Delaware Electronic Speed Safety Program (ESSP)
Frequently Asked Questions
May 2026

**General Program Information**

1. What is the Electronic Speed Safety Program (ESSP)?
    a. The Electronic Speed Safety Program (also referred to as the Electronic Speed Monitoring System, or *ESMS*) is an automated speed enforcement system authorized by the 152nd General Assembly and signed into law by Governor John Carney on June 30, 2023 (House Substitute No. 1 for House Bill 94). This act was codified under Title 21, § 4170A of the Delaware Code. This is a camera-based system that detects the speed of passing vehicles. When a vehicle is found to be traveling over the posted speed limit by a pre-determined threshold, the system will capture images of the rear of the vehicle and related information (i.e., posted speed limit, vehicular speed, location, date, time, etc.). A citation is generated and sent to the registered owner of the vehicle.

2. What is the goal of the ESSP?
    a. Higher vehicle speeds may be a contributing factor in many crashes increasing the injury severity for persons involved. Reducing speeds is a proven way to reduce the severity of crashes when they do occur but also give motorists more time to react to avoid potential crashes all together. Speed Safety Cameras are included in FHWA's Proven Safety Countermeasures for speed management. The goal of the ESSP is to improve roadway safety by enforcing posted speed limits on roadways, both within work zones and residential areas, improve driver behavior, save worker and road users lives, reduce crashes, and complement existing enforcement.

3. Who operates DelDOT's ESSP?
    a. As of September 2025, Elovate (a.k.a. Modaxo Group, Inc.; f.k.a. Conduent) is DelDOT's vendor, who owns, operates, and maintains the ESSP camera equipment and citation/violation collection system. DelDOT's Office of the Secretary and Division of Transportation Solutions, Traffic Engineering Section are responsible for facilitating engineering, safety, and policy decisions among a group of municipal and enforcement safety partners.
        i. In work zones, Elovate (a.k.a. Modaxo Group, Inc.; f.k.a. Conduent) will invoice DelDOT a monthly fixed fee per each automated speed enforcement device at a cost of $19,890 for work zone enforcement. This cost includes the enforcement device, initial deployment, placement, set-up, re-positioning, removal, calibration and required re-calibrations, camera(s), communications, routine maintenance, and any and all supporting equipment or services.
        ii. Outside of work zones, Elovate (a.k.a. Modaxo Group, Inc.; f.k.a. Conduent) will invoice the corresponding municipality or New Castle County a monthly fixed fee per each automated speed enforcement device at a cost of $5,700 for enforcement via a certified-used enforcement device (increased to $7,900 per month for brand new equipment). This cost includes the enforcement device, initial deployment, placement, set-up, re-positioning, removal, calibration and required re-calibrations, camera(s), communications, routine maintenance, and any and all supporting equipment or services.

4. Where are the automated speed enforcement cameras located? Where will they be used next?
    a. In July 2024, speed enforcement cameras were implemented along I-95 within the work zone for the I-95 and SR 896 Interchange project area. On September 25, 2025, the I-95 northbound work zone camera was removed from active enforcement service. On May 1, 2026, the I-95 southbound work zone camera was removed from active enforcement service. No further citations will be issued for I-95 northbound or southbound within the I- 95 and SR 896 Interchange work zone.
    b. On October 17, 2025, DelDOT implemented a work zone speed enforcement camera along SR 1 southbound within the Minos Conaway Road Grade Separation project.
    c. On May 2, 2026, DelDOT implemented a work zone speed enforcement camera along I-95 northbound within the I-95 Rehabilitation of Bridges Project (I-95 northbound between SR58 (Churchmans Rd) and I-495).
    d. Delaware State Code (§4170A) allows the governing body of New Castle County or any municipality to establish an ESSP (upon approval by DelDOT).
        i. New Castle County adopted ***Ordinance No. 25-071*** (an ordinance enabling New Castle County to implement an electronic speed monitoring system to assist in the enforcement of speed limits established pursuant to Title 21 §§ 4169 and 4170 of the *Delaware Code*) on June 10, 2025. As part of their agreement with DelDOT, New Castle County must provide notice on their publicly accessible website of the intended use of the electronic speed monitoring system at least 14 days prior to its implementation. For additional information refer to the New Castle County Police Department website.
        ii. The City of Newark passed ***Bill 25-18*** (an ordinance amending Chapter 20, Motor Vehicles, Article V, Speed Regulations, Code of the City of Newark, Delaware, by establishing and providing an electronic speed monitoring system for the City of Newark) on July 28, 2025. As part of their agreement with DelDOT, the City of Newark Police Department must provide notice on their publicly accessible website of the intended use of the electronic speed monitoring system at least 14 days prior to its implementation. For additional information refer to the City of Newark Police Department website.
    e. In June 2025, the 153rd Delaware General Assembly passed Senate Bill 200 authorizing:
        i. Main Street Newark Electronic Speed Enforcement within the Newark business district
        ii. McKennans Church Road and Milltown Road Electronic Speed Enforcement in New Castle County

5. How often are the ESSP systems checked for accuracy?
    a. The ESSP systems are required by policy to be recalibrated and recertified on an annual basis. The systems run daily self-tests to ensure all aspects of the system are operating properly at the start and end of each enforcement period. Additionally, the responsible law enforcement agency may conduct random field speed verification to ensure the units are accurately detecting speeds.

6. If I drive past a speed camera at 2 or 3 mph over the posted speed limit, will I automatically get a ticket?
    a. No. Delaware Code Title 21, §4169 authorizes penalties for violations "exceeding the maximum speed limit by more than 5 miles per hour." Images are only captured and used for the purpose of issuing a citation if a vehicle exceeds the posted speed limit by a pre-determined threshold permitted by Code:
        i. All *work zone* ESSP locations may issue citations if a vehicle is traveling 11 miles per hour or greater above the posted work zone speed limit.
        ii. Specific locations authorized by the 153rd Delaware General Assembly as part of Senate Bill 200 – Main Street (Newark business district), McKennans Church Road (New Castle County residence district), and Milltown Road (New Castle County residence district) – may issue citations if a vehicle is traveling 6 miles per hour or greater above the posted speed limit.
        iii. New *residence district* ESSP locations (i.e., aside from McKennans Church Road and Milltown Road in New Castle County), including *residence districts* within the City of Newark, New Castle County, or another municipality, may issue citations if a vehicle is traveling 11 miles per hour or greater above the posted speed limit.

7. How can I check to see if I will be receiving a citation?
    a. Call Elovate Customer Service at (844) 213-7033.

8. How long does it take to get a violation notice in the mail?
    a. Notices of violation will be mailed to a registered owner within 45 days of the violation occurring. In most cases, the notice of violation will be mailed shortly after the violation has occurred.

9. Are the violation notices reviewed before they are mailed out?
    a. All violation notices are reviewed before issuance. First, the event is reviewed by Elovate to verify there were no system errors or glitches, the captured vehicle has an identifiable license plate, and the captured vehicle is not an authorized emergency vehicle being legally operated. Subsequently, every citation is reviewed by an individual who has been trained in reviewing and evaluating whether a violation has occurred and is authorized by Statute to issue violations on behalf of the agency or department issuing the violation.

10. I received a citation. How do I access Elovate's online payment portal?
    a. https://usview.cite-web.com
    b. For more information on establishing a partial payment plan schedule, contact Elovate at (844) 213-7033. If a citation is not paid in full within 120 days, the citation will be further susceptible to collections and DMV registration holds (see FAQ #11b and #11c).

11. What if I don't pay the fine?
    a. If the fine is not paid within 120 days from the mailing date, the unpaid citation will be forwarded to a third-party collections agency, Linebarger Goggan Blair & Sampson, LLP. The collections notice will be mailed by Linebarger Goggan Blair & Sampson, LLP on day 121 after the first violation notice mail date. Payment is due 30 days from the notice mail date. All subsequent collections will be handled by Linebarger Goggan Blair & Sampson, LLP, and no more payments will be processed by Elovate Pay By Phone or Pay By Web.
    b. Once the fine is sent to the third-party collections agency, a hold may be placed on the registered owner's vehicle registration via the DMV, preventing renewal of vehicle registration until the outstanding balance is paid in full.

12. I do not believe my citation is valid. How do I dispute my citation?
    a. Please follow the instructions on the citation. Appeal requests must be postmarked no later than 30 days from the mail date of your First Notice. For more information, contact Elovate at (844) 213-7033 or follow the online instructions at:
        i. https://usview.cite-web.com
    b. Please be advised that there are very few defenses in Court that may be considered legitimate for speeding; you will need to provide credible evidence to support your defense:
        i. You were moving for an emergency vehicle – this should be evident in any pictures or video and in most cases are dismissed prior to the issuance of the citation.
        ii. A safety emergency – a dangerous situation that is threatening serious injury or death.
        iii. Mechanical issues – your vehicle had a mechanical issue that inadvertently caused you to exceed the speed limit, and you were unable to control it safely.
    c. Additionally, there have been a number of possible defenses that have been considered illegitimate/insufficient by the Courts to justify speeding:
        i. The fact that the radar speed signs, which are approximately 800 feet from the LIDAR unit, reported a different speed is not a defense. Radar uses different technology than the LIDAR units issuing the violations; the radar speed signs warning you of your speed and are there as a courtesy only.
        ii. You were not aware the speed limit was reduced in this alleged area of I-95. DelDOT has posted numerous signs on the side of the road prior to the Project Area and within the Project Area as well as painting the roadway itself with the appropriate speed limit. Failure to see the signs lowering the speed limit in the area is not a defense.
        iii. The fact that workers were not present is not a defense. The Delaware Code does not require that workers be present for you to be assessed with the enhanced penalties for speeding within a construction zone. If the signs, barricades and other control devices posted identify it as a construction zone, it is considered a construction zone 24 hours a day.
        iv. The State does not have to identify the driver, as this is a civil violation assessed against the registered owner of the vehicle. The fact that you are the registered owner and are not able to identify who was driving does not relieve you of the liability for the alleged violation.

13. What happens after I appeal my citation?
    a. For violations in a ***work zone***:
        i. You will be assigned a case by the State of Delaware Justice of the Peace (JP) Court. You will receive a summons via U.S. mail advising you of the date and time of your hearing.
        ii. Cases assigned to hearings are held in person at the Delaware Justice of the Peace (JP) Court.
        iii. All corporations or artificial entities are required by rule to be represented by a lawyer at all court proceedings.
        iv. Under authority of 21 Del.C. Section 4101 (d) (8): If the owner or an operator identified by the owner fails to pay the civil penalty by voluntary assessment, request a hearing within the required time or submit an affidavit stating that the owner or operator identified was not the driver, the Division of Motor Vehicles may refuse to renew the registration of the owner's vehicle operated at the time the summons was issued. If the owner or an operator identified by the owner is found responsible at a hearing and fails to pay as ordered by the Court, or requests a hearing and fails to appear, the Division of Motor Vehicles shall suspend the license of the owner or operator.
        v. Once an appeal has been made and approved by the Court, any further communication regarding the violation must be made to the Court. Please reach out to the appropriate Court contact below to inquire about your options prior to trial, such as making payment to the Court if you are unable to attend your scheduled appeal hearing.
            1. JP Court 20 (Wilmington, regarding I-95 violations): 302-574-1500 or jpcourt20@delaware.gov
            2. JP Court 2 (Lewes, regarding SR 1 violations): 302-645-6163 or JPCourt02@delaware.gov
    b. For violations in the Main Street Newark ***business district*** or a municipal/New Castle County ***residence district***, the municipality or New Castle County and the law enforcement agency with jurisdiction over the ESMS location shall be responsible for prosecuting ESMS violations it has issued in the applicable Court, and the municipality or New Castle County and the law enforcement agency with jurisdiction shall be responsible for litigating any appeals or other litigation of any nature arising out of the municipality's or New Castle County's use of ESMS and issuance of ESMS violations.

14. I think I may have a defense to the ticket. Whom do I contact?
    a. Neither DelDOT, New Castle County, City of Newark, Elovate, nor Linebarger Goggan Blair & Sampson, LLP can provide legal advice on any violations. Please consult legal counsel if you have any questions regarding the tickets.
    b. Please be advised that there are very few defenses in Court that may be considered legitimate for speeding; you will need to provide credible evidence to support your defense:
        i. You were moving for an emergency vehicle – this should be evident in any pictures or video and in most cases are dismissed prior to the issuance of the citation.
        ii. A safety emergency – a dangerous situation that is threatening serious injury or death.
        iii. Mechanical issues – your vehicle had a mechanical issue that inadvertently caused you to exceed the speed limit, and you were unable to control it safely.
    c. Additionally, there have been a number of possible defenses that have been considered illegitimate/insufficient by the Courts to justify speeding:
        i. The fact that the radar speed signs, which are approximately 800 feet from the LIDAR unit, reported a different speed is not a defense. Radar uses different technology than the LIDAR units issuing the violations; the radar speed signs warning you of your speed and are there as a courtesy only.
        ii. You were not aware the speed limit was reduced in this alleged area of I-95. DelDOT has posted numerous signs on the side of the road prior to the Project Area and within the Project Area as well as painting the roadway itself with the appropriate speed limit. Failure to see the signs lowering the speed limit in the area is not a defense.
        iii. The fact that workers were not present is not a defense. The Delaware Code does not require that workers be present for you to be assessed with the enhanced penalties for speeding within a construction zone. If the signs, barricades and other control devices posted identify it as a construction zone, it is considered a construction zone 24 hours a day.
        iv. The State does not have to identify the driver, as this is a civil violation assessed against the registered owner of the vehicle. The fact that you are the registered owner and are not able to identify who was driving does not relieve you of the liability for the alleged violation.

15. I was not driving the vehicle at the time of the violation. How do I appeal in this case?
    a. Fill out the Affidavit of Non-Responsibility form (postmarked no later than 30 days from the mail date of your First Notice) on the back of the citation received and identify the driver of the vehicle at the time of violation. A driver's notice is then generated by Elovate and sent to the identified driver. A letter is mailed to the registered owner informing that the transfer of liability was approved. However, if the driver of the vehicle does not pay the citation, the registered owner of the vehicle is ultimately responsible for the outstanding ticket. Contact Elovate at (844) 213-7033 or follow the online instructions at:
        i. https://usview.cite-web.com
    b. It is not necessary for the plaintiff to identify the driver, as this is a civil violation assessed against the registered owner of the vehicle. The registered owner is liable for the alleged violation unless and until the completed Affidavit of Non-Responsibility form (postmarked no later than 30 days from the mail date of your First Notice) on the back of the citation is received.

16. How is revenue from the fines used?
    a. Revenue from the fines collected as part of the program are received and managed by DelDOT and will cover expenditures related to the program. In the event that all expenditures related to the program are covered and excess revenue remains, that excess revenue will be transferred to the Delaware Office of Highway Safety and may be utilized only for transportation safety purposes under any of the following categories: education, enforcement, engineering, or administrative expenses.

17. Are speed cameras an invasion of privacy?
    a. No. Speed cameras only record images of vehicles whose drivers violate traffic laws by speeding. When motorists apply for a driver's license, they are agreeing to abide by the rules of the road. The purpose of the ESSP pilot program is to improve highway safety by detecting motorists who violate the law and endanger the lives of other motorists, construction workers, and other vulnerable road users.
    b. In addition, speed cameras only record vehicles traveling at or above a defined speed threshold. Law-abiding citizens are unaffected by the use of this technology since images are only captured when a vehicle passes at a speed equal to or greater than the pre-determined threshold.

18. Which other states/jurisdictions use speed cameras?
    a. 22 states and the District of Columbia permit the use of speed cameras, according to the Insurance Institute for Highway Safety (2024). In addition to Delaware, cameras are permitted statewide or by specific communities in Alabama, Arizona, Arkansas, Colorado, Connecticut, Washington DC, Georgia, Illinois, Indiana, Iowa, Louisiana, Maryland, Minnesota, New Mexico, New York, Ohio, Oregon, Pennsylvania, Rhode Island, Tennessee, Virginia, and Washington.

19. How can I find out more about the ESSP?
    a. https://deldot.gov/Programs/DSHSP/index.shtml?dc=project-speeding-safety-program
    b. Annual Reports will be published with further information on the program; the annual report from the I-95 Restore the Corridor pilot program is available now.

20. How else is DelDOT improving road safety in Delaware?
    a. View the Strategic Highway Safety Plan at http://safety.deldot.gov

21. I have an idea on how to improve roadway safety in Delaware. How do I inform DelDOT?
    a. https://deldot.gov/Traffic/ReportRoadCondition/index.shtml

22. Can speed cameras be used to help slow traffic on SR 1?
    a. DelDOT may approve the installation and use of an Electronic Speed Monitoring System in a DelDOT work zone on SR 1 or any state-maintained roadway throughout the state with the goal of lowering speeds and reducing crashes. The Delaware State Police have enforcement authority over use of the Systems in all work zones.
    b. Outside of DelDOT work zones, use of Electronic Speed Monitoring Systems are restricted to residence districts (defined under Title 21, § 101 of the Delaware Code) in New Castle County and statewide municipalities. Most locations along SR 1 and similar state and US highways would not qualify for monitoring based on these restrictions.

23. A rental car company has notified me of or charged me for a citation. Can I contest the citation/ charges?
    a. Citations are issued to the owner listed on the vehicle's registration. DelDOT cannot discuss citations with individuals who are not named on the citation even if they were the driver of the vehicle. You must contact the rental car company for information regarding a citation that has been issued to them.

**Work Zone Speed Enforcement**

24. Can I get a violation notice driving through a work zone even if work is not taking place?
    a. Even if workers are not present in a work zone, there are work zone conditions that warrant safe operating speeds at all times of the day. Delaware's ESSP enforces posted work zone speed limits 24 hours per day, 7 days per week, 365 days per year within the work zone in order to promote safe work zone speeds at all times.
    b. The Delaware Code does not require that workers be present for you to be assessed with the enhanced penalties for speeding within a construction zone. If the signs, barricades and other control devices posted identify it as a construction zone, it is considered a construction zone 24 hours a day. The fact that workers were not present is not a legitimate defense in a Court appeal.

25. How do I know what the work zone speed limit is?
    a. The work zone speed limit will be posted within the project work zone in advance of any electronic enforcement. The posted work zone speed limit will also have a "SPEED PHOTO ENFORCED" plaque installed beneath to alert motorists to the active speed photo enforcement.
    b. DelDOT has posted numerous signs on the side of the road prior to the Project Area and within the Project Area. Failure to see the signs lowering the speed limit in the area is not a legitimate defense in a Court appeal.

26. What is the fine? Are points assessed against my driver's license?
    a. In work zones, the base fine is $20.00 and an additional amount is added for each mile per hour over the posted work zone speed limit in accordance with Del. C. §4169(c). For example, if the captured violation occurs at a speed of 58 mph in a posted 45 mph work zone, the fine is $20.00 plus an additional $13.00 which accounts for $1.00 for each mile per hour over the 45 mph work zone speed limit. Additionally, there is a work zone fine applied; the sum total of the base fine and the additional speeding fine is doubled. This is a civil violation; no points are assessed against your driver's license and your insurance company is not notified.
    b. At the I-95 and SR 896 Interchange project area (initial ESSP monitoring site – see FAQ #4a), warning notices for violations were only issued for violations occurring between July 8, 2024 and July 29, 2024. After this initial three-week period expired, warnings were no longer issued for violations occurring on or after July 30, 2024, even for first-time violations.
    c. At the SR 1 and Minos Conaway Road project area (second ESSP monitoring site – see FAQ #4b), warning notices for violations were only issued for violations occurring between October 17, 2025 and November 10, 2025. After this initial period expired, warnings were no longer issued for violations occurring on or after November 11, 2025, even for first-time violations.
    d. See Fine Structure on DelDOT's ESSP Program Information page for more information.

27. What are the various fees and extra charges for on my citation?
    a. Delaware Code requires certain fees to be assessed on moving violations under Title 21. The following fees are added to the speed violation for ESSP:
        i. Transportation Trust Fund (TTF) Surcharge, 50% of speed violation (11 Del. C. §4101(g))
        ii. Fund to Combat Violent Crimes, $15.00 (11 Del. C. §4101(h))
        iii. Volunteer Ambulance Company Fund, $10.00 (11 Del. C. §4101(j))
    b. See Work Zone Fine Structure on DelDOT's ESSP Program Information page

**Residence District Speed Enforcement**

28. What locations are eligible for "residence district" Electronic Speed Monitoring Systems?
    a. Residence District is defined in Title 21 of the Delaware Code; effectively, it is any section of public roadway (300 feet or longer) with residential use of at least half of the property frontage along the roadway. The legislation also stipulates the eligible residence district must be located within New Castle County or a municipality. The law enforcement agency charged with enforcement of the residence district must agree to use of the ESSP. Because this is a new program, equipment and police resources are limited, and at this time, unincorporated areas of Kent County and Sussex County are not eligible for residence district speed enforcement. Future annual reporting may recommend expansion into these areas, which would also need to be authorized by new legislation.
        i. The initial interpretation of the definition of a residence district versus suggested roadways by New Castle County or a municipality must be performed by the corresponding legal department or town/city management for New Castle County or a municipality, and the supporting documentation will be further reviewed by DelDOT's Legal Section if there is any further uncertainty for eligibility.

29. Will the residence district Electronic Speed Monitoring Systems be active during nighttime hours?
    a. Delaware's ESSP enforces posted speed limits 24 hours per day, 7 days per week, 365 days per year in order to promote safe speeds at all times. Though there are generally fewer vulnerable road users and other motorists during the night, many serious crashes, including pedestrian crashes, continue to occur along Delaware roads during nighttime hours. In many of these crashes, speed is a major factor in either causing the crash or the severity of any injuries sustained. The monitoring systems do include camera flashes to record the license plates when a violation occurs, DelDOT will consider this when locating these systems.

30. What is the fine? Are points assessed against my driver's license?
    a. The base violation is $20.00 and an additional amount is added for each mile per hour over the posted speed limit in accordance with Del. C. §4169(c). For example, if the captured violation occurs at a speed of 39 mph in a posted 25 mph speed zone, the speed violation is $20.00 plus an additional $14.00 which accounts for $1.00 for each mile per hour over the 25 mph speed limit. This is a civil violation; no points are assessed against your driver's license and your insurance company is not notified.
    b. See Residential District Fine Structure on DelDOT's ESSP Program Information page

31. I work for a municipality and want to get speed cameras set up in my jurisdiction. How do I go about doing that?
    a. The initial interpretation of the definition of a residence district versus suggested roadways by New Castle County or a municipality must be performed by the corresponding legal department or town/city management for New Castle County or a municipality, and the supporting documentation will be further reviewed by DelDOT's Legal Section if there is any further uncertainty for eligibility.
    b. Prior to DelDOT approval of entities requesting to use the system in residence districts, participating municipalities and New Castle County shall authorize the use of Electronic Speed Monitoring Systems in their code or ordinance and sign a memorandum of understanding or an agreement with DelDOT regarding the operation of the Electronic Speed Monitoring Systems.
    c. A study must be provided to DelDOT by the requesting municipality or New Castle County. DelDOT may perform speed data collection or provide recently collected speed data along state-maintained roadways, based on available resources, and provide the information to the requesting municipality or New Castle County to be included in the required study.
        i. The study must be no more than 1 year old from the date of the initial request and approved by DelDOT.
        ii. The study must document that the 85th-percentile speed on the road is 5 miles per hour or greater than the posted speed limit.
        iii. The study must have been overseen by a Delaware Registered Professional Engineer or a sworn law enforcement officer.
        iv. The study must include continuous speed data, collected across a 24-hour window, at minimum.
    d. Within a residence district, the police agency with jurisdiction over the road must approve the road and extent of the road eligible for electronic speed monitoring prior to DelDOT approval.
    e. Within the boundaries of a municipality, the municipality must approve the road and extent of the road eligible for electronic speed monitoring prior to DelDOT approval.
    f. A Request Form with the necessary information is provided on DelDOT's ESSP Program Information page.