

---

HOUSE BILL 1181

---

State of Washington                      55th Legislature                      1997 Regular Session

By Representatives Sterk, O'Brien and Crouse

Read first time 01/16/97. Referred to Committee on Law & Justice.

1            AN ACT Relating to evidence; adding a new section to chapter 46.63  
2 RCW; and creating a new section.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4            NEW SECTION.    **Sec. 1.** The legislature finds that the national  
5 highway and traffic safety administration has established minimum  
6 performance specifications for speed measuring devices. The  
7 international association of chiefs of police, in cooperation with the  
8 national highway and traffic safety administration, has tested various  
9 radar speed measuring devices using the testing standards in the  
10 minimum performance specifications. Radar devices that are designed  
11 and constructed to provide accurate measurements of the speed of moving  
12 vehicles when properly calibrated and operated are approved for use as  
13 police traffic radar speed measuring devices. The national highway and  
14 traffic safety administration publishes a consumer products list of  
15 those radar devices. The legislature finds that those devices are  
16 sufficiently reliable when properly calibrated and operated that a  
17 court may take judicial notice of their reliability.

1        NEW SECTION.    **Sec. 2.**    A new section is added to chapter 46.63 RCW  
2 to read as follows:

3        In a hearing held to contest the determination that a traffic  
4 infraction has been committed, the court may take judicial notice of  
5 the reliability of the design, construction, and function of a radar  
6 speed measuring device if the device has been approved by the national  
7 highway and traffic safety administration for use as a police traffic  
8 radar speed measuring device and is contained in the national highway  
9 and traffic safety administration's published consumer products list of  
10 approved radar devices.

11        This section does not abrogate the rules of evidence that govern  
12 other foundational requirements to admit radar test results such as the  
13 proper calibration and operation of the particular radar device.

--- END ---