

By: Representative Baker (74th)

To: Transportation

HOUSE BILL NO. 330

1 AN ACT TO AMEND SECTION 63-3-519, MISSISSIPPI CODE OF 1972,
 2 TO AUTHORIZE THE SHERIFF AND HIS DEPUTIES IN CERTAIN COUNTIES TO
 3 USE RADAR SPEED DETECTION EQUIPMENT UPON THE PUBLIC STREETS, ROADS
 4 AND HIGHWAYS OF THE COUNTY LYING OUTSIDE OF THE LIMITS OF ANY
 5 INCORPORATED MUNICIPALITY; TO PROVIDE THAT FINES COLLECTED FOR
 6 SPEEDING VIOLATIONS RESULTING FROM THE USE OF RADAR SPEED
 7 DETECTION EQUIPMENT BY THE SHERIFF OR DEPUTY SHERIFFS IN SUCH
 8 COUNTIES, WITH THE EXCEPTION OF SUCH COSTS AS THE COUNTY INCURS IN
 9 THE PURCHASE AND USE OF RADAR SPEED DETECTION EQUIPMENT, SHALL BE
 10 FORWARDED TO THE STATE TREASURER AND DEPOSITED INTO THE STATE
 11 GENERAL FUND; AND FOR RELATED PURPOSES.

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

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

15 63-3-519. (1) It is unlawful for any person or peace
 16 officer or law enforcement agency, except the Mississippi Highway
 17 Safety Patrol, to purchase or use or allow to be used any type of
 18 radar speed detection equipment upon any public street, road or
 19 highway of this state. However, such equipment may be used:

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

23 (b) By any college or university campus police force
 24 within the confines of any campus wherein more than two thousand
 25 (2,000) students are enrolled;

26 (c) By municipal law enforcement officers in any
 27 municipality having a population in excess of fifteen thousand
 28 (15,000) according to the latest federal census on federally
 29 designated highways lying within the corporate limits; and

30 (d) (i) By the sheriff and deputy sheriffs of any of
 31 the following counties upon the public streets, roads and highways

32 of the county lying outside of the limits of any incorporated
33 municipality:

34 1. Any county having a population in excess
35 of 107,000 according to the latest federal decennial census and in
36 which Interstate 55 and Mississippi Highway 302 intersect;

37 2. Any county having a population in excess
38 of 74,000 according to the latest federal decennial census and in
39 which Interstate 55 and Mississippi Highway 16 intersect; and

40 3. Any county having a population in excess
41 of 115,000 according to the latest federal decennial census and in
42 which Interstate 20 and U.S. Highway 49 intersect.

43 (ii) All fines collected for motor vehicle
44 speeding violations resulting from the use of radar speed
45 detection equipment as authorized under subparagraph (d)(i) of
46 this subsection (1), with the exception of such costs as the
47 county incurs in the purchase and use of radar speed detection
48 equipment by the sheriff's department of the county, shall be
49 forwarded to the State Treasurer and deposited into the State
50 General Fund.

51 (iii) Paragraph (d) of this subsection (1) shall
52 stand repealed from and after October 1, 2009.

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

57 **SECTION 2.** This act shall take effect and be in force from
58 and after July 1, 2005.