

FRANKLIN D. COOKE, JR.
STATE REPRESENTATIVE
16th District



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

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House Public Safety & Homeland Security Committee Meeting Minutes

6.20.24

House Committee Recording

Chair Cooke called the meeting to order at 1:06 p.m.

Members present:

Rep. Cooke, Chair

Rep. Osienski, Vice Chair

Rep. Bush

Rep. Collins

Rep. Johnson

Rep. Morris

Chair Cooke introduced **SB 275 with SA 1, AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVING ON A ROADWAY**. *Time Stamp: 1:07 p.m.*

SB 275 with SA 1, sponsored by Vice Chair Osienski, will combat speed differentials and aggressive driving while allowing emergency vehicles to move quickly through traffic. The bill prohibits traveling in the left lane on certain portions of State Route 1 and Interstate 495 and requires specified big vehicles to travel exclusively in the right lane, unless certain circumstances are met. The civil penalty for failure to comply with this bill would be between \$25 and \$75 for a first offense and between \$57.50 and \$95 for subsequent offenses.

SA 1 addresses the circumstances in which vehicles may travel in the left lane: when no other vehicle is traveling in the same lane less than 100 feet behind.

Rep. Morris shared that he appreciated SA 1 as it appeased any concerns he originally had with the bill.

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Rep. Collins shared a personal story about being stopped in traffic, leading him to express concerns that roads cannot function without the left lane. Further, he wondered how state police could enforce this legislation and sought clarification about its purpose.

Vice Chair Osienski replied that traffic controls enable state police to enforce this and noted that frustrated drivers often remain in the left lane, slowing the flow of traffic. He explained that this bill primarily aims to change behaviors through education, but also by police pulling drivers over and issuing tickets if necessary.

Rep. Collins shared concerns about how this bill would impact rush hour traffic, when all lanes are full. In his view, more signage about this issue may be a more apt solution.

Vice Chair Osienski clarified that the bill's restrictions on left lane travel do not apply in high volume traffic.

Rep. Bush emphasized the importance of educating drivers about road laws and shared support for the bill.

Sergeant Michael Ripple of the Delaware State Police shared that they have worked for a while to accommodate all concerns about this bill. He acknowledged that Pennsylvania and New Jersey have similar laws and explained that the intention of the bill is to educate, not write tickets, in order to minimize road rage and maintain safe speeds on roads.

Rep. Collins suggested billboards be used to inform drivers and expressed concern that this may lead to more ticketing. In response, Sergeant Ripple emphasized that Delaware State Police's goal is not to be writing tickets, but to inform and to minimize road rage.

Rep. Morris asked whether the certain areas where this bill would apply on Route 1 and Interstate 495 are already determined. Sergeant Ripple answered that they will begin around the Dover tolls and continue north on the freeway section.

Chair Cooke asked if this bill would apply to Interstate 95 and Interstate 295, to which Sergeant Ripple answered that it will not at this time.

Chair Cooke also asked about existing law that addresses similar issues. Cara Wilson of the Division of Research answered that Sec. 4114B in Delaware Code exists, but does not address if another car is blocking a lane, so SB 275 would build on this law.

Chair Cooke opened the floor for public comment.

Robert Overmiller voiced opposition to the bill.

Sergeant Ripple responded to concerns about speeding, explaining that the police force on Route 1 is increased this summer and designed to slow traffic down. Rep. Collins noted that virtually everyone in the left lane is speeding.

A motion was made by Rep. Bush and seconded by Rep. Morris to release SB 275 with SA 1 from committee, motion carried. Yes = 5 (Bush, Collins, Cooke, Morris, Osienski); No = 0; Absent = 3 (Johnson, Romer, Vanderwende. The bill was released from committee with a F=1, M=4, U=0 vote.

Chair Cooke adjourned the meeting at 1:27 p.m.

Attendance List:

- Sergeant Michael Ripple, Delaware State Police
- Cara Wilson, Division of Research
- Robert Overmiller