

By: Senator(s) Ross

To: Judiciary, Division B

SENATE BILL NO. 2208

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 PUBLIC ROADS WITHIN THEIR
10 JURISDICTION, PROVIDED THAT THE BOARD OF SUPERVISORS HAS SO
11 DIRECTED BY RESOLUTION DULY SPREAD ON ITS MINUTES; AND FOR RELATED
12 PURPOSES.

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

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

19 (2) From and after October 1, 2004, 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, including
28 tuition, incurred while attending such a 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
32 expeditiously determine a state contract price for the speed

33 detection equipment listed pursuant to subsection (1) of this
34 section. County boards of supervisors shall be notified of such
35 prices at least annually.

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

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

44 63-3-519. It shall be unlawful for any person or peace
45 officer or law enforcement agency, except the Department of Public
46 Safety, to purchase or use or allow to be used any type of radar
47 speed detection equipment upon any public street, road or highway
48 of this state. However, such equipment may be used:

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

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

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

59 4. By any sheriff or certified law enforcement officer
60 employed by a sheriff who has met all requirements of Section 1 of
61 Senate Bill No. 2208, 2004 Regular Session, provided that the
62 county's board of supervisors has passed a resolution authorizing
63 the sheriff to do so.

64 The Department of Public Safety will not set up radar on
65 highways within municipalities with a population in excess of
66 fifteen thousand (15,000) according to the latest federal census.

67 **SECTION 3.** Section 1 of this act shall take effect and be in
68 force from and after October 1, 2004, and Section 2 of this act
69 shall take effect and be in force from and after January 1, 2005.