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D. Short, K. Williams; Sens. Hocker, Huxtable, Lawson,
Richardson, Sokola, Sturgeon, Walsh

HOUSE OF REPRESENTATIVES
152nd GENERAL ASSEMBLY

HOUSE BILL NO. 92

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:

1 Section 1. Amend § 4134, Title 21 of the Delaware Code by making deletions as shown by strike through and
2 insertions as shown by underline as follows:

3 § 4134. Operation of vehicles on approach of authorized emergency ~~vehicles; vehicles; stationary vehicles.~~

4 (b) (1) For purposes of this subsection, “stationary vehicle giving a warning signal” means any of the
5 following:

6 a. ~~On approaching a~~ A stationary authorized emergency vehicle, when the authorized emergency vehicle
7 is giving a signal by displaying alternately flashing red, blue, blue and white, red and white, red and blue, or red,
8 white and blue ~~lights, or on approaching a~~ lights.

9 b. A stationary authorized vehicle of the Department of Transportation, which is giving a signal by
10 displaying alternately flashing amber or red and amber ~~lights, or on approaching a~~ lights.

11 c. A stationary tow truck, which is giving a signal by displaying alternately flashing amber, white, or
12 amber and white ~~lights, or on approaching a~~ lights.

13 d. A stationary vehicle owned or operated by a public utility, which is giving a signal by displaying
14 alternately flashing amber, white, or amber and white ~~lights, lights.~~

15 e. A stationary vehicle displaying warning signals, including vehicle hazard warning lights, road flares,
16 traffic cones, caution signs, or any non-vehicular warning signs.

17 (2) A person driving a vehicle who is approaching a stationary vehicle giving a warning signal ~~a person who~~
18 ~~drives an approaching vehicle~~ shall do either one of the following:

19 (1) a. Proceed with caution and yield the right-of-way by making a lane change into a lane not adjacent to
20 that of a stationary vehicle described in this subsection, if possible with due regard to safety and traffic conditions,

21 if on a roadway having at least 4 lanes with not less than 2 lanes proceeding in the same direction as the
22 approaching vehicle.

23 (~~2~~) b. Proceed with caution and reduce the speed of the vehicle to a safe speed while passing a stationary
24 vehicle described in this subsection, if changing lanes would be impossible or unsafe.

SYNOPSIS

This Act requires drivers to change lanes or reduce their speed while approaching a stationary vehicle displaying warning signals, including vehicle hazard warning lights, road flares, traffic cones, cautions signs, or any non-vehicular warning signs.