
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.

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