

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 2.2-1112 of the Code of Virginia and to amend the Code of Virginia by*
3 *adding a section numbered 19.2-270.7, relating to equipment used to determine the decibel level of*
4 *sound; admissibility of determination; training.*

[H 563]

Approved

7 **Be it enacted by the General Assembly of Virginia:**

8 **1. That § 2.2-1112 of the Code of Virginia is amended and reenacted and that the Code of Virginia**
9 **is amended by adding a section numbered 19.2-270.7 as follows:**

10 § 2.2-1112. Standardization of materials, equipment and supplies.

11 A. So far as practicable, all materials, equipment and supplies, purchased by or for the officers,
12 departments, agencies or institutions of the Commonwealth, shall be standardized by the Division, and
13 no variation shall be allowed from any established standard without the written approval of the Division.
14 The standard shall be determined upon the needs of all using agencies, so far as their needs are in
15 common, and for groups of using agencies or single using agencies so far as their needs differ. When
16 changes or alterations in equipment are necessary in order to permit the application of any standard, the
17 changes and alterations shall be made as rapidly as possible.

18 B. The Division shall determine the proper equipment or electrical devices used to monitor the speed
19 of any motor vehicle pursuant to § 46.2-882 and shall so advise the respective law-enforcement officials.
20 Police chiefs and sheriffs shall ensure that all such equipment and devices meet or exceed the standards
21 established by the Division. This ~~provision~~ subsection shall apply only to equipment and devices
22 purchased on or after July 1, 1986.

23 C. The Division shall determine the proper equipment to be used to determine the decibel level of
24 sound and shall so advise the respective law-enforcement officials. Police chiefs and sheriffs shall
25 ensure that all such equipment and devices meet or exceed the standards established by the Division
26 and shall maintain, inspect, calibrate, and test for accuracy all such equipment and devices on a
27 schedule and in accordance with standards established by the Division.

28 § 19.2-270.7. Determining decibel level of sound with proper equipment; certificate as to accuracy of
29 equipment.

30 A law-enforcement officer may use equipment deemed proper pursuant to subsection C of § 2.2-1112
31 to determine the decibel level of any sound, including noise. The results of such determinations shall be
32 accepted as prima facie evidence of the decibel level of the sound in any court or legal proceeding
33 where the decibel level of the sound is at issue.

34 In any court or legal proceeding in which any question arises about the calibration or accuracy of
35 such equipment used to determine the decibel level of sound, a certificate, or a true copy thereof,
36 showing the calibration or testing for accuracy of the equipment, and when and by whom the
37 calibration or test was made, shall be admissible as evidence of the facts therein stated. No calibration
38 or testing of such equipment shall be valid for longer than 12 months.

ENROLLED

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