as follows:

3 (a) Upon all roadways of sufficient width, a vehicle shall be driven ~~upon the right half of the roadway~~ in the lane
4 nearest the right-hand edge or curb of the roadway when that lane is available for travel, except as follows:

5 (1) When overtaking and passing another vehicle proceeding in the same direction under the rules
6 governing such movement;

7 (2) When an obstruction exists making it necessary to drive ~~to the left of the center of the highway~~; in
8 another lane provided; any person so doing shall yield the right-of-way to all vehicles traveling in the proper
9 direction upon the unobstructed portion of the highway within such distance as to constitute an immediate hazard;
10 or

11 (3) Upon a roadway divided into 3 marked lanes for traffic under the rules applicable thereon; or

12 (4) Upon a roadway designated and signposted for one-way traffic.

13 (b) Upon all roadways any vehicle proceeding at less than the normal speed of traffic at the time and place and
14 under the conditions then existing ~~shall~~ must be driven in the right-hand lane then available for traffic, or as close as
15 practicable to the right-hand curb or edge of the roadway, except when overtaking and passing another vehicle proceeding
16 in the same direction or when preparing for a left turn at an intersection or into a private road or driveway.

17 (c) Upon any roadway having 4 or more lanes for moving traffic and providing for 2-way movement of traffic, no
18 vehicle shall be driven to the left of the center line of the roadway, except when authorized by signs or markings
19 designating certain lanes to the left side of the center of the roadway for use by traffic not otherwise permitted to use such
20 lanes, or except as permitted under this section. This subsection shall not be construed as prohibiting the crossing of the
21 center line in making a left turn into or from an alley, private road, driveway or highway.

22 (d) When such roadway had been divided in such a manner that there are 2 or more lanes for traffic in any one
23 direction, no truck of 10,000 pounds registered gross weight or more shall be driven in the farthest left-hand lane except:
24 (1) when and to the extent necessary to prepare for a left turn;
25 (2) when and to the extent necessary to pass a slower moving vehicle;
26 (3) when necessary to enter or leave such roadway by entrance or exit to or from the left lane; or
27 (4) when reasonably necessary in response to emergency conditions.
28 (e) Any operator who violates this section shall be assessed a civil penalty of no more than \$100 for the first
29 offense and no more than \$200 for any subsequent offense.
30 (f) The provisions of subsections (d) and (e) shall only apply to vehicles traveling on those portions of State Route
31 1 that are either an “express highway” as that term is defined in Section 101(4) of Title 17 or a “controlled-access facility”
32 as that term is defined in Section 172 of Title 17.

SYNOPSIS

This Act clarifies the rules for driving on Delaware roadways. It mandates the general rule that drivers operate vehicles in the right-most lane subject to some exceptions. It also mandates that, on the limited access portions of Route 1 only (currently from I-95 to south of Dover), trucks over 10,000 pounds of registered gross weight must drive in the right-hand lane subject to some exceptions. Finally, it creates civil penalties for drivers on the limited access portions of Route 1 (currently from I-95 to south of Dover) who do not abide by the requirements of this Act. This bill addresses the problem of operators of vehicles driving below the designated speed limit in the left-hand lane of State Route 1 and causing congestion thereon.

Author: Senator Townsend