



SPONSOR: Sen. Hoffner & Rep. Dorsey Walker
Sens. Gay, Huxtable, Pettyjohn, Richardson; Reps.
Collins, K. Johnson, Parker Selby, Spiegelman

DELAWARE STATE SENATE
152nd GENERAL ASSEMBLY

SENATE BILL NO. 138

AN ACT TO AMEND TITLE 17 OF THE DELAWARE CODE RELATING TO THE DELAWARE BYWAYS
PROGRAM.

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

Section 1. Amend § 193, Title 17 of the Delaware Code by making deletions as shown by strike through and
insertions as shown by underline as follows:

§ 193. Delaware Byway Advisory Board. [Repealed.]

~~The Secretary shall appoint a Delaware Byway Advisory Board consisting of public and private parties, including
not-for-profit organizations, to assist in and make recommendations regarding in the designation, development, operation,
management and promotion of Delaware byways. Members of the Advisory Board created pursuant to this section shall
include, but not be limited to, the Secretaries, chief administrative officers or representatives of the:~~

~~(1) Department of State;~~

~~(2) Department of Agriculture;~~

~~(3) Division of Small Business;~~

~~(4) Department of Natural Resources and Environmental Control; and~~

~~(5) Such other public or private members as the Secretary may determine would be of assistance in this
process.~~

~~These members would include, but not be limited to, representatives from: federal, state and local governments;
environmental groups; planning agencies; the real estate and outdoor advertising industries; business, farming and nature
organizations; and such other groups which may be affected by a byway designation.~~

SYNOPSIS

This Act is a result of the Joint Legislative Oversight and Sunset Committee's review of the Delaware Byway
Advisory Board ("Board"). First formed in 2000, the Board has served in an advisory role relating to the Delaware Byways
Program. The Board's primary purpose is to assist in and make recommendations regarding in the designation,
development, operation, management, and promotion of Delaware byways.

During the initial development of the Delaware Byways Program, the Board consulted with the Department of
Transportation's planning division to create the Delaware Scenic and Historic Highways Program Guide in 2001. The
Guide defined the creation, organization, and ongoing management of designated byways in Delaware. Six byways were
designated in Delaware between 2002 and 2010.

The Board met regularly from 2000 through 2005, with its last known meeting in 2005. The Delaware Byways Program no longer accepts applications for new byways, and the existing 6 byways are self-governed by byway management organizations and individual corridor management plans.

For these reasons, and with the support of the Department of Transportation, the Joint Legislative Oversight and Sunset Committee concluded that, although the Board once served an important role relating to byways in Delaware, the Board is no longer meeting its statutory duties or fulfilling a state need, and that the Board should be terminated. This Act therefore terminates the Delaware Byway Advisory Board.

Author: Senator Hoffner