
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1135 Session of
2007

INTRODUCED BY RAFFERTY, LOGAN, ORIE, ARMSTRONG, WASHINGTON,
GREENLEAF, COSTA, PUNT, FONTANA, ERICKSON, WOZNIAK, WAUGH,
FERLO, BRUBAKER, MUSTO, M. WHITE, C. WILLIAMS, EARLL,
DINNIMAN, BAKER, FOLMER AND WONDERLING, NOVEMBER 19, 2007

REFERRED TO TRANSPORTATION, NOVEMBER 19, 2007

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further providing for tests of certain electronic
3 devices.

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

6 Section 1. Section 3368(d) of Title 75 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 3368. Speed timing devices.

9 * * *

10 (d) Classification, approval and testing of mechanical,
11 electrical and electronic devices.--The department may, by
12 regulation, classify specific devices as being mechanical,
13 electrical or electronic. All mechanical, electrical or
14 electronic devices shall be of a type approved by the
15 department, which shall appoint stations for calibrating and
16 testing the devices and may prescribe regulations as to the
17 manner in which calibrations and tests shall be made. The

1 certification and calibration of electronic devices under
2 subsection (c)(3) shall also include the certification and
3 calibration of all equipment, timing strips and other devices
4 which are actually used with the particular electronic device
5 being certified and calibrated. [The] Electronic devices
6 commonly referred to as electronic speed meters or radar shall
7 have been tested within a period of one year prior to the
8 alleged violation. Other devices shall have been tested for
9 accuracy within a period of 60 days prior to the alleged
10 violation. A certificate from the station showing that the
11 calibration and test were made within the required period[,] and
12 that the device was accurate[,] shall be competent and prima
13 facie evidence of those facts in every proceeding in which a
14 violation of this title is charged.

15 * * *

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