To: Judiciary

MISSISSIPPI LEGISLATURE                        REGULAR SESSION 2001
By: Senator(s) Dawkins, Chamberlin

SENATE BILL NO. 2931

AN ACT TO REQUIRE THE DEPARTMENT OF PUBLIC SAFETY TO COMPILE
A LIST OF RELIABLE SPEED DETECTION EQUIPMENT; TO REQUIRE THE
DEPARTMENT OF PUBLIC SAFETY TO CONDUCT TRAINING COURSES FOR LOCAL
LAW ENFORCEMENT PERSONNEL EMPLOYED BY CERTAIN SHERIFFS IN THE USE
OF SUCH EQUIPMENT; TO REQUIRE THE DEPARTMENT OF FINANCE AND
ADMINISTRATION TO ESTABLISH A STATE CONTRACT PRICE FOR SUCH
EQUIPMENT; TO AMEND SECTION 63-3-519, MISSISSIPPI CODE OF 1972, TO
AUTHORIZE ALL COUNTIES TO ACQUIRE SPEED DETECTION EQUIPMENT FOR
USE BY THEIR LAW ENFORCEMENT OFFICERS ON CERTAIN PUBLIC ROADS
WITHIN THEIR JURISDICTION, PROVIDED THAT THE BOARD OF SUPERVISORS
HAS APPROVED THE OPERATION BY TWO-THIRDS VOTE; AND FOR RELATED
PURPOSES.

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

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

(2) From and after July 1, 2001, the Department of Public
Safety shall conduct training courses for law enforcement
personnel employed by any sheriff in the use of speed detection
equipment which the department has listed pursuant to subsection
(1) of this section. The department may charge a reasonable
tuition fee for such training, not to exceed Two Hundred Fifty
Dollars ($250.00) for each person trained. The sheriff's
department which a law enforcement officer serves, or by which he
is employed, is authorized to pay the officer's expenses,
including tuition, incurred while attending such a training
course.

(3) In order that the lowest and best prices on speed
detection equipment will be available to local governing
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 boards of supervisors shall be notified of such
prices at least annually.

(4) The Department of Public Safety shall annually notify
all sheriffs 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. It shall be unlawful for any person or peace
officer or law enforcement agency, except the Mississippi Highway
Safety Patrol, to purchase or use, or allow to be used,
any type
of radar speed detection equipment upon any public street, road or
highway of this state. However, such equipment may be used:

1. By municipal law enforcement officers within a
municipality having a population of two thousand (2,000) or more
upon the public streets of the municipality;

2. By any college or university campus police force
within the confines of any campus wherein more than two thousand
(2,000) students are enrolled;

3. By municipal law enforcement officers in any
municipality having a population in excess of fifteen thousand
(15,000) according to the latest federal census on federally
designated highways lying within the corporate limits.

4. By county law enforcement officers in any county
having a population in excess of thirty-one thousand (31,000)
according to the latest federal census on the public streets or
roads of the county, including state highways, except for the
(a) Any public street or road in an incorporated municipality;
(b) Any street or road on any college or university campus; and
(c) Any federally designated highway.

No such operation shall be allowed until the board of supervisors of the county shall have deemed necessary the use of radar by county law enforcement officers and approved the same by a two-thirds (2/3) vote of all members.

The Mississippi Highway Safety Patrol will not set up radar on highways within municipalities with a population in excess of fifteen thousand (15,000) according to the latest federal census.

SECTION 3. This act shall take effect and be in force from and after July 1, 2001.