

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 168 Session of
2001

INTRODUCED BY BELL, DENT, CORMAN AND COSTA, JANUARY 30, 2001

REFERRED TO TRANSPORTATION, JANUARY 30, 2001

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, authorizing the use of radar by local police
3 officers who meet certain qualifications.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Section 3368(c) of Title 75 of the Pennsylvania
7 Consolidated Statutes is amended and the section is amended by
8 adding a subsection to read:

9 § 3368. Speed timing devices.

10 * * *

11 (c) Mechanical, electrical and electronic devices
12 authorized.--

13 (1) Except as otherwise provided in this section, the
14 rate of speed of any vehicle may be timed on any highway by a
15 police officer using a mechanical or electrical speed timing
16 device.

17 (2) Except as otherwise provided in [paragraph (3)]
18 paragraphs (3) and (3.1), electronic devices such as radio-

1 microwave devices (commonly referred to as electronic speed
2 meters or radar) may be used only by members of the
3 Pennsylvania State Police.

4 (3) Electronic devices which calculate speed by
5 measuring elapsed time between measured road surface points
6 by using two sensors and devices which measure and calculate
7 the average speed of a vehicle between any two points may be
8 used by any police officer.

9 (3.1) Electronic devices such as radio-microwave devices
10 (commonly referred to as electronic speed meters or radar)
11 may be used by full-time local police officers who have
12 satisfactorily completed the requirements of 53 Pa.C.S. Ch.
13 21 Subch. D (relating to municipal police education and
14 training) and who have been trained in the use of radar in a
15 program approved by the Commissioner of the Pennsylvania
16 State Police.

17 (4) No person may be convicted upon evidence obtained
18 through the use of devices authorized by paragraphs (2) [and
19 (3)], (3) and (3.1) unless the speed recorded is six or more
20 miles per hour in excess of the legal speed limit.

21 Furthermore, no person may be convicted upon evidence
22 obtained through the use of devices authorized by paragraph
23 (3) in an area where the legal speed limit is less than 55
24 miles per hour if the speed recorded is less than ten miles
25 per hour in excess of the legal speed limit. This paragraph
26 shall not apply to evidence obtained through the use of
27 devices authorized by paragraph (3) within a school zone.

28 * * *

29 (f) Expiration.--Subsection (c)(3.1) shall expire five years
30 following the effective date of this subsection.

1 Section 2. This act shall take effect in 60 days.