



DNREC Virtual Public Hearing

7 DE Admin. Code 9201 Regulations Governing State Parks (Docket #2025-R-P-0017)

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Comments will be accepted using the DNREC Comment form, via email, or by USPS mail as noted on the hearing event page (de.gov/dnrechearings)

Proposed Amendments to 9201 Regulations Governing State Parks

Background

- It is the policy of the Department of Natural Resources and Environmental Control to follow a specific process when developing, amending, repealing or adopting any regulation as defined in 29 Del.C. § 10102.
- The current version of the rules and regulations have been in effect since 2019, although the last comprehensive review and change became effective in 2004.
- The process for the changes we are proposing began in early 2025.

Proposed Amendments to 9201 Regulations Governing State Parks

Background (Cont.)

- A Regulatory Advisory Committee was formed consisting of seven members which reviewed proposed changes and provided public insight.
- Meetings were held in September and October 2025 to discuss the proposed changes and provide discussion.
- A Deputy Attorney General assigned to the Division reviewed proposed changes for clarity, consistency and legal soundness.
- Proposed changes were submitted to the Office of the Registrar for publication in the July 2026 Register of Regulations.

Proposed Amendments to 9201 Regulations Governing State Parks

General Updates

- All sections were updated to include formatting and grammatical corrections.
- All instances of “Chief of Enforcement” were replaced with “Natural Resources Police.”
- All references to “Rules and Regulations” were changed to regulation or regulations.
- All instances of “Enforcement Officer” were replaced with “Police Officer.”
- All instances of “Law Enforcement Officer” and “Park Ranger” were replaced with “Natural Resources Police Officer.”
- “Driver’s” was added to all instances of “license” where applicable.
- All instances of “Law Enforcement Officers of the Department of Natural Resources and Environmental Control” were replaced with “Law Enforcement Officers of Delaware Natural Resources Police.”

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1.0 Definitions

- Updates were made to nine definitions to align with Delaware Code.
- Two definitions were struck: Restaurants and License.
- Updated “Hunter Registration Card” to “Hunter Registration Permit.”
- Twenty-one definitions were added to include:
 - Camping Unit, Concessionaire or Concessions, Designated Sensitive Area, Driver’s License, Electric Bicycle or E-Bike, Electric Personal Assistive Mobility Device or EPAMD, Fishing License, Hunting License, Low-Digit Surf Plate, Low-Speed Vehicles, Magnet Fishing or Magnetic Fishing, Marijuana, Non-Resident, Obscene, Off-Peak Surf Fishing Permit, Pop-Up Event or Takeover, Possession Limit, Powder Alcoholic Beverage, Service Animal, Surf Fishing Reservation, Surf Fishing Vehicle Plate

Proposed Amendments to 9201 Regulations Governing State Parks

2.0 General Information

- 2.7.2 - Struck outdated gendered language.
- 2.7.4 - Added titles of "Zoo Director" and "Chief of Interpretation".

3.0 Use Restrictions/Trespassing – Unclassified Misdemeanors

- 3.4 and 3.4.1 - Struck outdated language and renumbered subsequent sections.
- 3.4 (previously 3.5) - Added clarifying language, "lands administered by the division may not be used as a primary residence or base of business operations without written approval by the division director."
- 3.7.3 - Added the title of "Chief of Interpretation".

Proposed Amendments to 9201 Regulations Governing State Parks

3.0 Use Restrictions/Trespassing – Unclassified Misdemeanors (cont.)

- 3.8 - Added, "No person shall actively engage in magnetic fishing on lands administered by the Delaware Division of Parks and Recreation with the exception of the Cape Henlopen and Holts Landing Piers. Possession or use of tools or devices specifically designed for magnetic fishing shall be deemed prima facie evidence of a violation of this regulation and will be confiscated, held as evidence, and be subject to forfeiture upon conviction."

4.0 Campground Policy – Environmental D Violation

- 4.1 - Updated location for copies of campground policies to "on file in the office of the Director."

Proposed Amendments to 9201 Regulations Governing State Parks

4.0 Campground Policy – Environmental D Violation (cont.)

- 4.2 - Added, "No structure, facility, building, or area administered by the Division shall be used for any activity other than that for which it was intended."
- 4.3 - Added, "No person or persons shall sleep or otherwise be present while not engaged in the activity for which the 24-hour facility or area is used for."

7.0 Water Sports – Environmental D Violation

- 7.1 - Updated language to define acceptable attire for swimwear requiring that it "otherwise comply with the provisions of this regulation that prohibit obscene conduct and the display of obscene material or materials."
- 7.1.1 - Struck due to outdated gendered language.
- 7.1.2 - Struck due to outdated gendered language.

Proposed Amendments to 9201 Regulations Governing State Parks

9.0 Surf Fishing Vehicles – Environmental D Violation

- 9.1.2 - Added, "Surf fishing vehicles must be equipped with a shovel, jack, tow rope or chain, board or similar support for the hack, appropriate bait, and a low-pressure tire gauge."
- 9.2 - Updated the referenced subsection to 9.1 and added additional language. Also, removed 9.2.1 and incorporated its language into 9.2.
- 9.3 - Clarified that only surf fishing plates "issued by the Delaware Division of Parks and Recreation or its agent or agents" are valid.
- 9.3.2 - Updated language to invalidate the use of numbered surf fishing plates issued prior to 2015.
- 9.3.3.4 - Updated language to grant an "executor/power of attorney/authorized agent" the ability to sell, transfer or inherit low-digit plates (previously only authorized for plate owner).

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9.0 Surf Fishing Vehicles – Environmental D Violation (cont.)

- 9.7 - Language added, "No person shall operate a vehicle upon the beach areas or dune crossings administered by the Division without a valid surf fishing permit and the required Surf Fishing Reservation during the designated times in which a reservation is required."
- 9.7.1 - Added, "Reservations are required during “peak times” as defined by the Division, typically every Saturday and Sunday from Memorial Day weekend through Labor Day weekend including any federal holidays between those times."
- 9.7.2 - Added, "Reservations are required during the “peak times” to access the beach from 8:00 a.m. until 4:00 p.m. Those vehicles that are on the beach before 8:00 a.m. on a date requiring a reservation, and not having one, must leave the beach prior to 8:00 a.m."

Proposed Amendments to 9201 Regulations Governing State Parks

9.0 Surf Fishing Vehicles – Environmental D Violation (cont.)

- 9.7.3 - Added, "The Division reserves the right to make changes as needed to the date and timeframe which a reservation is required."

10.0 Vehicles – Environmental D Violation

- 10.2 - Added “low-speed vehicle” to the list of operated items.
- 10.8 - Updated language to cover motorcycle operator and passenger and require all riders wear a helmet and comply with any additional safety requirements as determined by the Secretary of Public Safety.
- 10.11 - Added clarifying language to require that in addition to being in good working order, vehicle mufflers conform to the manufacturer's specifications.

Proposed Amendments to 9201 Regulations Governing State Parks

10.0 Vehicles – Environmental D Violation (cont.)

- 10.18 - Updated language to adjust requirements for children's safety restraints in motorized vehicles to be in compliance with requirements as determined by the Secretary of Public Safety.

12.0 Bicycles and Skating Equipment – Environmental D Violation

- Addition of the term "E-bike" where applicable.
- 12.1 - Updated language to state, "E-Bikes shall be considered bicycles for the purposes of this regulation."
- 12.1.1 - Struck language prohibiting use of bicycles with electric motors.
- 12.1.9 - Updated language to include speed limits on trails.

Proposed Amendments to 9201 Regulations Governing State Parks

12.0 Bicycles and Skating Equipment – Environmental D Violation (cont.)

- 12.1.10 - Added, "E-bikes are permitted to be used in the parks and upon designated bike paths so long as the e-bike is rated a Class 2 or lower."
- 12.2 - Language clarified to limit the use of roller skates, skateboards, roller skis or similar devices to "designated signed bike paths or multi-use paths" rather than "areas which may be designated for such use".
- 12.3 - Struck language prohibiting motorized scooters, mopeds or similar devices.

15.0 Conduct – Unclassified Misdemeanor

- 15.2 - Updated language to read "While on lands administered by the Division, no person shall:"
- 15.2.1 - Content struck and moved to 15.3.

Proposed Amendments to 9201 Regulations Governing State Parks

15.0 Conduct – Unclassified Misdemeanor (cont.)

- 15.2.1 - Added, "Engage in conduct that is obscene, or"
- 15.2.2 - Added, "Display, broadcast, perform, or distribute any obscene material. For avoidance of doubt, wearing of attire containing obscene material or exposing human anatomy in an obscene manner is prohibited."
- 15.10 - Added, "While on lands administered by the Division, it shall be unlawful to display any signage (including flags, banners and similar items) that contain or display obscene material."
- 15.11 - Added, "While on lands administered by the Division, it shall be unlawful to post or display any political signs including yard signs, banners and posters."

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17.0 Property Violations – Unclassified Misdemeanor

- 17.1 - Added “cremains” to the list of items that cannot be placed, dumped, deposited or thrown upon lands or waters administered by the Division.

18.0 Public Assemblies, Meetings, Distribution and Posting of Printed Matter – Environmental D Violation

- 18.3 - Changed the amount of advanced notice needed from 7 to 14 days.

20.0 Alcoholic Beverages and Drugs – Environmental D Violation

- Added “marijuana” where applicable to be included in substances covered under this regulation.
- 20.1 - Updated the Division of Alcoholic Beverage Control to Office of the Delaware Alcohol Beverage Control Commission.

Proposed Amendments to 9201 Regulations Governing State Parks

20.0 Alcoholic Beverages and Drugs – Environmental D Violation (cont.)

- 20.6.1 - Removed Brandywine Creek State Park as a prohibited area.
- 20.7.1 - Language incorporated into 20.7.
- 20.9 - Added, "It shall be unlawful for any person or persons to possess more than the amount of marijuana that may legally be possessed at any one time by an individual 21 years of age or older who is not a registered qualifying patient or a registered designated caregiver under 16 Del.C. Chapter 49A."

21.0 Hunting, Fishing and Wildlife Management – Environmental D Violation

- Updated to include “or projectile weapons” where applicable.
- Updated “designated areas” to “designated sensitive areas” where applicable.

Proposed Amendments to 9201 Regulations Governing State Parks

21.0 Hunting, Fishing and Wildlife Management – Environmental D Violation (cont.)

- 21.4 - Updated language to correct process for purchasing a permit to hunt in Delaware State Parks.
- 21.4.1 - Updated language to direct hunters to each park for specific hunting programs.
- 21.4.3 - Struck due to outdated hunting restrictions.
- 21.6.1 - Updated language to prohibit fishing in designated swimming areas when lifeguards are present.
- 21.6.3 - Updated language to include the prohibition of any person or persons paddling bait into the water for the purpose of fishing.

Proposed Amendments to 9201 Regulations Governing State Parks

21.0 Hunting, Fishing and Wildlife Management – Environmental D Violation (cont.)

- 21.6.4 - Added, "It shall be unlawful for anyone to utilize a remote-controlled boat, plane, or vehicle (also known as an RC boat, plane, or vehicle) or drone to cast a fishing hook or bait on any lands or waters administered by the Division."
- 21.7.1 - Language incorporated into 21.7.

22.0 Rates, Fees and Charges – Environmental D Violation

- 22.5.1 - Corrected numbering to be 22.6.
- 22.7 - Added, "The Division reserves the right to set user fees as determined by Title 7. All fees can be viewed in the “Rates, Fees and Charges” document which is updated annually and available on the Delaware State Parks webpage."

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23.0 Facility Rentals and Special Events – Environmental D Violation

- 23.2 - Updated the needed approval time from 7 to 14 days.
- 23.3 - Added, "No person shall advertise a rental for the purpose of reselling the reservation. This includes rentals of pavilions or facility rentals, reservations, as well as campground spaces, cottages, cabins, or yurts."
- 23.4 - Added, "No person shall advertise lands administered by the Division as a location for any pop-up events or takeovers. This includes the sale of tickets for admission into the event."
- 23.5 - Added, "Events which grossly exceed the number of guests provided at the time of scheduling the event or the number of guests adversely impacts the normal functions of the park will be considered in violation of park rules."

Proposed Amendments to 9201 Regulations Governing State Parks

Suggested Corrections after July 1, 2026, Regulation Publication:

- Formatting and grammatical updates to 2.8, 3.7, 3.7.1, 3.8, 7.0, 12.1.3, 21.4.1.
- Definition for designated sensitive areas should read "means any areas upon lands administered by the Division which shall include park offices, visitor centers, nature centers, bathhouses, restaurants and snack bars, stadiums and facilities which are used for sporting events, concerts and festivals, museums, zoos, stables, educational facilities, dormitories, playgrounds, swimming pools, guarded beaches, and water parks, etc. and shall be identified by appropriate signage."
- Definition for driver's license should read "means any license, temporary instruction permit or temporary license issued under the laws of the State pertaining to the licensing ~~or~~ of persons to operate motor vehicles as defined by 21 Del.C. §101(33) or vessels as defined by 23 Del.C. §2201(e).

Proposed Amendments to 9201 Regulations Governing State Parks

Suggested Corrections after July 1, 2026, Regulation Publication (cont.):

- Definition for Obscene, (1) should read "(1) The average person applying contemporary community standards would find that the material or conduct, ~~take~~ taken as a ~~while~~ whole, appeals to the prurient interest; and
- Definition for Obscene, (3) alignment needs to be corrected.
- Definition for Possession Limit - Rejecting changing "one" to "1".
- 9.7.1 - Add clarifying language to read, "Reservations are required during “peak times” as defined by the Division, typically every Saturday and Sunday ~~from~~ beginning Memorial Day weekend and continuing through Labor Day ~~weekend~~ including any federal holidays between those times."

Proposed Amendments to 9201 Regulations Governing State Parks

Suggested Corrections after July 1, 2026, Regulation Publication (cont.):

- 10.9 - Change language to make gender neutral.
- 15.2 - Add previously struck language back to read, "While on lands or waters administered by the Division, no person shall:"
- 21.4 - Strike "by the" in second sentence to read "Hunting registration cards permits shall be issued by the Park Administrator or Park Superintendent through the Division of Fish and Wildlife's online permitting portal and shall be valid for the entire hunting season unless revoked for violations of hunting laws, rules or regulations."

Proposed Amendments to 9201 Regulations Governing State Parks

Suggested Corrections after July 1, 2026, Regulation Publication (cont.):

- 3.8 - Update language to read “Magnetic fishing is permitted on lands administered by the Delaware Division of Parks and Recreation unless otherwise posted. Possession or use of tools or devices specifically designed for magnetic fishing in a posted “No Magnet Fishing” area shall be deemed prima facie evidence of a violation of this regulation and will be confiscated, held as evidence, and be subject to forfeiture upon conviction.”
- 15.11 - Clarify language to read, "While on lands administered by the Division, no person shall place, install, erect, affix, or leave any banner, poster, campaign sign or similar displays on Division-owned land, buildings, structures, facilities, or other property. This does not apply to political messages or flags displayed on a person's clothing, vehicle, watercraft, tent, or other personal property, provided such items are not affixed to or installed on Division property."

Exhibits for Proposed Amendments to 9201 Regulations Governing State Parks

- Exhibit 1. A copy of approved Start Action Notice # 2025-09 pertaining to the proposed amendments.
- Exhibit 2. A copy of the Regulatory Flexibility Analysis/ Regulatory Impact Statement, corresponding to the proposed action and as published in the July 1, 2026, Delaware Register of Regulations.
- Exhibit 3. A copy of Register Notice SAN # 2025-09 and the proposed amendment to 7 DE Admin. Code 9201 Regulations Governing State Parks as published in the July 1, 2026, Delaware Register of Regulations.
- Exhibit 4. Proof of publication of the legal notice regarding the proposed amendments to 7 DE Admin. Code 9201 Regulations Governing State Parks in the June 28, 2026, Wilmington News Journal.
- Exhibit 5. Proof of publication of the legal notice regarding the proposed amendments to 7 DE Admin. Code 9201 Regulations Governing State Parks in the June 29, 2026, Delaware State News.
- Exhibit 6. Public Hearing Notice as published on the DNREC website on July 1, 2026.
- Exhibit 7. Notice of this public hearing as it appears on Delaware Public Meeting Calendar on June 16, 2026.
- Exhibit 8. Notice of this public hearing as it appears on DNREC's Public Hearings website.
- Exhibit 9. Email sent to the Natural Areas Council notifying them of this hearing.
- Exhibit 10. Email sent to the Open Space Council notifying them of this hearing.
- Exhibit 11. Email sent to the Parks and Recreation Council notifying them of this hearing.
- Exhibit 12. Email sent to the Friends, Partners and Supporters of Delaware State Parks notifying them of this hearing.
- Exhibit 13. Notice of this public hearing as it appears on the Delaware State Parks Facebook page, posted on July 1, 2026.
- Exhibit 14. Notice of this public hearing as it appears in the Delaware State Parks July Newsletter email
- Exhibit 15. A copy of the hearing presentation on proposed amendments to 7 DE Admin. Code 9201 Regulations Governing State Parks.



DNREC Virtual Public Hearing

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Thank you for joining us. We will accept comments on this matter through August 20, 2026.

Comments may be submitted in writing

via [DNREC Comment form](https://dnrec.alpha.delaware.gov/public-hearings/comment-form/) - <https://dnrec.alpha.delaware.gov/public-hearings/comment-form/>

via [email](mailto:DNRECHearingComments@delaware.gov) - DNRECHearingComments@delaware.gov

or by USPS mail:

Lisa Vest, Hearing Officer

DNREC – Office of the Secretary

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The full verbatim transcript will be posted when it becomes available.

For more information, find the event page for this hearing on the DNREC Public Hearings page

dnrec.alpha.delaware.gov/public-hearings/