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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**HOUSE BILL**  
**No. 1699** Session of  
1983

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INTRODUCED BY CIMINI, NOVEMBER 16, 1983

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REFERRED TO COMMITTEE ON TRANSPORTATION, NOVEMBER 16, 1983

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AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
2 Statutes, further providing for use of speed timing devices.

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

5 Section 1. Section 3368 of Title 75 of the Pennsylvania  
6 Consolidated Statutes is amended to read:

7 § 3368. Speed timing devices.

8 (a) Speedometers authorized.--The rate of speed of any  
9 vehicle may be timed on any highway by a police officer using a  
10 motor vehicle equipped with a speedometer. In ascertaining the  
11 speed of a vehicle by the use of a speedometer, the speed shall  
12 be timed for a distance of not less than three-tenths of a mile.

13 (b) Testing of speedometers.--The department may appoint  
14 stations for testing speedometers and may prescribe regulations  
15 as to the manner in which the test shall be made. Speedometers  
16 shall have been tested for accuracy within a period of 60 days  
17 prior to the alleged violation. A certificate from the station

1 showing that the test was made, the date of the test and the  
2 degree of accuracy of the speedometer shall be competent and  
3 prima facie evidence of those facts in every proceeding in which  
4 a violation of this title is charged.

5 (c) Mechanical, electrical and electronic devices  
6 authorized.--

7 (1) The rate of speed of any vehicle may be timed on any  
8 highway by a police officer using a mechanical or electrical  
9 speed timing device.

10 (2) Electronic devices such as radio-microwave devices  
11 (commonly referred to as electronic speed meters or radar)  
12 may be used [only by members of the Pennsylvania State  
13 Police] by any police officer. No person may be convicted  
14 upon evidence obtained through the use of such devices unless  
15 the speed recorded is six or more miles per hour in excess of  
16 the legal speed limit.

17 (d) Approval and testing of mechanical, electrical and  
18 electronic devices.--All mechanical, electrical or electronic  
19 devices shall be of a type approved by the department, which  
20 shall appoint stations for calibrating and testing the devices  
21 and may prescribe regulations as to the manner in which  
22 calibrations and tests shall be made. The devices shall have  
23 been tested for accuracy within a period of 60 days prior to the  
24 alleged violation. A certificate from the station showing that  
25 the calibration and test were made within the required period,  
26 and that the device was accurate, shall be competent and prima  
27 facie evidence of those facts in every proceeding in which a  
28 violation of this title is charged.

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