

By: Senator(s) Doty, Hudson

To: Accountability,
Efficiency, Transparency

SENATE BILL NO. 2667

1 AN ACT TO AMEND SECTION 63-3-519, MISSISSIPPI CODE OF 1972,
2 TO AUTHORIZE THE SHERIFF AND HIS DEPUTIES IN ANY COUNTY TO USE
3 RADAR SPEED DETECTION EQUIPMENT UPON THE PUBLIC STREETS, ROADS AND
4 HIGHWAYS OF THE COUNTY LYING OUTSIDE OF THE LIMITS OF ANY
5 INCORPORATED MUNICIPALITY; TO DEFINE AND PROHIBIT SPEED TRAPS; AND
6 FOR RELATED PURPOSES.

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

8 **SECTION 1.** Section 63-3-519, Mississippi Code of 1972, is
9 amended as follows:

10 63-3-519. (1) It shall be unlawful for any person or peace
11 officer or law enforcement agency, except the Mississippi Highway
12 Safety Patrol, to purchase or use or allow to be used any type of
13 radar speed detection equipment upon any public street, road or
14 highway of this state. However, such equipment may be used:

15 * * * (a) By municipal law enforcement officers within
16 a municipality having a population of two thousand (2,000) or
17 more, according to the latest federal decennial census, upon the
18 public streets of the municipality;



19 * * *(b) By any college or university campus police
20 force within the confines of any campus * * * in which more than
21 two thousand (2,000) students are enrolled;

22 * * *(c) By municipal law enforcement officers in any
23 municipality having a population in excess of fifteen thousand
24 (15,000) according to the latest federal decennial census on
25 federally designated highways lying within the corporate
26 limits * * *; or

27 (d) By the sheriff and his deputies, in any county on
28 any public road, street or highway (i) that is under the
29 jurisdiction of the county board of supervisors for maintenance
30 and construction, and (ii) that is located outside the corporate
31 limits of a municipality.

32 (2) (a) The Mississippi Highway Safety Patrol * * * shall
33 not set up radar on highways within municipalities with a
34 population in excess of fifteen thousand (15,000) according to the
35 latest federal decennial census.

36 (b) (i) It is unlawful for any person or peace officer
37 or law enforcement agency to operate radar speed detection
38 equipment at a speed trap.

39 (ii) For the purposes of this section, a "speed
40 trap" is a particular section of a highway with a prima facie
41 speed limit established by the local governing authority of the
42 jurisdiction that is not justified by an engineering and traffic
43 survey conducted within ten (10) years before the date of the



44 alleged violation unless the speed limit conforms to requirements
45 established by state or federal law.

46 (iii) This paragraph (b) does not apply to a
47 posted school zone or to a local street or road. A local street
48 or road is one that primarily provides access to abutting
49 residential property and meets the following three (3) conditions:

50 1. Roadway width of not more than forty (40)
51 feet.

52 2. Not more than one-half (1/2) mile of
53 uninterrupted length. "Interruptions" include official traffic
54 control signals.

55 3. Not more than one (1) traffic lane in each
56 direction.

57 **SECTION 2.** This act shall take effect and be in force from
58 and after July 1, 2018.

