

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1965 Session of
2007

INTRODUCED BY READSHAW, BRENNAN, CLYMER, HARPER, HERSHEY, KOTIK,
MUSTIO, PASHINSKI, SOLOBAY, WALKO AND WOJNAROSKI,
OCTOBER 24, 2007

REFERRED TO COMMITTEE ON TRANSPORTATION, OCTOBER 24, 2007

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, authorizing the use of radar by certain local
3 police 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)]
17 paragraphs (3) and (3.1), electronic devices such as radio-
18 microwave devices (commonly referred to as electronic speed

1 meters or radar) may be used only by members of the
2 Pennsylvania State 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) Electronic devices such as radio-microwave
9 devices, commonly referred to as electronic speed meters or
10 radar, may be used by full-time police officers in second
11 class cities who have satisfactorily completed the
12 requirements of 53 Pa.C.S. Ch. 21 Subch. D (relating to
13 municipal police education and training) and who have been
14 trained in the use of radar in a program approved by the
15 Commissioner of the Pennsylvania State Police. The
16 Commissioner of the Pennsylvania State Police shall submit an
17 annual report to the General Assembly concerning the effects
18 of this paragraph.

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

1 * * *

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