

**H. B. 2548**

(By Delegates Perdue, Hicks, Marcum, Rodighiero and Reynolds)

[Introduced February 2, 2015; referred to the

Committee on Roads and Transportation then the Judiciary.]

A BILL to amend and reenact §17C-6-7 of the Code of West Virginia, 1931, as amended, relating to authorizing incorporated Class IV municipalities to enforce speed limits by use of any device designed to measure and indicate or record speed by means of microwaves or reflected light.

*Be it enacted by the Legislature of West Virginia:*

That §17C-6-7 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

**ARTICLE 6. SPEED RESTRICTIONS.**

**§17C-6-7. Prima facie evidence of speed by devices employing microwaves or reflected light; placing of signs relative to radar or laser.**

The speed of a motor vehicle may be proved by evidence obtained by use of any device designed to measure and indicate or record the speed of a moving object by means of microwaves or reflected light, when such evidence is obtained by members of the State Police, by police officers

1 of incorporated municipalities in classes one, two and three, as defined in chapter eight-a of this  
2 code, by police officers of incorporated class four municipalities ~~except upon controlled access or~~  
3 ~~partially controlled access highways~~, and by the sheriff and his or her deputies. The evidence so  
4 obtained shall be accepted as prima facie evidence of the speed of the vehicle: *Provided*, That the  
5 evidence of speed is obtained and detected by a certified law-enforcement officer who has completed  
6 training for speed measuring devices used to obtain the speed of the motor vehicle: *Provided*,  
7 *however*, That the Governor's Committee on Crime, Delinquency and Correction shall, on or before  
8 January 1, 2012, establish or certify an eight-hour training and certification program and standards  
9 for speed measuring device training that certified law-enforcement officers who utilize speed  
10 measuring devices must complete or otherwise satisfy in order for any evidence of speed detected  
11 by a speed measuring device put forward by the officer to be accepted of prima facie evidence. All  
12 certified law- enforcement officers must have completed or otherwise satisfied the requirements of  
13 this section prior to January 1, 2013.

14 In order to inform and educate the public generally that speed of motor vehicles operating  
15 within the state is being tested by radar or laser mechanisms, the Division of Highways shall locate  
16 and place suitable and informative stationary and movable signs at strategic points on and along  
17 highways in each county of the state giving notice to the public that such radar or laser mechanisms  
18 are in use.

NOTE: The purpose of this bill is to authorize Class IV municipalities to enforce speed limits by use of any device designed to measure and indicate or record speed by means of microwaves or reflected light.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.