

CHAPTER 191
FORMERLY
SENATE BILL NO. 67

AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD.

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

Section 1. Amend § 4146, Chapter 41, Title 21 of the Delaware Code by making deletions as shown by strikethrough and insertions as shown by underlining as follows:

§ 4146. Pedestrians on highways; penalty.

(a) Where a sidewalk is provided and is accessible, it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway.

(b) Where a sidewalk is not available, any pedestrian walking along and upon a highway shall walk facing traffic only on a shoulder, as far as practicable from the edge of the roadway.

(c) Where neither a sidewalk nor a shoulder is available, any pedestrian walking along and upon a highway shall walk as near as practicable to an outside edge of the roadway, and shall walk facing traffic.

(d) Except as otherwise provided in this chapter, any pedestrian upon a highway shall yield the right-of-way to all vehicles upon the highway.

(e) This section shall not require that pedestrians on one-way roadways of controlled-access highways walk facing traffic to the nearest emergency reporting device.

(f) Whoever violates this section shall for the first offense be fined not less than \$10 nor more than \$28.75. For each subsequent like offense, the person shall be fined not less than \$25 nor more than \$50.

(g) A foot race or walking event on a highway shall not be unlawful when the event has been approved by the Department or the local authorities in their respective jurisdictions. Approval of a foot race or walking event on a highway shall be granted only under conditions which ensure reasonable safety for all participants, spectators and other highway users, and which prevent unreasonable interference with traffic flow which would seriously inconvenience other highway users. By agreement with the approving authority, participants in an approved a foot race or walking event on a highway may be exempted from compliance with any traffic laws otherwise applicable thereto, provided that traffic control is adequate to ensure the safety of all highway users.

Approved January 30, 2014