12 NCAC 09C .0607 SPEED-MEASURING INSTRUMENT ANNUAL ACCURACY TESTS AND DAILY OPERATIONAL PROCEDURES

(a) All requirements for accuracy testing methods and operational procedures for speed measuring instruments used by law enforcement officers and agencies to measure the speed of vehicles for enforcement of speed laws and regulations shall conform with G.S. 8-50.2 and G.S. 17C-6.

(b) Each speed measuring instrument shall be tested for accuracy within a 12-month period prior to each use of the instrument for speed enforcement purposes, as outlined in "Appendix B: Annual Tests for Accuracy Requirements" published by the North Carolina Justice Academy, which is hereby incorporated by reference, and shall include any later amendments and editions of the incorporated material as provided by G.S. 150B-21.6. Copies of this publication may be obtained at no cost from the Department of Justice website: https://ncdoj.gov/law-enforcement-training/criminal-justice/forms-and-publications/#91-105-wpfd-smi. The results of the tests shall be recorded on Form SMI-9 for RADAR instruments and Form SMI-12 for LIDAR instruments, pursuant to 12 NCAC 09I .0106.

(c) On a daily basis, speed measuring instruments must be calibrated and tested for accuracy by the certified SMI operator prior to using the instrument for speed enforcement purposes. The tests shall be conducted according to the recommendations of the instrument's manufacturer and include tuning fork tests for each of the instrument's modes of operation.

(d) The daily operating procedures by SMI operators of each speed measuring instrument shall be in accordance with the instrument's manufacturer recommendations and conform with G.S. 8-50.2. The daily operating procedures are outlined in "Appendix C: Daily Tests for Accuracy Requirements & Operating Procedures" as published by the North Carolina Justice Academy, which is hereby incorporated by reference, and shall include any later amendments and editions of the incorporated material as provided by G.S. 150B-21.6. Copies of this publication may be obtained at no cost from the Department of Justice website https://ncdoj.gov/law-enforcement-training/criminal-justice/forms-and-publications/#91-105-wpfd-smi.

History Note: *Authority G.S. 8-50.2; 17C-6;*
Eff. August 1, 1998;
Amended Eff: May 1, 2004;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25, 2019;
Amended Eff. February 1, 2026.