




START ACTION NOTICE # 2018-02

1. TYPE OF ACTION: Amend 7 DE Admin.Code 9201 Regulations Governing State Parks
2. PURPOSE OF ACTION: Compliance with the decision of the Delaware Supreme Court in *Bridgeville R&P Club v. DNREC* (Dec.7, 2017) that invalidated portions of the existing Regulations governing firearms. The emergency regulations promulgated on December 26, 2017 will be superseded by these regulations.
3. STATUTORY BASIS: These regulations are issued by the Secretary pursuant to the power conveyed by the General Assembly for DNREC to “[m]ake and enforce regulations relating to the protection, care and use of the areas it administers”, 7 Del.C. §4701(a)(4), and to “[e]stablish and promulgate such rules and regulations governing the administration and operation of the Department as may be deemed necessary by the Secretary and which are not inconsistent with the laws of this State”. 29 Del.C. §8003(7).
4. IS THIS PROPOSED REGULATORY ACTION REQUIRED AS A RESULT OF FEDERAL STATUTE OR REGULATION? IF SO, PROVIDE LINK TO FEDERAL MANDATE. N/A
5. DATE OF MOST RECENT REVIEW/AMENDMENT: Amended March 2016  
(Please indicate if review was pursuant to EO-36 OR HB 147)
6. LIKELY AFFECTED PUBLIC: Visitors to State Parks who wish to carry firearms, and those visitors concerned about their safety and the risk of gun violence.
7. PROPOSED SCHEDULE OF ACTIVITIES:  

Public Hearing - March 2018

Effective Date - June 2018
8. REVIEW COMMITTEE: None
9. RESPONSIBLE STAFF MEMBER: Ray Bivens, Director  
DNREC – Division of Parks & Recreation  
89 Kings Highway, Dover, DE 19901  
Phone: 302-739-9200 Fax: 302-736-7921  
E-mail: [raymond.bivens@state.de.us](mailto:raymond.bivens@state.de.us)
10. APPROVALS:  

  
Shawn M. Garvin  
Secretary

1/16/18  
Date