SPONSOR: Rep. Berry & Sen. Huxtable
Rep. Ortega; Sen. Seigfried

HOUSE OF REPRESENTATIVES
153rd GENERAL ASSEMBLY

HOUSE BILL NO. 363
AS AMENDED BY
HOUSE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RESIDENTIAL SPEED LIMITS.

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

Section 1. Amend § 4169, Title 21 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 4169. Specific speed limits; penalty.

(a) Where no special hazard exists, the following speeds shall be lawful, but any speed in excess of such limits shall be absolute evidence that the speed is not reasonable or prudent and that it is unlawful [for] all types of vehicles:

(1) 25 miles per hour in any business district;

(2) 20 or 25 miles per hour in any ~~residential~~ residence ~~district;~~ district, at the discretion of the agency owning the roadway;

Section 2. Amend § 4170, Title 21 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 4170. Speed limits set by local authorities.

(a) Whenever local authorities within their respective jurisdictions determine upon the basis of an engineering ~~and~~ or traffic investigation that the absolute speed permitted under this chapter is greater than is reasonable or safe under the conditions found to exist, such local authority, subject to subsection (c) of this section, shall determine and declare a reasonable and safe absolute speed limit, which shall be effective when appropriate signs giving notice thereof are erected.

Section 3. This Act is effective immediately, but a lower speed limit on residential roadways may not be enforced until the agency or entity with responsibility for the roadway has posted new signage with the updated speed limit on the roadway.

HD : KRW : SCD : 0841530034
DLS : HVW : CBM : 5081530286
Released: 06/24/2026 04:33 PM