

STATE OF DELAWARE



209

EXECUTIVE DEPARTMENT
DOVER

EXECUTIVE ORDER
NUMBER TWENTY-NINE

TO: To the Citizens of Delaware

RE: Reduction of Speed Limit to 50 Miles Per Hour on All Highways
Within the State of Delaware

WHEREAS, I, Sherman W. Tribbitt, Governor of the State of Delaware, did on this date proclaim that a State of Emergency existed within the entire State of Delaware by reason of an impending or actual acute shortage of useable energy reserves; and

WHEREAS, in light of that crisis and in conjunction with the proclaiming of the State of Emergency, the 127th General Assembly, on November 19, 1973, by virtue of the passage of Senate Bill No. 397, as amended, which was signed into law on November 20, 1973, authorized and empowered the Governor to promulgate reasonable orders, rules and regulations as he deemed necessary, to protect the public health, safety and welfare, and to bring the emergency situation under control within the acknowledged limitation of his powers as one Governor of one State; and

WHEREAS, Senate Bill No. 397, as amended, authorizes the Governor to, inter alia, establish and implement standards for the conservation and consumption of energy reserves as well as modify existing standards and requirements affecting the use of energy reserves; and

WHEREAS, a substantial conservation of Delaware's useable energy reserves can be realized by lowering the maximum speed limits on roads and highways within the State to 50 miles per hour; and

WHEREAS, in view of the impending or actual acute shortage in the useable energy reserves in the State, such conservation is reasonable and necessary to protect the health, safety and welfare of the public;

NOW, THEREFORE, I, SHERMAN W. TRIBBITT, by the authority vested in me as Governor of the State of Delaware, determine that the following action is reasonable and necessary in view of the emergency situation, and do hereby order and declare as follows:

1. Pursuant to the authority granted to the Governor to establish and implement standards or modify existing standards or requirements affecting the conservation of energy reserves, 50 miles per hour is declared to be the maximum reasonable speed for the purposes of Subchapter VIII, Chapter 41, Delaware Code Annotated.

EXECUTIVE ORDER
NUMBER TWENTY-NINE

2. Except where a lesser maximum speed is required by or established in accordance with Chapter 41, Title 21, Delaware Code Annotated, 50 miles an hour is declared to be the maximum lawful speed on the highways within the State of Delaware, and subject only to the exemption granted by law to authorized emergency vehicles, no person shall operate a motor vehicle in excess of 50 miles per hour on any highway within this State.

3. Where no speed hazard exists, 50 miles per hour shall be the maximum lawful speed and any speed in excess of 50 miles per hour shall be absolute evidence that the speed is not reasonable or prudent and that it is unlawful.

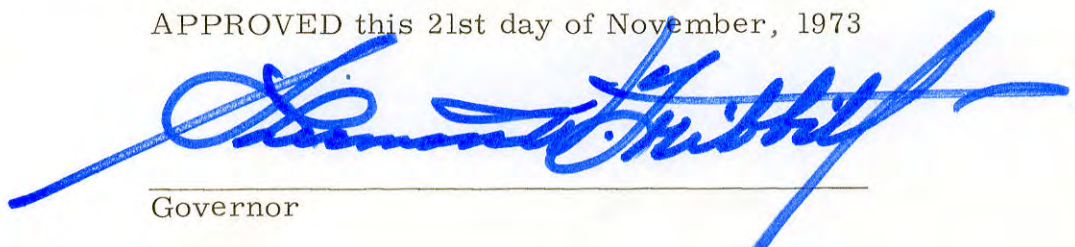
4. Notwithstanding the provisions of Chapter 41, Title 21, Delaware Code Annotated, or of any provision of State or local law or authority, no maximum speed limits may be established by any State or local authority on any highway within the State which shall be greater than 50 miles per hour and the provisions of this Order shall apply notwithstanding any greater maximum speed limits which may be lawfully in effect prior to the effective date of this Order.

5. Immediately upon approval of this Order by the bipartisan joint legislative committee, established by Senate Bill No. 397, as amended, but not later than Monday, November 26, 1973, the Department of Highways and Transportation and all other appropriate government authorities are directed to prepare and post appropriate signs on the affected highways giving notice of the maximum speed limit declared herein.

6. Pursuant to Section 3128, Chapter 31, Title 20, Delaware Code Annotated, any person who violates any provision of this Order, shall be guilty of a misdemeanor and shall be punished in the discretion of the Court.

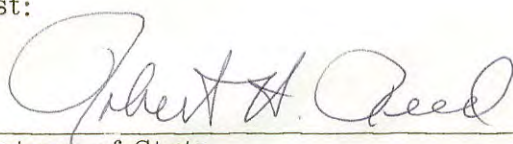
7. This Order shall become effective at 12:01 A. M., Tuesday, November 27, 1973, and shall terminate not later than January 31, 1974.

APPROVED this 21st day of November, 1973



Governor

Attest:



Secretary of State

