



STATE OF DELAWARE
STATE COUNCIL FOR PERSONS WITH DISABILITIES
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April 25, 2011

The Honorable Jack Markell
Tatnall Building - 2nd Floor
William Penn Street
Dover, DE 19901

Dear Governor Markell:

The State Council for Persons with Disabilities (SCPD) has reviewed H.B. 51 which requires the Delaware Department of Transportation (DelDOT) to display on its variable message signs information regarding missing senior citizens, suicidal persons, or persons with a disability. Council strongly endorses the proposed legislation and has the following observations.

As background, the Gold Alert Program was established by S.B. 227 enacted in 2008. The resulting law contemplates implementation of certain procedures to facilitate location of missing senior citizens, missing persons with disabilities, and missing suicidal persons. See Title 11 Del.C. §§8580-8583. Law enforcement agencies enter descriptive information of the missing person in multiple data bases, including the Delaware Criminal Justice Information System ("DELJIS"), and issue an alert to designated media outlets in Delaware.

H.B. 51, as amended, would direct the Department of Transportation to issue regulations establishing procedures for display of qualifying missing person information on variable message signs located along highways. Consistent with the House Committee Report, this initiative is designed "to increase the number of people who are alerted to the situation, thereby increasing the chance of quickly locating the missing person." The amendment to the legislation enhances flexibility since DelDOT could ensure that its system conforms to federal standards. Parenthetically, another advantage to authorizing DelDOT to issue implementing regulations is that the regulations can address which message signs would be activated. The current law indicates that an alert can be "local" rather than "statewide" [Title 11 Del.C. §8580(2)]. It may be appropriate in some cases to only post an alert in one county or a certain area of the State.

Thank you for your consideration and please contact SCPD if you have any questions or comments regarding our position or observations on the proposed legislation.

Sincerely,

A handwritten signature in black ink that reads "Daniese McMullin-Powell". The signature is written in a cursive style with a large initial 'D'.

Daniese McMullin-Powell, Chairperson
State Council for Persons with Disabilities

cc: The Honorable E. Bradford Bennett
The Honorable Margaret Rose Henry
Mr. Brian Hartman, Esq.
Developmental Disabilities Council
Governor's Advisory Council for Exceptional Citizens

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