

**CHAPTER 105a. AUTOMATED SPEED ENFORCEMENT
SYSTEMS—TEMPORARY REGULATIONS**

Sec.

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Authority

The temporary provisions of this Chapter 105a issued under the Vehicle Code, 75 Pa.C.S. §§ 3368 and 3369, unless otherwise noted.

Source

The temporary provisions of this Chapter 105a adopted December 20, 2019, effective December 21, 2019, 49 Pa.B. 7410, unless otherwise noted.

§ 105a.1. Purpose.

This chapter sets forth temporary regulations for the approval, testing, certification, calibration and use of automated speed enforcement systems, including speed timing devices used in automated speed enforcement systems, authorized by 75 Pa.C.S. §§ 3368 and 3369 (relating to speed timing devices; and automated speed enforcement systems in active work zones).

§ 105a.2. Definitions.

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

Automated speed enforcement system—An electronic traffic sensor system that:

- (1) is able to automatically detect vehicles exceeding the posted speed limit with a type of speed timing device; and
- (2) produces a recorded image that shows:
 - (i) a clear and legible identification of only the vehicle's license plate;
 - (ii) location; and
 - (iii) date and time.

Speed timing device—As used in 75 Pa.C.S. § 3368 (relating to speed timing devices).

System—An automated speed enforcement system.

System device—A system or device used in a system, including a speed timing device.

System operator—A person who is responsible for operation of a system.

§ 105a.3. System and speed timing device minimum requirements.

(a) A system must automatically detect vehicles exceeding the posted speed limit with a type of speed timing device and produce a recorded image that shows:

- (1) a clear and legible identification of only the vehicle's license plate;
- (2) location; and
- (3) date and time.

(b) Each speed timing device used in a system must be approved by the Department under 75 Pa.C.S. § 3368 (relating to speed timing devices). Approval under 75 Pa.C.S. § 3368 shall mean that the speed timing device used in a system has been published by the Department in the *Pennsylvania Bulletin* as meeting the following:

- (1) the speed timing device is listed on the current Conforming Product List maintained by the National Highway Traffic Safety Administration, which is available at https://www.nhtsa.gov/sites/nhtsa.dot.gov/files/documents/combined_cpl_august_15_2018_portrait_format.pdf, as such speed timing devices meet or exceed current technical specifications of the National Highway Traffic Safety Administration; or
- (2) the speed timing device is tested and approved by an independent third party as capable of meeting the calibration standards of 67 Pa. Code § 105a.4 (relating to system and speed timing device use and certification) or the current technical specifications of the National Highway Traffic Safety Administration. These specifications for speed timing devices are available, as follows:
 - (i) Speed-Measuring Device Specifications: Down-the-Road RADAR Module, available at <https://www.nhtsa.gov/sites/nhtsa.dot.gov/files/812266-downroadradarmodule.pdf>.
 - (ii) Speed-Measuring Device Performance Specifications: Across-the-Road Radar Module, available at <https://www.nhtsa.gov/DOT/NHTSA/Traffic%20Injury%20Control/Articles/Associated%20Files/810845.pdf>.
 - (iii) LIDAR Speed-Measuring Device Performance Specifications, available at <https://www.nhtsa.gov/sites/nhtsa.dot.gov/files/documents/809811-lidarspeedmeasuringdevice.pdf>.

Cross References

This section cited in 67 Pa. Code § 105a.4 (relating to system and speed timing device use and certification).

§ 105a.4. System and speed timing device use and certification.

(a) *Minimum requirements.* A system administrator and system operator must only use a system meeting the minimum requirements of § 105a.3 (relating to system and speed timing device minimum requirements).

(b) *Proof of training.* A system operator shall complete training offered by the manufacturer of the system, including training on any devices critical to the

operation of the system, or the manufacturer's representative in the procedures for setting up, testing and operating a system. Upon completion of the training, the manufacturer or manufacturer's representative shall issue a signed certificate to the system device operator, which shall be admitted as evidence in any court proceeding for a violation involving a system device.

(c) *Daily log.* A system device operator shall fill out and sign a daily log for a system, which:

(1) states the date, time and location of the device setup;

(2) states that the system device operator successfully performed and the system device passed the self-tests specified by the manufacturer of the system device;

(3) shall be kept on file; and

(4) shall be admitted in any proceeding for a violation involving a system device.

(d) *Annual calibration check.* A system device shall undergo an annual calibration check performed by a calibration laboratory. As part of the annual calibration check, each speed timing device used in a system shall be calibrated and tested to meet one of the following standards:

(1) The Department's existing regulations at 67 Pa. Code §§ 105.1—105.95 (relating to mechanical, electrical and electronic speed-timing devices);

(2) The current technical specifications of the National Highway Traffic Safety Administration referenced above in § 105a.3(b); or

(3) The manufacturer's specifications and calibration standards for the speed timing device if an approved calibration laboratory confirms:

(i) the device meets the manufacturer's specifications and calibration standards; and

(ii) the device is accurate when field tested against a speed timing device approved under 67 Pa. Code §§ 105.1—105.95.

(e) *Approved calibration laboratories.* Approved calibration laboratories shall be the speed timing device calibration stations appointed by the Department under 67 Pa. Code §§ 105.1—105.95.

(f) *Annual system inspection.* An annual inspection of the system must be performed by an approved calibration laboratory to confirm through field testing that a system meets the manufacturer's specifications and the minimum requirements of § 105a.3. The annual system inspection may be conducted concurrent with an annual calibration check authorized under subsection (d).

(g) *Certificates of calibration and inspection.* The calibration laboratory shall issue a signed certificate of calibration after the annual calibration check, which shall be kept on file and shall be admitted as evidence in any proceeding for a violation involving a system device. An approved calibration laboratory must also issue a certificate of annual system inspection confirming that a system meets the manufacturer's specifications and the minimum requirements of § 105a.3.

(h) *Verification.* The notice of violation must include written verification that the system was operating correctly at the time of the alleged violation and the date of the most recent inspection that confirms the system to be operating properly. A system administrator or system operator shall include the then-current certificates of calibration and inspection required under subsection (g) and the daily log required under subsection (c) with the written verification.

Cross References

This section cited in 67 Pa. Code § 105a.3 (relating to system and speed timing device minimum requirements).

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