

Ordinance No. 1240

AN ORDINANCE to amend Division 2, Article III, of Chapter 19 of the Code of the City of Alexandria, Virginia, 1953, as amended, by adding thereto a new section numbered 19-65.1, which said new Section 19-65.1 relates to CHECKING ON SPEED WITH ELECTRICAL DEVICES; PRIMA FACIE EVIDENCE; RESTRICTIONS ON ARREST; which said Division 2 relates to RECKLESS DRIVING, SPEEDING, ETC.; which said Article III relates to OPERATION OF VEHICLES; and which said Chapter 19 relates to MOTOR VEHICLES AND TRAFFIC.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Division 2, Article III, of Chapter 19 of the Code of the City of Alexandria, Virginia, 1953, as amended, be and the same hereby is amended by adding thereto a new section numbered 19-65.1 to read as follows:

Sec. 19-65.1. Checking on speed with electrical devices; prima facie evidence; restrictions on arrest.

A. The speed of any motor vehicle may be checked by the use of radio microwaves or other electrical device. The results of such checks shall be accepted as prima facie evidence of the speed of such motor vehicle in any court or legal proceedings where the speed of the motor vehicle is at issue.

B. The driver of any such motor vehicle may be arrested without a warrant under this section provided the arresting officer is in uniform and displays his badge of authority; provided that such officer has observed the registration of the speed of such motor vehicle by the radio microwaves or other electrical device, or has received a radio message from the officer who observed the speed of the motor vehicle registered by the radio microwaves or other electrical device; provided in the case of an arrest based on such a message that such radio message has been dispatched immediately after the speed of the motor vehicle was registered and furnished the license number or other positive identification of the vehicle and the registered speed to the arresting officer.

C. No operator of a motor vehicle may be arrested under this section unless signs have been placed at the City line on the primary highway system leading into the City, to indicate the legal rate of speed, and that the speed of motor vehicles may be measured by radio microwaves or other electrical device; there shall be a prima facie presumption that such signs were in place at the time of the commission of the offense of exceeding the legal rate of speed, and a certificate of the Director of Public Works as to the placing of such signs shall be admissible in evidence to support such presumption. Such legal rate of speed and notice of measurement of speed by radio microwaves or other electrical device may be posted on different signs and need not be posted on the same sign.

Section 2. That this ordinance shall be published in a newspaper of general circulation in the City not later than five days following its introduction together with a notice containing the time and place for a public hearing. The Clerk of the Council shall note the date of introduction and first reading, the date of publication, the date of the public hearing, and the date of the second reading and final passage in the minutes of the meeting. This ordinance shall become effective the date of its final passage.

FRANK E. MANN
Mayor

Final Passage: September 25, 1963