

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 2299 Session of
1988

INTRODUCED BY HERMAN, NAHILL, McHALE, SEMMEL, LEVDANSKY,
JADLOWIEC, DISTLER, HECKLER, E. Z. TAYLOR, SAURMAN AND
FREIND, APRIL 5, 1988

REFERRED TO COMMITTEE ON TRANSPORTATION, APRIL 5, 1988

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further providing for the use of certain electronic
3 speed timing devices by qualified police officers.

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),
17 electronic devices such as radio-microwave devices (commonly
18 referred to as electronic speed meters or radar) may be used

1 only by members of the Pennsylvania State Police and by
2 members of local police departments who have been certified
3 by the Pennsylvania State Police as qualified to operate
4 radio-microwave devices after completion of an appropriate
5 training course mandated by department regulation.

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

11 (4) No person may be convicted upon evidence obtained
12 through the use of devices authorized by paragraphs (2) and
13 (3) unless the speed recorded is six or more miles per hour
14 in excess of the legal speed limit. Furthermore, no person
15 may be convicted upon evidence obtained through the use of
16 devices authorized by paragraph (3) in an area where the
17 legal speed limit is less than 55 miles per hour if the speed
18 recorded is less than ten miles per hour in excess of the
19 legal speed limit. This paragraph shall not apply to evidence
20 obtained through the use of devices authorized by paragraph
21 (3) within a school zone.

22 * * *

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