

March 17, 1980

LB 822

Safety Administration has contracted with Standards Division of the Commerce Department to set up some minimum operating standards for all radar units and once these procedures and standards have been established, it should be about June of this year, a list of acceptable units will be put out, and only a unit found on this list can be purchased with National Traffic Safety money. All of the radar units that are purchased in the state come from Highway Traffic Safety Administration money. We are not talking about state money. We are talking about a federal agency which is going to establish standards that will probably...probably indicate that most of the units on the road today will have to meet higher standards than they do or they will not be purchasable with this money. If the federal money is not there to purchase them, they will not be purchased by a state. There is so much involved with radar of a technical nature that I think it would take all of the time to deal with that so I am trying to hit on some policy questions and if you have questions relative to anything that I have not touched I want you to ask me. But here is something I think I ought to bring to your attention. The State Patrol has ceased for some years the use of certain radar units especially the handgun type device and these units which were found unfit for use by the State Patrol were passed on by the State Traffic Administration... Safety Administration to local and county law enforcement agencies. That results in an uneven enforcement even were their adequate training at the state level. It is not occurring at the local level. There are police officers at the municipal level. There are sheriffs who will acknowledge that they do not believe that radar is reliable. Clyde Story, who is a Sheriff, even testified to that effect in a court case not far from here. I think it may have been in...well, I don't remember the city. So if those who are using the radar have no confidence in it, in view of the questions that have been raised by the public, it is clear that something needs to be done by the state if it going to allow radar to be used to convict citizens to insure that there is much accuracy and reliability as is possible. Now another provision of the bill requires that the officer visually identify an alleged violator. For some reason, this provision has caused a lot of outcry and hubbub but I don't know why because at the law enforcement training center which teaches about radar, they advocate the visual observation of the speeder as well as the audio monitoring to be sure that the target which is giving a reading is the one actually in front of the device. MPH, which manufactures the much maligned, and justifiably so, K-55, says in its operator's manual which is only eight pages

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