

By: Senator(s) Dawkins, Chamberlin

To: Judiciary

SENATE BILL NO. 2821

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 EMPLOYED BY CERTAIN SHERIFFS IN THE USE
 5 OF SUCH EQUIPMENT; TO REQUIRE THE DEPARTMENT OF FINANCE AND
 6 ADMINISTRATION TO ESTABLISH A STATE CONTRACT PRICE FOR SUCH
 7 EQUIPMENT; TO AMEND SECTION 63-3-519, MISSISSIPPI CODE OF 1972, TO
 8 AUTHORIZE ALL COUNTIES TO ACQUIRE SPEED DETECTION EQUIPMENT FOR
 9 USE BY THEIR LAW ENFORCEMENT OFFICERS ON CERTAIN PUBLIC ROADS
 10 WITHIN THEIR JURISDICTION, PROVIDED THAT THE BOARD OF SUPERVISORS
 11 HAS APPROVED THE OPERATION BY TWO-THIRDS VOTE; 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, 2002, the Department of Public
 20 Safety shall conduct training courses for law enforcement
 21 personnel employed by any sheriff in the use of speed detection
 22 equipment which the department has listed pursuant to subsection
 23 (1) of this section. The department may charge a reasonable
 24 tuition fee for such training, not to exceed Two Hundred Fifty
 25 Dollars (\$250.00) for each person trained. The sheriff's
 26 department which a law enforcement officer serves, or by which he
 27 is employed, is authorized to pay the officer's expenses,
 28 including tuition, incurred while attending such a training
 29 course.

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



33 expeditiously determine a state contract price for the speed
34 detection equipment listed pursuant to subsection (1) of this
35 section. County boards of supervisors shall be notified of such
36 prices at least annually.

37 (4) The Department of Public Safety shall annually notify
38 all sheriffs of the time, location and duration of certification
39 programs which the department plans to conduct pursuant to
40 subsection (2) of this section. Such notification shall also
41 contain a description of the type of speed detection equipment for
42 which training will be offered.

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

45 63-3-519. It shall be unlawful for any person or peace
46 officer or law enforcement agency, except the Mississippi Highway
47 Safety Patrol, to purchase or use, or allow to be used, any type
48 of radar speed detection equipment upon any public street, road or
49 highway of this state. However, such equipment may be used:

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

53 2. By any college or university campus police force
54 within the confines of any campus wherein more than two thousand
55 (2,000) students are enrolled;

56 3. By municipal law enforcement officers in any
57 municipality having a population in excess of fifteen thousand
58 (15,000) according to the latest federal census on federally
59 designated highways lying within the corporate limits.

60 4. By county law enforcement officers in any county
61 having a population in excess of thirty-one thousand (31,000)
62 according to the latest federal census on the public streets or
63 roads of the county, including state highways, except for the
64 following:



65 (a) Any public street or road in an incorporated
66 municipality;

67 (b) Any street or road on any college or
68 university campus; and

69 (c) Any federally designated highway.

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

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

77 **SECTION 3.** This act shall take effect and be in force from
78 and after July 1, 2002.

