

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 607 Session of
2019

INTRODUCED BY SCAVELLO, MARTIN, BROWNE, MENSCH, BARTOLOTTA,
BREWSTER, AUMENT, BLAKE, YUDICHAK, SCHWANK, COSTA, HAYWOOD,
BAKER, FARNESE, SANTARSIERO, MUTH, KEARNEY, DINNIMAN,
L. WILLIAMS, KILLION, STEFANO, COLLETT AND IOVINO,
APRIL 30, 2019

AS REPORTED FROM COMMITTEE ON TRANSPORTATION, HOUSE OF
REPRESENTATIVES, AS AMENDED, NOVEMBER 18, 2019

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), (e) and (f)(2) of Title 75 of~~ <--
7 ~~the Pennsylvania Consolidated Statutes, amended or added October~~
8 ~~19, 2018 (P.L.563, No.86), are amended and the section is~~
9 ~~amended by adding subsections to read:~~

10 ~~§ 3368. Speed timing devices.~~

11 * * *

12 ~~(c) Mechanical, electrical and electronic devices~~
13 ~~authorized.~~

14 ~~(1) Except as otherwise provided in this section, the~~
15 ~~rate of speed of any vehicle may be timed on any highway by a~~
16 ~~police officer using a mechanical or electrical speed timing~~

1 device.

2 ~~(2) [Except as otherwise provided in paragraph (3),~~
3 ~~electronic devices such as radio microwave devices, commonly~~
4 ~~referred to as electronic speed meters or radar, may be used~~
5 ~~only as part of an automated speed enforcement system or by~~
6 ~~members of the Pennsylvania State Police.] Electronic devices~~
7 ~~such as radio microwave devices, commonly referred to as~~
8 ~~electronic speed meters or radar, may be used only as part of~~
9 ~~an automated speed enforcement system or by any police~~
10 ~~officer.~~

11 ~~(3) Electronic devices which calculate speed by~~
12 ~~measuring elapsed time between measured road surface points~~
13 ~~by using two sensors and devices which measure and calculate~~
14 ~~the average speed of a vehicle between any two points may be~~
15 ~~used by any police officer.~~

16 ~~(4) [No person may be convicted upon evidence obtained~~
17 ~~through the use of devices authorized by paragraphs (2) and~~
18 ~~(3) unless the speed recorded is six or more miles per hour~~
19 ~~in excess of the legal speed limit. Furthermore, no person~~
20 ~~may be convicted upon evidence obtained through the use of~~
21 ~~devices authorized by paragraph (3) in an area where the~~
22 ~~legal speed limit is less than 55 miles per hour if the speed~~
23 ~~recorded is less than ten miles per hour in excess of the~~
24 ~~legal speed limit. This paragraph shall not apply to evidence~~
25 ~~obtained through the use of devices authorized by paragraph~~
26 ~~(2) or (3) within a school zone or an active work zone.] A~~
27 ~~person may not be convicted upon evidence obtained through~~
28 ~~the use of devices authorized by paragraphs (1), (2), (3) and~~
29 ~~(5) unless the speed recorded is more than ten miles per hour~~
30 ~~in excess of the legal speed limit on a highway or six or~~

~~more miles per hour in excess of the legal speed limit on an interstate highway or freeway with a posted speed limit of 70 miles per hour. This paragraph shall not apply to evidence obtained through the use of devices authorized by paragraph (1), (2), (3) or (5) within a school zone or an active work zone.~~

~~(5) Light detection and ranging devices, commonly referred to as LIDAR, may be used only as part of an automated speed enforcement system or by [members of the Pennsylvania State Police] any police officer.~~

~~(6) Except for a member of the Pennsylvania State Police, prior to use of an electronic speed meter, radar or light detection and ranging devices:~~

~~(i) A police officer must complete a training course approved by the Pennsylvania State Police and the Municipal Police Officers' Education and Training Commission; and~~

~~(ii) In accordance with department regulations, official traffic control devices, including advanced warning signs indicating the use of electronic speed meters, radar or light detection and ranging devices, must be erected within 500 feet of the border of the political subdivision on the main arteries entering the political subdivision.~~

~~(7) A police officer of the Delaware River Port Authority or the Delaware River Joint Toll Bridge Commission may, on a highway under the jurisdiction of the Delaware River Port Authority or the Delaware River Joint Toll Bridge Commission, use an electronic speed meter, radar or a light detection and ranging device upon completion of a training~~

1 ~~course approved by the Pennsylvania State Police and the~~
2 ~~Municipal Police Officers' Education and Training Commission.~~

3 * * *

4 ~~(e) Distance requirements for use of mechanical, electrical~~
5 ~~and electronic devices. Mechanical, electrical or electronic~~
6 ~~devices or light detection and ranging devices may not be used~~
7 ~~to time the rate of speed of vehicles within 500 feet after a~~
8 ~~speed limit sign indicating a decrease of speed. This limitation~~
9 ~~on the use of speed timing devices shall not apply to speed~~
10 ~~limit signs indicating school zones, bridge and elevated~~
11 ~~structure speed limits, hazardous grade speed limits and work~~
12 ~~zone speed limits.~~

13 ~~(f) LIDAR testing and calibration.~~

14 * * *

15 ~~(2) LIDAR speed measuring devices and LIDAR systems~~
16 ~~shall be calibrated and tested every 365 days at a minimum~~
17 ~~before being utilized by [the Pennsylvania State Police] any~~
18 ~~police officer or as part of an automated speed enforcement~~
19 ~~system.~~

20 * * *

21 ~~(g) Local ordinance required to enforce.~~

22 ~~(1) Prior to the use of a device under subsection (c)~~
23 ~~(6), the political subdivision or each political subdivision~~
24 ~~of a regional police department must adopt an ordinance~~
25 ~~authorizing the local or regional police department to employ~~
26 ~~the device on highways within the boundaries of each~~
27 ~~political subdivision.~~

28 ~~(2) During the initial 90 days of speed enforcement by a~~
29 ~~local or regional police department of a political~~
30 ~~subdivision, an individual may only be sanctioned for~~

1 ~~violations with a written warning.~~

2 ~~(h) Excess revenue.~~

3 ~~(1) The primary use of a device under this section shall~~
4 ~~be for traffic safety purposes.~~

5 ~~(2) If a political subdivision's share of revenue~~
6 ~~generated from speed enforcement citations by a device under~~
7 ~~this section exceeds 20% of the total political subdivision's~~
8 ~~budget, the excess sum shall be remitted to the Department of~~
9 ~~Revenue on a form and in a manner prescribed by the~~
10 ~~Department of Revenue on or before the 60th day following the~~
11 ~~end of the political subdivision's fiscal year for deposit~~
12 ~~into a restricted receipts account in the Motor License Fund.~~

13 ~~Section 2. This act shall take effect in 120 days.~~

14 SECTION 1. SECTION 3368(C), (D), (E) AND (F) OF TITLE 75 OF <--
15 THE PENNSYLVANIA CONSOLIDATED STATUES ARE AMENDED AND THE
16 SECTION IS AMENDED BY ADDING SUBSECTIONS TO READ:

17 § 3368. SPEED TIMING DEVICES.

18 * * *

19 [(C) MECHANICAL, ELECTRICAL AND ELECTRONIC DEVICES

20 AUTHORIZED.--

21 (1) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, THE
22 RATE OF SPEED OF ANY VEHICLE MAY BE TIMED ON ANY HIGHWAY BY A
23 POLICE OFFICER USING A MECHANICAL OR ELECTRICAL SPEED TIMING
24 DEVICE.

25 (2) EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (3),
26 ELECTRONIC DEVICES SUCH AS RADIO-MICROWAVE DEVICES, COMMONLY
27 REFERRED TO AS ELECTRONIC SPEED METERS OR RADAR, MAY BE USED
28 ONLY AS PART OF AN AUTOMATED SPEED ENFORCEMENT SYSTEM OR BY
29 MEMBERS OF THE PENNSYLVANIA STATE POLICE.

30 (3) ELECTRONIC DEVICES WHICH CALCULATE SPEED BY

1 MEASURING ELAPSED TIME BETWEEN MEASURED ROAD SURFACE POINTS
2 BY USING TWO SENSORS AND DEVICES WHICH MEASURE AND CALCULATE
3 THE AVERAGE SPEED OF A VEHICLE BETWEEN ANY TWO POINTS MAY BE
4 USED BY ANY POLICE OFFICER.

5 (4) NO PERSON MAY BE CONVICTED UPON EVIDENCE OBTAINED
6 THROUGH THE USE OF DEVICES AUTHORIZED BY PARAGRAPHS (2) AND
7 (3) UNLESS THE SPEED RECORDED IS SIX OR MORE MILES PER HOUR
8 IN EXCESS OF THE LEGAL SPEED LIMIT. FURTHERMORE, NO PERSON
9 MAY BE CONVICTED UPON EVIDENCE OBTAINED THROUGH THE USE OF
10 DEVICES AUTHORIZED BY PARAGRAPH (3) IN AN AREA WHERE THE
11 LEGAL SPEED LIMIT IS LESS THAN 55 MILES PER HOUR IF THE SPEED
12 RECORDED IS LESS THAN TEN MILES PER HOUR IN EXCESS OF THE
13 LEGAL SPEED LIMIT. THIS PARAGRAPH SHALL NOT APPLY TO EVIDENCE
14 OBTAINED THROUGH THE USE OF DEVICES AUTHORIZED BY PARAGRAPH
15 (2) OR (3) WITHIN A SCHOOL ZONE OR AN ACTIVE WORK ZONE.

16 (5) LIGHT DETECTION AND RANGING DEVICES, COMMONLY
17 REFERRED TO AS LIDAR, MAY BE USED ONLY AS PART OF AN
18 AUTOMATED SPEED ENFORCEMENT SYSTEM OR BY MEMBERS OF THE
19 PENNSYLVANIA STATE POLICE.]

20 (C.1) SPEED ENFORCEMENT DEVICES AUTHORIZED.--SUBJECT TO THE
21 RESTRICTIONS CONTAINED IN SUBSECTION (C.2), THE RATE OF SPEED OF
22 A VEHICLE MAY BE TIMED ON A HIGHWAY BY:

23 (1) A MEMBER OF THE PENNSYLVANIA STATE POLICE OR A LOCAL
24 LAW ENFORCEMENT OFFICER USING A SPEED ENFORCEMENT DEVICE.

25 (2) AN AUTOMATED SPEED ENFORCEMENT SYSTEM USING AN
26 ELECTRONIC RANGING DEVICE.

27 (3) ANY POLICE OFFICER USING A SPEED TIMING DEVICE.

28 (C.2) SPEED ENFORCEMENT DEVICE RESTRICTIONS.--SPEED
29 ENFORCEMENT DEVICES AUTHORIZED UNDER SUBSECTION (C.1) SHALL BE
30 SUBJECT TO THE FOLLOWING RESTRICTIONS:

1 (1) NO PERSON MAY BE CONVICTED UPON EVIDENCE OBTAINED
2 THROUGH THE USE OF A SPEED ENFORCEMENT DEVICE OR A
3 SPEEDOMETER AS PERMITTED UNDER SUBSECTION (A) UNLESS THE
4 SPEED RECORDED IS SIX OR MORE MILES PER HOUR IN EXCESS OF THE
5 LEGAL SPEED LIMIT.

6 (2) NO PERSON MAY BE CONVICTED UPON EVIDENCE OBTAINED
7 THROUGH THE USE OF A SPEED TIMING DEVICE IN AN AREA WHERE THE
8 LEGAL SPEED LIMIT IS LESS THAN 55 MILES PER HOUR IF THE SPEED
9 RECORDED IS LESS THAN 10 MILES PER HOUR IN EXCESS OF THE
10 LEGAL SPEED LIMIT.

11 (3) PARAGRAPHS (1) AND (2) SHALL NOT APPLY TO EVIDENCE
12 OBTAINED THROUGH THE USE OF A SPEED ENFORCEMENT DEVICE WITHIN
13 A SCHOOL ZONE OR AN ACTIVE WORK ZONE.

14 (4) A SPEED ENFORCEMENT DEVICE MAY NOT BE USED TO TIME
15 THE RATE OF SPEED OF VEHICLES WITHIN 500 FEET AFTER A SPEED
16 LIMIT SIGN INDICATING A DECREASE OF SPEED. THIS LIMITATION ON
17 THE USE OF A SPEED ENFORCEMENT DEVICE SHALL NOT APPLY TO A
18 SPEED LIMIT SIGN INDICATING A SCHOOL ZONE, BRIDGE AND
19 ELEVATED STRUCTURE SPEED LIMIT, HAZARDOUS GRADE SPEED LIMIT
20 AND WORK ZONE SPEED LIMIT.

21 (5) AN ELECTRONIC RANGING DEVICE MAY ONLY BE USED BY A
22 LOCAL LAW ENFORCEMENT OFFICER FROM A CLEARLY MARKED VEHICLE
23 IN A LOCATION THAT IS READILY VISIBLE TO THE MOTORING PUBLIC.

24 (6) A LOCAL LAW ENFORCEMENT OFFICER MAY NOT USE AN
25 ELECTRONIC RANGING DEVICE UNLESS THE INDIVIDUAL HAS COMPLETED
26 THE REQUIRED TRAINING COURSE UNDER SUBSECTION (G).

27 (7) A LOCAL LAW ENFORCEMENT OFFICER MAY NOT USE AN
28 ELECTRONIC RANGING DEVICE WITHIN THE BOUNDARIES OF A
29 MUNICIPALITY THAT HAS NOT INSTALLED OFFICIAL TRAFFIC-CONTROL
30 DEVICES AS REQUIRED UNDER SUBSECTION (H).

1 (8) A LOCAL LAW ENFORCEMENT OFFICER MAY NOT USE AN
2 ELECTRONIC RANGING DEVICE WITHIN THE BOUNDARIES OF A
3 MUNICIPALITY THAT HAS NOT ADOPTED A LOCAL ORDINANCE AS
4 REQUIRED UNDER SUBSECTION (I).

5 (D) CLASSIFICATION, APPROVAL AND TESTING OF [MECHANICAL,
6 ELECTRICAL AND ELECTRONIC] SPEED ENFORCEMENT DEVICES.-- [THE
7 DEPARTMENT MAY, BY REGULATION, CLASSIFY SPECIFIC DEVICES AS
8 BEING MECHANICAL, ELECTRICAL OR ELECTRONIC. ALL MECHANICAL,
9 ELECTRICAL OR ELECTRONIC]

10 (1) SPEED ENFORCEMENT DEVICES SHALL BE OF A TYPE
11 APPROVED BY THE DEPARTMENT, WHICH SHALL APPOINT STATIONS FOR
12 CALIBRATING AND TESTING THE DEVICES AND MAY PRESCRIBE
13 REGULATIONS AS TO THE MANNER IN WHICH CALIBRATIONS AND TESTS
14 SHALL BE MADE. [THE CERTIFICATION AND CALIBRATION OF
15 ELECTRONIC DEVICES UNDER SUBSECTION (C) (3) SHALL ALSO INCLUDE
16 THE CERTIFICATION AND CALIBRATION OF ALL EQUIPMENT, TIMING
17 STRIPS AND OTHER DEVICES WHICH ARE ACTUALLY USED WITH THE
18 PARTICULAR ELECTRONIC DEVICE BEING CERTIFIED AND CALIBRATED.
19 ELECTRONIC DEVICES COMMONLY REFERRED TO AS ELECTRONIC SPEED
20 METERS OR RADAR SHALL HAVE BEEN TESTED FOR ACCURACY WITHIN A
21 PERIOD OF ONE YEAR PRIOR TO THE ALLEGED VIOLATION. OTHER
22 DEVICES SHALL HAVE BEEN TESTED FOR ACCURACY WITHIN A PERIOD
23 OF 60 DAYS PRIOR TO THE ALLEGED VIOLATION.]

24 (2) SPEED ENFORCEMENT DEVICES SHALL BE CALIBRATED AND
25 TESTED EVERY 365 DAYS AT A MINIMUM BEFORE BEING USED AS
26 AUTHORIZED BY THIS SECTION.

27 (3) A CERTIFICATE FROM THE STATION SHOWING THAT THE
28 CALIBRATION AND TEST WERE MADE WITHIN THE REQUIRED PERIOD AND
29 THAT THE DEVICE WAS ACCURATE SHALL BE COMPETENT AND PRIMA
30 FACIE EVIDENCE OF THOSE FACTS IN EVERY PROCEEDING IN WHICH A

1 VIOLATION OF THIS TITLE IS CHARGED.

2 (4) A CERTIFICATE OF ACCURACY MAY BE COMPLETED, SIGNED
3 AND SUBMITTED ELECTRONICALLY BY THE CERTIFYING TECHNICIAN ON
4 A FORM PROVIDED BY THE DEPARTMENT.

5 (5) THE DEPARTMENT MAY PROMULGATE REGULATIONS FOR THE
6 CERTIFICATION AND THE USE OF SPEED ENFORCEMENT DEVICES. IN
7 ORDER TO FACILITATE THE PROMPT IMPLEMENTATION OF THIS
8 SUBSECTION, THE DEPARTMENT MAY PROMULGATE TEMPORARY
9 REGULATIONS, WHICH SHALL NOT BE SUBJECT TO:

10 (I) SECTIONS 201, 202, 203, 204 AND 205 OF THE ACT
11 OF JULY 31, 1968 (P.L.769, NO.240), REFERRED TO AS THE
12 COMMONWEALTH DOCUMENTS LAW.

13 (II) SECTION 204(B) OF THE ACT OF OCTOBER 15, 1980
14 (P.L.950, NO.164), KNOWN AS THE COMMONWEALTH ATTORNEYS
15 ACT.

16 (III) THE ACT OF JUNE 25, 1982 (P.L.633, NO.181),
17 KNOWN AS THE REGULATORY REVIEW ACT.

18 ANY TEMPORARY REGULATIONS ADOPTED UNDER THIS PARAGRAPH SHALL
19 EXPIRE AFTER THREE YEARS, OR UPON PROMULGATION OF FINAL
20 REGULATIONS FOR THIS SUBSECTION, WHICHEVER IS SOONER.

21 [(E) DISTANCE REQUIREMENTS FOR USE OF MECHANICAL, ELECTRICAL
22 AND ELECTRONIC DEVICES.--MECHANICAL, ELECTRICAL OR ELECTRONIC
23 DEVICES MAY NOT BE USED TO TIME THE RATE OF SPEED OF VEHICLES
24 WITHIN 500 FEET AFTER A SPEED LIMIT SIGN INDICATING A DECREASE
25 OF SPEED. THIS LIMITATION ON THE USE OF SPEED TIMING DEVICES
26 SHALL NOT APPLY TO SPEED LIMIT SIGNS INDICATING SCHOOL ZONES,
27 BRIDGE AND ELEVATED STRUCTURE SPEED LIMITS, HAZARDOUS GRADE
28 SPEED LIMITS AND WORK ZONE SPEED LIMITS.

29 (F) LIDAR TESTING AND CALIBRATION.--

30 (1) THE DEPARTMENT MAY, UPON PUBLICATION IN THE

1 PENNSYLVANIA BULLETIN, PROVIDE THAT LIDAR SPEED MEASURING
2 DEVICES AND LIDAR SYSTEMS SHALL BE CALIBRATED AND TESTED
3 USING THE TESTING PROCEDURES IN DEPARTMENT REGULATION.

4 (2) LIDAR SPEED MEASURING DEVICES AND LIDAR SYSTEMS
5 SHALL BE CALIBRATED AND TESTED EVERY 365 DAYS AT A MINIMUM
6 BEFORE BEING UTILIZED BY THE PENNSYLVANIA STATE POLICE OR AS
7 PART OF AN AUTOMATED SPEED ENFORCEMENT SYSTEM.

8 (3) THE CERTIFICATION THAT THE LIDAR DEVICE AND SYSTEM,
9 AS APPLICABLE, HAVE BEEN TESTED AND FOUND TO BE ACCURATE
10 SHALL CREATE A PRESUMPTION THAT THE REQUIREMENTS OF THIS
11 SUBSECTION HAVE BEEN FULFILLED.

12 (4) AS USED IN THIS SUBSECTION, THE FOLLOWING WORDS AND
13 PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS
14 PARAGRAPH UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:

15 "LIDAR." THE TECHNOLOGY OF MEASURING TARGET RANGE USING
16 REFLECTED LIGHT TO DETERMINE TARGET RANGE AND SPEED FROM THE
17 TIME-OF-FLIGHT OF LASER PULSES.

18 "LIDAR SPEED-MEASURING DEVICE." SPEED-MEASURING EQUIPMENT
19 THAT DETERMINES TARGET RANGE AND SPEED BASED ON THE TIME-OF-
20 FLIGHT OF LASER LIGHT PULSES REFLECTED OFF A TARGET.

21 "LIDAR SYSTEM." A LIDAR SPEED-MEASURING DEVICE THAT
22 INCORPORATES ADDITIONAL EQUIPMENT THAT IS USED TO GATHER,
23 PROCESS AND RECORD IMAGES, AS APPLICABLE, TO BE USED AS PART OF
24 SPEED ENFORCEMENT EFFORTS.]

25 (G) TRAINING REQUIRED.--A LOCAL LAW ENFORCEMENT OFFICER MUST
26 COMPLETE AN ELECTRONIC RANGING DEVICE TRAINING COURSE APPROVED
27 BY THE PENNSYLVANIA STATE POLICE AND THE MUNICIPAL POLICE
28 OFFICER'S EDUCATION AND TRAINING COMMISSION PRIOR TO USING AN
29 ELECTRONIC RANGING DEVICE.

30 (H) OFFICIAL TRAFFIC-CONTROL DEVICES.--IN ACCORDANCE WITH

1 DEPARTMENT REGULATIONS, OFFICIAL TRAFFIC-CONTROL DEVICES,
2 INCLUDING ADVANCED WARNING SIGNS INDICATING THE USE OF
3 ELECTRONIC RANGING DEVICES, SHALL BE ERECTED WITHIN 500 FEET OF
4 THE BORDER OF A MUNICIPALITY ON THE MAIN ARTERIES ENTERING THE
5 SUBDIVISION PRIOR TO A LOCAL LAW ENFORCEMENT OFFICER USING AN
6 ELECTRONIC RANGING DEVICE WITHIN THE MUNICIPALITY'S BOUNDARIES.

7 (I) LOCAL ORDINANCE REQUIRED.--PRIOR TO THE USE OF AN
8 ELECTRONIC RANGING DEVICE BY A LOCAL LAW ENFORCEMENT OFFICER IN
9 A MUNICIPALITY, THE MUNICIPALITY OR EACH MUNICIPALITY OF A
10 REGIONAL POLICE DEPARTMENT MUST ADOPT AN ORDINANCE AUTHORIZING
11 THE USE OF ELECTRONIC RANGING DEVICES WITHIN THE BOUNDARIES OF
12 THE MUNICIPALITY.

13 (J) INITIAL PERIOD.--DURING THE INITIAL 90 DAYS OF SPEED
14 ENFORCEMENT USING ELECTRONIC RANGING DEVICES IN A MUNICIPALITY
15 BY A LOCAL LAW ENFORCEMENT OFFICER, AN INDIVIDUAL MAY ONLY BE
16 SANCTIONED FOR VIOLATIONS WITH A WRITTEN WARNING.

17 (K) REVENUE LIMIT.--

18 (1) THE MUNICIPAL SHARE OF REVENUE GENERATED FROM THE
19 USE OF AN ELECTRONIC RANGING DEVICE IN ANY YEAR MAY NOT
20 EXCEED 10% OF THE MUNICIPALITY'S BUDGET FOR THAT YEAR.

21 (2) ALL REVENUE COLLECTED IN EXCESS OF THE LIMITATION IN
22 PARAGRAPH (1) SHALL BE REMITTED TO THE DEPARTMENT FOR DEPOSIT
23 IN THE MOTOR LICENSE FUND.

24 (L) DEFENSE.--

25 (1) THE PRIMARY USE OF AN ELECTRONIC RANGING DEVICE BY A
26 LOCAL LAW ENFORCEMENT OFFICER SHALL BE FOR PURPOSES OF
27 TRAFFIC SAFETY.

28 (2) IT SHALL BE A DEFENSE TO A PROSECUTION ARISING FROM
29 THE USE OF AN ELECTRONIC RANGING DEVICE IN A MUNICIPALITY
30 THAT THE PRIMARY USE OF THE DEVICE IS TO GENERATE REVENUE FOR

1 THE MUNICIPALITY.

2 (M) DEFINITIONS.--AS USED IN THIS SECTION, THE FOLLOWING
3 WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS
4 SUBSECTION UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:

5 "ELECTRONIC RANGING DEVICE." ANY OF THE FOLLOWING:

6 (1) LIDAR SPEED-MEASURING DEVICE.

7 (2) LIDAR SYSTEM.

8 (3) RADAR SPEED-MEASURING DEVICE.

9 "FULL-SERVICE POLICE DEPARTMENT." A MUNICIPAL OR REGIONAL
10 POLICE DEPARTMENT THAT:

11 (1) IS AUTHORIZED BY ONE OR MORE MUNICIPALITIES;

12 (2) PROVIDES 24-HOUR-PER-DAY PATROL AND INVESTIGATIVE
13 SERVICES; AND

14 (3) REPORTS ITS ACTIVITIES MONTHLY TO THE PENNSYLVANIA
15 STATE POLICE IN ACCORDANCE WITH THE UNIFORM CRIME REPORTING
16 SYSTEM.

17 "LIDAR SPEED-MEASURING DEVICE." SPEED-MEASURING EQUIPMENT
18 THAT DETERMINES TARGET RANGE AND SPEED BASED ON THE TIME-OF-
19 FLIGHT OF LASER LIGHT PULSES REFLECTED OFF A TARGET.

20 "LIDAR SYSTEM." A LIDAR SPEED-MEASURING DEVICE OTHER THAN AN
21 AUTOMATED SPEED ENFORCEMENT SYSTEM THAT INCORPORATES ADDITIONAL
22 EQUIPMENT USED TO GATHER, PROCESS AND RECORD IMAGES, AS
23 APPLICABLE, FOR SPEED ENFORCEMENT EFFORTS.

24 "LOCAL LAW ENFORCEMENT OFFICER." AN EMPLOYEE OF A FULL-
25 SERVICE POLICE DEPARTMENT WHO IS EMPOWERED TO ENFORCE 18 PA.C.S.
26 (RELATING TO CRIMES AND OFFENSES) AND THIS TITLE. THE TERM DOES
27 NOT INCLUDE A PENNSYLVANIA STATE POLICE OFFICER, PART-TIME OR
28 AUXILIARY POLICE, CONSTABLES, SHERIFFS OR THEIR DEPUTIES, FIRE
29 POLICE, TRANSIT POLICE, AIRPORT POLICE, PARK RANGERS, UNIVERSITY
30 OR COLLEGE POLICE, GAME WARDENS, FISH COMMISSION OFFICERS OR

1 RAILROAD POLICE OR ANY EMPLOYEE OF A POLICE AGENCY WHICH DOES
2 NOT MAINTAIN CONTINUOUS PRIMARY POLICE COVERAGE OF ITS
3 JURISDICTION 24 HOURS PER DAY EVERY DAY OF THE YEAR.

4 "RADAR SPEED-MEASURING DEVICE." SPEED-MEASURING EQUIPMENT
5 USED FROM A STATIONARY POINT THAT DETERMINES TARGET RANGE AND
6 SPEED BASED ON RADIO MICROWAVES REFLECTED OFF A TARGET.

7 "SPEED ENFORCEMENT DEVICE." ANY OF THE FOLLOWING:

8 (1) ELECTRONIC RANGING DEVICE.

9 (2) SPEED TIMING DEVICE.

10 "SPEED TIMING DEVICE." A DEVICE OR SYSTEM THAT CALCULATES
11 SPEED BY MEASURING ELAPSED TIME BETWEEN MEASURED ROAD SURFACE
12 POINTS BY USING TWO SENSORS OR A DEVICE, INCLUDING A STOPWATCH,
13 THAT MEASURES AND CALCULATES THE AVERAGE SPEED OF A VEHICLE
14 BETWEEN TWO POINTS.

15 SECTION 2. THIS ACT SHALL TAKE EFFECT IN 180 DAYS.