

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1833 Session of
1995

INTRODUCED BY STETLER, BATTISTO, DeWEESE, KUKOVICH, SATHER,
ROONEY, BELARDI, CORRIGAN, STERN AND YOUNGBLOOD,
JUNE 20, 1995

REFERRED TO COMMITTEE ON TRANSPORTATION, JUNE 20, 1995

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 to read:

8 § 3368. Speed timing devices.

9 * * *

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

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

16 (2) Except as otherwise provided in paragraph (3) and
17 paragraph (3.1), electronic devices such as radio-microwave
18 devices (commonly referred to as electronic speed meters or

1 radar) may be used only by members of the Pennsylvania State
2 Police.

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

8 (3.1) (i) Electronic devices such as radio-microwave
9 devices (commonly referred to as electronic speed meters
10 or radar) may be used by full-time local police officers
11 who have satisfactorily completed the requirements of the
12 act of June 18, 1974 (P.L.359, No.120), referred to as
13 the Municipal Police Education and Training Law, and who
14 have been trained in the use of radar in a program
15 approved by the Commissioner of the Pennsylvania State
16 Police.

17 (ii) This paragraph shall expire five years from the
18 effective date hereof, unless extended by statute.

19 (4) No person may be convicted upon evidence obtained
20 through the use of devices authorized by paragraphs (2) and
21 (3) and paragraph (3.1) unless the speed recorded is six or
22 more miles per hour in excess of the legal speed limit.
23 Furthermore, no person may be convicted upon evidence
24 obtained through the use of devices authorized by paragraph
25 (3) and paragraph (3.1) in an area where the legal speed
26 limit is less than 55 miles per hour if the speed recorded is
27 less than ten miles per hour in excess of the legal speed
28 limit. This paragraph shall not apply to evidence obtained
29 through the use of devices authorized by paragraph (3) and
30 paragraph (3.1) within a school zone.

1 * * *

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