

Prime Sponsor(s): Mr. Street
Requested by: Public Safety
Date of introduction: June 25, 2024

ORDINANCE NO. 24-115 AS AMENDED BY FLOOR AMENDMENT NO. 1

TO AMEND NEW CASTLE COUNTY CODE CHAPTER 34 ("TRAFFIC AND VEHICLES"), BY ADDING ARTICLE 4 ("TRUCK MONITORING SYSTEM") TO ASSIST IN ENFORCEMENT OF TITLE 21 § 4505 OF THE DELAWARE CODE

1 **WHEREAS**, in accordance with Title 21 § 4513 of the Delaware Code, New Castle
2 County is authorized to adopt an ordinance to enforce Title 21 § 4505 of the Delaware
3 Code through the use of a truck monitoring system that results in issuance of citations
4 imposing warnings and civil penalties for violations in locations identified by the Delaware
5 Department of Transportation as potential candidates for use of truck monitoring systems;
6 and
7

8 **WHEREAS**, manufacturing facilities and industrial centers attract high volumes of
9 large commercial vehicles in certain parts of the County. Commercial vehicle travel can
10 be challenging for both vehicle operators and nearby residents when vehicles travel along
11 roadways that were not designed to accommodate their weight, capacity, and size.
12 Furthermore, this unauthorized use of certain motorways can endanger citizens, damage
13 infrastructure, and create unwanted disturbances for the locality's residents; and
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15 **WHEREAS**, the County proposes installing truck monitoring systems to reduce
16 high volumes of truck traffic in residential areas through the promotion of behavioral
17 change among vehicle operators. These automated systems will also improve the quality
18 of life for New Castle County residents, those conducting business in the County, and
19 visitors to the County; and
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21 **WHEREAS**, Lambson Lane has been subject to a high volume of large commercial
22 vehicle travel which has created quality of life issues for residents living on or near the
23 area; and
24

25 **WHEREAS**, the Delaware Department of Transportation has identified Lambson
26 Lane between DE 9 (New Castle Avenue) and 100 feet east of East Avenue as one of
27 many appropriate locations for the placement of a truck monitoring system, and the
28 County intends to install a truck monitoring system at the Lambson Lane location.
29

30 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
31

32 Section 1. *New Castle County Code* Chapter 34 ("Traffic and Vehicles"), is hereby
33 amended by adding the underscored material as set forth below:
34

35 **Chapter 34. TRAFFIC AND VEHICLES.**
36

...

37 **Article 4. Truck Monitoring System**

38
39 **Sec. 34.04.001**

40
41 The New Castle County Division of Police is authorized to use a truck monitoring system
42 to enforce 21 Del. C. § 4505 at any location in New Castle County that the Delaware
43 Department of Transportation identifies as a candidate under 21 Del. C. § 4513(d)(1).
44 The New Castle County Division of Police shall follow the procedures and requirements
45 established in and pursuant to 21 Del. C. § 4513.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
of New Castle County

SYNOPSIS: This Ordinance, if approved, enables New Castle County to implement a truck monitoring system at any location identified by the Delaware Department of Transportation pursuant to 21 Del. C. § 4505, including Lambson Lane.

FISCAL NOTE: This Ordinance, if approved, would have a de minimis fiscal impact. It is anticipated that most violations would be first violations which result in warnings. Any revenues received would be offset by the expense of an officer's daily operational cost.