

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 535 Session of 2015

INTRODUCED BY VULAKOVICH, ALLOWAY, AUMENT, BAKER, BLAKE, BREWSTER, BROWNE, COSTA, EICHELBERGER, FONTANA, HAYWOOD, MENSCH, PILEGGI, SCAVELLO, SCHWANK, SMITH, SMUCKER, STEFANO, TEPLITZ, WHITE, YUDICHAK, KITCHEN, DINNIMAN AND MCGARRIGLE, FEBRUARY 20, 2015

AS AMENDED ON THIRD CONSIDERATION, JUNE 23, 2016

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in rules of the road in general, further providing
3 for speed timing devices.

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 INFRARED <--  
2 LASER LIGHT DEVICES (COMMONLY REFERRED TO AS LIDAR) may be  
3 used [only by members of the Pennsylvania State Police.] by <--  
4 any police officer. UPON COMPLETION OF A TRAINING COURSE <--  
5 APPROVED BY THE PENNSYLVANIA STATE POLICE AND THE MUNICIPAL  
6 POLICE OFFICERS' EDUCATION AND TRAINING COMMISSION.

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

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

23 \* \* \*

24 Section 2. This act shall take effect in 120 days.