

CHAPTER 138
FORMERLY
HOUSE BILL NO. 150
AS AMENDED BY
HOUSE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 17 OF THE DELAWARE CODE RELATING TO VARIABLE MESSAGE SIGNS ON STATE TOLL HIGHWAYS.

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

Section 1. Amend Title 17 of the Delaware Code by adding a new § 1132, to read as follows:

“§ 1132. Sign limitations on State toll highways.

(a) Notwithstanding any other provisions of this Code to the contrary, variable message signs (VMS) may not be erected or placed, facing in the same direction of travel, and directed toward and able to be read by travelers along State toll highways, within 1,000 feet of any toll highway listed in subsection (c) of this section, except for those signs installed within the rights-of-way of a toll highway for official Department use.

(b) As used in this section, ‘variable message sign (VMS)’ means a sign or portion of a sign on which the message copy includes characters, letters, or illustrations that can be changed or rearranged electronically or mechanically without touching or physically altering the primary surface of the sign. Message copy for a VMS may be changed in the field or from a remote location.

(c) The provisions of this section apply to the following:

(1) The portion of State Route 1 running from the point at which it merges with U.S. Route 13 below State Route 71 to the point where it merges with the southbound on-ramp of State Route 9.”Section 2. The provisions of this Act shall not be construed to prohibit the seasonal use of a movable variable message sign on the eastern side of State Route 1, from the point where it crosses the Chesapeake and Delaware Canal to the point where it crosses Pole Bridge Road, if such use pre-dated the effective date of this Act.

Approved July 13, 2011