

House Bill 159

By: Representatives Day of the 163<sup>rd</sup>, Stephens of the 164<sup>th</sup>, and Neal of the 1<sup>st</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 2 of Chapter 14 of Title 40 of the Official Code of Georgia Annotated,  
2 relating to speed detection devices, so as to prohibit the use of such devices on highways or  
3 bridges which have a grade in excess of 7 percent; to provide an effective date; to repeal  
4 conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 SECTION 1.

7 Article 2 of Chapter 14 of Title 40 of the Official Code of Georgia Annotated, relating to  
8 speed detection devices, is amended by striking Code Section 40-14-9, relating to  
9 admissibility of certain evidence and use of speed detection devices on hills, and inserting  
10 in its place a new Code Section 40-14-9 to read as follows:

11 "40-14-9.

12 (a) Evidence obtained by county or municipal law enforcement officers in using speed  
13 detection devices within 300 feet of a reduction of a speed limit inside an incorporated  
14 municipality or within 600 feet of a reduction of a speed limit outside an incorporated  
15 municipality or consolidated city-county government shall be inadmissible in the  
16 prosecution of a violation of any municipal ordinance, county ordinance, or state law  
17 regulating speed; nor shall such evidence be admissible in the prosecution of a violation  
18 as aforesaid when such violation has occurred within 30 days following a reduction of the  
19 speed limit in the area where the violation took place, except that this 30 day limitation  
20 shall not apply to a speeding violation within a highway work zone, as defined in Code  
21 Section 40-6-188.

22 (b) No speed detection device shall be employed by county, municipal, or campus law  
23 enforcement officers on any portion of any highway or bridge which has a grade in excess  
24 of 7 percent.

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**SECTION 2.**

2 This Act shall become effective upon its approval by the Governor or upon its becoming law  
3 without such approval.

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**SECTION 3.**

5 All laws and parts of laws in conflict with this Act are repealed.