

House Bill 287

By: Representatives Benton of the 31<sup>st</sup> and England of the 108<sup>th</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 use of speed detection devices in traffic law enforcement, so as to provide that  
3 certain restrictions on the use of such devices shall not apply with respect to the use of speed  
4 detection devices in school zones; to provide for related matters; to provide an effective date;  
5 to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 2 of Chapter 14 of Title 40 of the Official Code of Georgia Annotated, relating to use  
9 of speed detection devices in traffic law enforcement, is amended by revising Code Section  
10 40-14-9, relating to certain restrictions on use of speed detection devices, as follows:

11 "40-14-9.

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

22 (b) The provisions of subsection (a) of this Code section relating to inadmissibility of  
23 evidence obtained by using speed detection devices within a certain distance of a reduction  
24 of a speed limit shall not apply in properly marked school zones one hour before, during,  
25 and one hour after the normal hours of school operation.

26 (c) No speed detection device shall be employed by county, municipal, or campus law  
27 enforcement officers on any portion of any highway which has a grade in excess of 7  
28 percent."

29 **SECTION 2.**

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

32 **SECTION 3.**

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