SPONSOR: Sen. McBride & Sen. Townsend & Rep. Bentz
Sens. Paradee, Pettyjohn, Poore, Sokola, Wilson; Reps. Baumbach, Brady, Lynn, Ramone

DELAWARE STATE SENATE
150th GENERAL ASSEMBLY

SENATE BILL NO. 73
AS AMENDED BY
SENATE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 1 AND TITLE 4 OF THE DELAWARE CODE RELATING TO THE STANDARD TIME FOR THIS STATE.

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

Section 1. The General Assembly finds as follows:

(1) The federal Standard Time Act of 1918, P.L. 65-106, 40 Stat. 450, established standard time zones for the United States bounded by designated meridian lines, including the zone designated as "United States Standard Eastern Time" in which this State was placed, and provided for the advancement of time for each zone by 1 hour from the last Sunday in March to the last Sunday in October each year, a practice commonly referred to as "daylight saving time."

(2) The federal Uniform Time Act of 1966, 15 U.S.C. § 260 et seq., was enacted by Congress to promote the adoption and observance of uniform time within the standard time zones of the United States. The Uniform Time Act did the following:

a. Expanded and renamed the standard time zones, renaming the time zone this State was placed into as "eastern standard time."

b. Reestablished daylight saving time as beginning on the last Sunday in April and ending on the last Sunday in October each year.

c. Authorized a state entirely situated within 1 time zone, as this State is, to exempt itself from the change to daylight saving time, as long as it does so uniformly as an entire state.

(3) In 1986, Congress moved the beginning of daylight saving time to the first Sunday in April. In 2005, Congress established the second Sunday of March as the beginning of daylight saving time and the first Sunday of November as the ending.

(4) Over the intervening 101 years since the initial creation of daylight saving time, the residents and businesses of this State have become more accustomed to the 8 months of daylight saving time each year than to the 4 months of standard time each year.

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(5) The biannual change of time between eastern standard time and eastern daylight time is disruptive to commerce and to the daily schedules of the residents of this State.

(6) Remaining permanently on daylight saving time permits this State to avoid negative impacts of the shifts, such as the following:

a. A 2013 study published in The American Journal of Cardiology found that daylight saving time shifts have a substantial influence on the risk of heart attack.

b. A 2016 study published in the American Economic Journal: Applied Economics found that the transition into daylight saving time caused over 30 deaths in fatal automobile crashes between 2002 and 2011 due to sleep deprivation.

(7) Remaining permanently on daylight saving time permits this State to gain benefits, such as the following:

a. A 2004 study on the effects of daylight saving time on pedestrian fatalities showed that full year daylight saving time would reduce pedestrian fatalities by 171 per year and motor vehicle occupant fatalities by 195 per year.

b. A 2010 study on the effects of daylight saving time on motor vehicle crashes showed that daylight saving time reduced crashes at dusk by providing better visibility for drivers.

(8) At least 1other state, Massachusetts, has studied the benefits of moving to the Atlantic standard time zone and forgoing daylight saving time, in effect creating permanent daylight saving time. The Massachusetts study recommended making the move based on some of the following benefits, also likely to occur in this State:

a. Create economic growth by increasing available daylight hours after work, which tends to increase the tendency of people to shop, dine out, and engage in other commercial activities

b. Increase productivity and cut down on job-related injuries tied to the spring shift to daylight saving time, leading to lower costs for businesses.

c. Provide additional evening daylight during the winter, increasing physical activity among Delawareans and thus decreasing health-care costs for the State and businesses.

d. Reduce street crimes such as robberies.

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

Chapter 8. Standard Time.

§ 801. Standard time.

The standard time for this State is the time determined by 15 U.S.C. § 260 through 267, however, this State is exempt from 15 U.S.C. § 260a (regarding the advancement of time) and instead observes the standard time during the period under 15 U.S.C. § 260a.

Section 3. Amend § 709, Title 4 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 709. Prohibition of sales at certain times.

(e) ~~In the municipalities and other political subdivisions of this State where daylight saving time is observed, whether authorized by law or by custom, daylight saving time shall apply to the hours mentioned in this section for the period during which daylight saving time exists.~~ [Repealed.]

Section 4. The Governor shall request that the United States Secretary of Transportation place this State in the Atlantic standard time zone if the State of New York, Commonwealth of Pennsylvania, State of New Jersey, and State of Maryland each enact a law requesting the Secretary to place their respective state in the Atlantic standard time zone.

Section 5. Sections 2 and 3 of this Act take effect on the first Sunday in November following the date of publication in the Register of Regulations of a notice that both of the following have occurred:

(1) The United States Secretary of Transportation has placed this State in the Atlantic standard time zone.

(2) The Governor has provided notice to the Registrar of Regulations that the contingency in paragraph (1) of this Section has been fulfilled.