

State of Delaware



Executive Department
Dover

**DECLARATION OF A STATE OF EMERGENCY
AND LEVEL II DRIVING RESTRICTION FOR KENT AND SUSSEX COUNTIES
DUE TO A SEVERE WINTER STORM**

WHEREAS, a severe winter storm with blizzard-like conditions is generating and will continue to generate significant amounts of snow throughout the State of Delaware, with accumulations of up to 8 inches in Kent County and up to 12 inches in Sussex County; and

WHEREAS, the severe winter storm includes heavy snowfall and gusting winds, resulting in significantly decreased visibility, potential coastal flooding, and other road hazards that make driving dangerous and creating potentially life-threatening conditions for the citizens of Kent and Sussex Counties; and

WHEREAS, the predicted weather conditions will likely continue to create dangerous and potentially life-threatening road conditions and may result in additional public safety responses.

NOW THEREFORE, I, JOHN C. CARNEY, pursuant to Title 20, Chapter 31 of the Delaware Code, do hereby declare a State of Emergency in Kent and Sussex Counties. This State of Emergency will be effective as of Friday, January 28, 2022 at 6:00 p.m. E.S.T., and shall

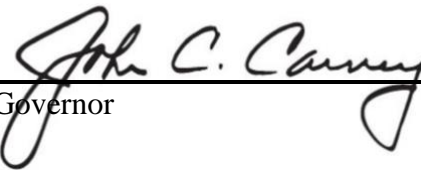
continue until terminated as provided under state law. The nature of the emergency is significant amounts of snow and potentially high winds. Along with such other actions authorized by Title 20, Chapter 31 of the Delaware Code, I specifically direct and authorize:

1. All departments and agencies of the State of Delaware shall assist in response and recovery activities, as directed by and in coordination with the Delaware Emergency Management Agency (DEMA), in consultation with the Secretary of the Department of Safety and Homeland Security (DSHS), necessary in those areas affected by the storm. Further, DEMA is authorized to enact the Delaware Emergency Operations Plan.
2. The Delaware National Guard shall take precautionary or responsive actions directed by the Director of DEMA, in consultation with the Secretary of DSHS, upon request by local authorities.
3. I authorize the Delaware Department of Transportation and the Delaware State Police, in consultation with DEMA and the Secretary of DSHS, to order such bridge and road closures as necessary to protect the health and safety of the public.
4. I authorize the Secretary of the Delaware Department of Transportation to issue waivers of state enforcement of laws and regulations applicable to commercial motor vehicles operating in support of a declared emergency in accordance with 21 *Del. C.* Chapter 45 and 49 CFR §390.23(a)(2)(i)(A).
5. As of Friday, January 28, 2022, at 10:00 p.m. E.S.T., and until further notice, a Level 2 Driving Restriction is in effect in Kent and Sussex Counties. No person may operate a motor vehicle on Delaware roadways, except for persons designated as “essential personnel” as defined by 20 *Del. C.* § 3116(b)(12)(b). The term “essential personnel” means those employees and/or personnel who are necessary to maintain the core functions of a government body or entity, and to maintain the health and safety of the

people in Delaware. The following persons are “essential personnel” under Delaware law: operators of snow removal equipment (public and private), persons providing public utility services, persons providing healthcare services, and persons providing food and fuel deliveries. State and local officials are directed to remove abandoned vehicles from roads in affected areas at the expense of the vehicle owner.

6. I reserve the right to take or direct state or local authorities to take, without issuance of further written order, any other necessary actions authorized by Title 20, Chapter 31 of the Delaware Code to respond to this emergency.

APPROVED this 28th day of January 2022 at 12:15 p.m.


Governor