

House Bill 560

By: Representative Day of the 163rd

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 14 of Title 40 of the Official Code of Georgia Annotated, relating to use
2 of speed detection and traffic-control signal monitoring devices, so as to change certain
3 provisions relating to speed detection devices; to define a term; to provide certain restrictions
4 for photographic speed detection devices; to provide for related matters; to provide an
5 effective date; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 14 of Title 40 of the Official Code of Georgia Annotated, relating to use of speed
9 detection and traffic-control signal monitoring devices, is amended by redesignating
10 paragraph (4) as paragraph (5) and adding a new paragraph (4) to Code Section 40-14-1,
11 relating to definitions regarding use of speed detection devices, as follows:

12 "(4) 'Photographic speed detection device' means any speed detection device which is
13 equipped with photographic equipment capable of creating a photographic image of a
14 motor vehicle or driver or license plate of the motor vehicle while also measuring the
15 speed or velocity of the motor vehicle."

16 **SECTION 2.**

17 Said chapter is further amended by adding a new Code section as follows:

18 "40-14-25.

19 (a) Any person or business which offers for sale in this state a photographic speed
20 detection device shall be registered as a business with the Secretary of State, shall be
21 required to pay an annual business license fee of \$2,000.00, and shall post therewith a
22 \$5,000.00 bond for each photographic speed detection device to be sold in this state.

23 (b) Any law enforcement agency purchasing a photographic speed detection device shall
24 verify that the person or business from whom the agency is purchasing such device is
25 lawfully licensed and bonded as required in this Code section. Purchasing from an

1 individual or business that does not have a valid business license for the sale of
2 photographic speed detection devices or that has failed to post sufficient bond shall subject
3 the law enforcement agency to a revocation of its speed detection device permit as
4 provided in Article 2 of this chapter.

5 (c) It shall be unlawful for a photographic speed detection device to be utilized by any
6 county, municipality, or campus law enforcement agency for the detection of a traffic
7 violation unless the law enforcement agency has a valid permit issued by the Department
8 of Public Safety to operate speed detection devices.

9 (d) No photographic image created by a photographic speed detection device shall be
10 admissible in any civil or criminal proceeding against an alleged violator."

11 **SECTION 3.**

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

14 **SECTION 4.**

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