

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2431 Session of
1994

INTRODUCED BY MARSICO, CESSAR, MASLAND, CLARK, NAILOR, PICCOLA,
TULLI, EGOLF, B. SMITH, ZUG, KREBS, FLEAGLE, PHILLIPS, ALLEN,
VEON, TRUE, MIHALICH, E. Z. TAYLOR, KING, TRELLO, CIVERA,
WOGAN, ROONEY, ADOLPH, KIRKLAND, LEH, DEMPSEY AND VANCE,
JANUARY 4, 1994

REFERRED TO COMMITTEE ON TRANSPORTATION, JANUARY 4, 1994

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, authorizing the use of laser speed detection
3 devices by the Pennsylvania State Police.

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

1 referred to as electronic speed meters or radar) or light
2 amplification by stimulated emission of radiation devices
3 (commonly referred to as laser devices) may be used only by
4 members of the Pennsylvania State Police.

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

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

21 * * *

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