

LAWS OF DELAWARE
VOLUME 85
CHAPTER 9
153rd GENERAL ASSEMBLY
FORMERLY
HOUSE BILL NO. 22

AN ACT TO AMEND TITLE 21 AND TITLE 24 OF THE DELAWARE CODE RELATING TO CONSTABLES.

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

Section 1. Amend § 4103, Title 21 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline and redesignating accordingly as follows:

§ 4103. Obedience to authorized persons directing traffic.

(a)(1) No person shall wilfully fail or refuse to comply with any lawful order or direction of any ~~police officer or authorized flagperson or fire police officer or uniformed adult school crossing guard~~ of the following, who are invested by law with authority to direct, ~~control~~ control, or regulate vehicle and pedestrian ~~traffic~~ traffic:

- a. A police officer.
- b. An authorized flagperson.
- c. A fire police officer.
- d. A uniformed adult school crossing guard.
- e. A commissioned constable.

(2) This subsection ~~shall~~ does not operate to relieve a driver of the duty to operate the driver's vehicle with due regard to the safety of all persons using the highway.

Section 2. Amend § 5609, Title 24 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 5609. Powers and duties of constables.

A commissioned constable shall:

(2) Exercise the same powers as peace officers and law-enforcement officers, including the power to direct, control, or regulate vehicle and pedestrian traffic, in order to protect life and property, while in the performance of the lawful duties of employment.

Approved April 14, 2025