



Sean Matthews
STATE REPRESENTATIVE
24th District

**HOUSE OF REPRESENTATIVES
STATE OF DELAWARE 411
LEGISLATIVE AVENUE DOVER,
DELEWARE
19901**

COMMITTEES
Transportation, Chair
Agriculture
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House Transportation Committee Minutes

3.12.24

House Committee Recording

Chair Sean Matthews called the meeting to order at 12:36 p.m.

Members present:

Rep. Matthews, Chair

Rep. Osienski, Vice-Chair

Rep. Carson

Rep. Morris

Rep. Parker Selby

Chair Matthews introduced Agenda Item No. 1: **HB 247, AN ACT TO AMEND TITLES 9 AND 17 OF THE DELAWARE CODE RELATING TO TRAFFIC SAFETY** *Time Stamp: 12:37*

Rep. Osienski, primary sponsor of the bill, stated this is an act to reduce traffic fatalities by amending Titles 9 and 17 of the Delaware Code. The Department of Transportation (DelDOT) will focus on the three most common types of fatal crashes: intersection; roadway departure; and mid-block pedestrian. Rep. Osienski explained this bill does not require any additional actions by the DelDOT, but it does clarify their authority to address crucial issues. This legislation authorizes the DelDOT to designate controlled-access roadways and allows counties to use their authority when assisting the DelDOT.

Chair Matthews asked if the roadways that are built will become state roads. Secretary of DelDOT, Nicole Majeski, answered that this bill is specifically for roads that are designated as

controlled-access roadways. Secretary Majeski clarified that if the DelDOT observed a significant number of fatalities along a specific roadway, they would collaborate with the county and possibly designate an existing roadway as a controlled-access roadway.

Chair Matthews asked a follow-up question about the design of the roadway. Secretary Majeski explained that the DelDOT would work with developers and the land use agencies to figure out the roadway access options.

Chair Matthews opened the floor for public comment. *Time Stamp: 12:44*

Member of the public Joe Fitzgerald (New Castle County Chamber of Commerce) voiced concern about the bill. Members of the public Dee Durham (New Castle County Council) and Linda Barnett (League of Women Voters) voiced their support for the bill.

A motion was made by Rep. Carson and seconded by Rep. Parker Selby to release HB 247 from committee; motion carried. Yes = 5 (Carson, Matthews, Morris, Osienski, Parker Selby); No = 0; Absent = 4. The bill was released from committee with a F=0, M=5, U=0 vote.

Chair Matthews introduced Agenda Item No. 2: **HB 297, AN ACT TO AMEND TITLE 17 OF THE DELAWARE CODE RELATING TO THE CONSTRUCTION AND ACCEPTANCE OF NEW ROADS AND STREETS FOR STATE MAINTENANCE.** *Time Stamp: 12:51*

Rep. Shupe, primary sponsor of the bill, stated that this act addresses the unpaved roads across the state of Delaware. Incomplete roads are often the result of bad actors or developers going bankrupt. This act increases the funding required to be secured by developers which ensures their construction obligations are fulfilled. Additionally, the act makes technical corrections to conform existing law to the standards of the Delaware Legislative Drafting Manual.

Rep. Shupe invited Secretary of DelDOT Nicole Majeski to speak about this bill.

Secretary Majeski explained that DelDOT currently holds a 10 percent bond for the costs of construction and this act would increase the bond requirement to 100 percent. This ensures that there will be sufficient funds to complete projects if developers cannot finish their work. Secretary Majeski clarified that if developers are doing some sort of construction activity, the DelDOT does not have the authority to pull their bond.

Chair Matthews asked Secretary Majeski to clarify the time frame of the DelDOT bond enforcement. Secretary Majeski answered that there is a three-year time warranty for developers to complete their projects. Chair Matthews then asked if DelDOT ensures roads are completed correctly. Secretary Majeski stated that the DelDOT does thorough inspections of the roads.

Secretary Majeski and Anne Brown, the Director of Operations at DelDOT, explained the new prices and costs to developers that are implemented by this act.

Chair Matthews stated that future bills should look at including incentives for developers.

Rep. Shupe explained that prices related to unfinished roads get passed onto taxpayers and this bill eliminates that burden.

Rep. Osienski stated that homebuyers get prices related to unfinished passed onto them and this legislation will protect homebuyers.

Rep. Morris asked Secretary Majeski about the bond estimates. Secretary Majeski explained that bond estimates are based on a 2015 value. Rep Morris asked a follow-up question about bond price projections. Secretary Majeski explained that the cost estimate to developers is determined at the start of a construction project and does not change as the project moves forward.

Chair Matthews opened the floor for public comment. *Time Stamp: 1:05*

Members of the public, Katie Gillis, Andrew Straw, and Jon Horner opposed the bill as it is currently written.

A motion was made by Rep. Osienski and seconded by Chair Matthews to release HB 297 from committee; motion carried. Yes = 5 (Carson, Matthews, Morris, Osienski, Parker Selby); No = 0; Absent = 4. The bill was released from committee with a F=0, M=5, U=0 vote.

Chair Matthews adjourned the meeting at 1:16 p.m.

Respectfully submitted by,
Katherine Bowman

Attendance List

- Nicole Majeski, Secretary of Delaware Department of Transportation
- Anne Brown, Director of Operations at Delaware Department of Transportation
- Joe Fitzgerald, New Castle County Chamber of Commerce
- Dee Durham, New Castle County Council
- Linda Barnett, League of Women Voters
- Katie Gillis, Executive Officer at Home Builder Association Delaware
- Andy Strine, Investors Reality, Inc.
- Jon Horner, Home Builder Association Delaware



LEAGUE OF WOMEN VOTERS OF DELAWARE
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March 12, 2024

Greetings. See below for a discussion of why this bill is supported by the League of Women Voters of Delaware.

As our League Members advocate for alternatives to vehicular transportation, we have become increasingly concerned about safety on Delaware's roads. Per capita, Delaware ranks among the top 10 states for traffic related pedestrian and bicyclist deaths. At the same time, Delawareans drivers face worsening conditions. In 2020, there were 117 traffic deaths in Delaware and traffic deaths had plateaued at around 120 for more than a decade with no sign of progress.¹ The 2021 Delaware Strategic Highway Safety Plan was supposed to reduce traffic fatalities by half by 2035, from about 120 per year to 60 vehicular fatalities per year. But instead of progress, the last 3 years have significantly worsened: 136 people died in crashes in 2021, 165 died in 2022, and 137 people died last year.

What can be said about these accidents? A large number happen at faster driving speeds. Many of these accidents happen on roads that have been newly defined as "stroads." Stroads allow high vehicle speed limits on multiple lanes right alongside commercial areas which are attractive destinations for pedestrians and bicyclists with frequent vehicle access points. These stroads create hazardous conditions as vehicles navigate driveways, entrances and exits onto lanes with high driving speeds.² The resulting high speed vehicle to bicyclist, vehicle to pedestrian, and vehicle to vehicle accidents lead to high injury risk for the involved people.

HB 247 aims at these underlying causes of Delaware's traffic safety crisis. The bill requires New Castle County and DELDOT to work together on stretches of road with high accident rates, especially by reducing the number of entrances and exits along roads, and adding engineered traffic-slowing features..

The LWVDE supports HB 247 as an essential foundation for important League policy goals: 1) Enabling Walkability/Bikeability: these health supporting active modes of transportation can only be possible for Delawareans through increasing safety for pedestrians and bicyclists along Delaware's roadways; 2) Fighting Climate Change and Air Pollution: our largely fossil fuel-powered vehicular transportation system is Delaware's number one contributor to climate change and a major contributor to local air pollution, so walking and bicycling to local destinations can be viable solutions to these problems but again, not until our roadways are safe.

Road safety is a complex challenge with many factors, which is why this problem has lingered for so many decades, killing dozens of people every year. Please support HB 247 to make Delaware's roads safer for all. Thank you for considering the League's voice.

¹ Transportation, T. S. of D.-D. O. (n.d.). *DelDOT Dashboard*. Delaware Department of Transportation. Retrieved March 10, 2024, from <https://deldot.gov/dashboard/index.shtml?dc=safety>

² Bike Delaware (Director). (2023, May 9). *Introduction to Stroads*.
<https://www.youtube.com/watch?v=LhHem2tt8Ms>