

By: Senator(s) Smith

To: Judiciary

SENATE BILL NO. 2667

1 AN ACT TO REQUIRE THE DEPARTMENT OF PUBLIC SAFETY TO COMPILE
2 A LIST OF RELIABLE SPEED DETECTION EQUIPMENT; TO REQUIRE THE
3 DEPARTMENT OF PUBLIC SAFETY TO CONDUCT TRAINING COURSES FOR LOCAL
4 LAW ENFORCEMENT PERSONNEL IN THE USE OF SUCH EQUIPMENT; TO REQUIRE
5 THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO ESTABLISH A STATE
6 CONTRACT PRICE FOR SUCH EQUIPMENT; TO AMEND SECTION 63-3-519,
7 MISSISSIPPI CODE OF 1972, TO AUTHORIZE ALL COUNTIES AND
8 MUNICIPALITIES TO ACQUIRE SPEED DETECTION EQUIPMENT FOR USE BY
9 THEIR LAW ENFORCEMENT OFFICERS ON PUBLIC ROADS WITHIN THEIR
10 JURISDICTION; TO REQUIRE COUNTIES AND MUNICIPALITIES TO REEVALUATE
11 THEIR SPEED LIMITS PRIOR TO JULY 1, 1999; AND FOR RELATED
12 PURPOSES.

13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

14 SECTION 1. (1) The Mississippi Department of Public Safety
15 shall from time to time, by testing or from any other source or
16 method which the commissioner of the department deems reliable,
17 compile a list of speed detection equipment which the department
18 determines will accurately measure the speed of motor vehicles.

19 (2) From and after July 1, 1999, the Department of Public
20 Safety shall conduct training courses for law enforcement
21 personnel in the use of speed detection equipment which the
22 department has listed pursuant to subsection (1) of this section.

23 The department may charge a reasonable tuition fee for such
24 training, not to exceed Two Hundred Fifty Dollars (\$250.00) for
25 each person trained. The entity which a law enforcement officer
26 serves or by which he is employed is authorized to pay his
27 expenses, including tuition, incurred while attending such a
28 training course.

29 (3) In order that the lowest and best prices on speed
30 detection equipment will be available to local governing
31 authorities, the Department of Finance and Administration shall

expeditiously determine a state contract price for the speed detection equipment listed pursuant to subsection (1) of this section. County and municipal governing authorities shall be notified of such prices at least annually.

(4) The Department of Public Safety shall annually notify all law enforcement agencies which issue speeding citations of the time, location and duration of certification programs which the department plans to conduct pursuant to subsection (2) of this section. Such notification shall also contain a description of the type of speed detection equipment for which training will be offered.

SECTION 2. Section 63-3-519, Mississippi Code of 1972, is amended as follows:

63-3-519. (1) From and after July 1, 1999, the State Department of Public Safety, the governing authorities of any municipality and the board of supervisors of any county may acquire speed detection equipment for use by their law enforcement officers along the public roads within their respective jurisdictions. Equipment acquired by boards of supervisors may be used only by the sheriff or his deputies and constables, and the sheriff, his deputies and constables may use such equipment only in the unincorporated area of the county along public roads that are wholly or partially maintained by the county. The sheriff, his deputies and constables may use such equipment within incorporated municipalities when requested by the governing authorities of the municipality or the municipal chief of police or marshal. Equipment acquired by municipalities and counties shall only be utilized by full-time, state-certified law enforcement officers who have successfully completed a course of training conducted by the Department of Public Safety pursuant to Section 1(2), Senate Bill No. 2667, 1999 Regular Session. No part-time, noncertified or untrained law enforcement officer may obtain or utilize speed detection equipment; and no determination of speed taken by such an officer with such equipment may be the basis of any traffic citation.

(2) Prior to July 1, 1999, each municipality and county shall reevaluate the speed limits which have been set for those

roads and highways along which their law enforcement officers may
use speed detection equipment pursuant to subsection (1) of this
section. This reevaluation shall include at least one (1) public
hearing for which notice shall be given by publication in a
newspaper having general circulation in the municipality or
county, as the case may be. Such publication shall be once a week
for three (3) weeks prior to the date on which the public hearing
is scheduled. A copy of the findings from the reevaluation shall
be maintained at the city hall or the courthouse, as the case may
be, and a summary of such findings, emphasizing any speed limit
changes, shall be published prior to July 1, 1999, in a newspaper
having general circulation in the municipality or county, as the
case may be. In any municipality or county which fails to perform
the reevaluation required in this subsection, no determination of
speed with the use of speed detection equipment may be the basis
of any traffic citation after June 30, 1999.

SECTION 3. This act shall take effect and be in force from
and after its passage.