



Lynn Fitch
ATTORNEY GENERAL
OPINIONS AND POLICY

August 25, 2025

The Honorable Charlie Sims, Sheriff
Forrest County Sheriff's Office
Post Office Box 747
Hattiesburg, Mississippi 39403

Re: Mississippi Code Annotated Section 63-3-519

Dear Sheriff Sims:

The Office of the Attorney General has received your request for an official opinion.

Questions Presented

1. Does Mississippi Code Annotated Section 63-3-519, by its plain language, apply exclusively to radar speed detection devices, or can its prohibitions reasonably be extended to include other non-radar technologies such as LIDAR, camera-based systems, or other digital or optical instruments?
2. If the legislature intended to prohibit all forms of automated or remote speed detection, would such intent not have been more clearly stated through inclusive or technology-neutral language?
3. Should municipalities or law enforcement agencies be permitted to use speed detection systems that do not rely on radar technology, provided their use otherwise complies with applicable laws and constitutional protections?

Brief Response

1. This office has consistently opined that “the intent of § 63-3-519 is to prohibit the use of all devices for the detection of the speed of automobiles, not just those which use emission of electronic waves.” MS AG Op., *Ewing* at *1 (Feb. 10, 1993).
2. This question is outside the scope of an official opinion.
3. Please see response to question one.

Applicable Law and Discussion

Section 63-3-519 provides:

It shall be unlawful for any person or peace officer or law enforcement agency, except the Mississippi Highway Safety Patrol, to purchase or use or allow to be used *any type* of radar speed detection equipment upon any public street, road or highway of this state. However, such equipment may be used:

- (a) By municipal law enforcement officers within a municipality having a population of two thousand (2,000) or more according to the latest or a previous federal census upon the public streets of the municipality, but in no case where the latest federal census population for the municipality is less than one thousand five hundred (1,500);
- (b) By any college or university campus police force within the confines of any campus wherein more than two thousand (2,000) students are enrolled;
- (c) By municipal law enforcement officers in any municipality having a population in excess of fifteen thousand (15,000) according to the latest federal census on federally designated highways lying within the corporate limits.
- (d) By municipal law enforcement officers upon the public streets of any incorporated municipality (i) where the county seat is located in the municipality and (ii) where there is a public community college located in the municipality.

The Mississippi Highway Safety Patrol shall be immediately notified by municipal law enforcement of any road blockages or emergencies occurring on any federally designated limited-access highways lying within the corporate limits.

Miss. Code Ann. § 63-3-519 (emphasis added).

This office has consistently opined that “the intent of § 63-3-519 is to prohibit the use of all devices for the detection of the speed of automobiles, not just those which use emission of electronic waves.” MS AG Op., *Ewing* at *1; *see also* MS AG Op., *Chism* at *1 (Mar. 9, 1994) (“[L]aser speed detection devices fall within the prohibition of radar speed detection equipment in § 63-3-519.”); MS AG Op., *McFatter* at *1 (May 31, 2002) (“[T]he legislative intent of Section 63-3-519 is to prohibit the use of speed detection devices by those agencies not authorized to use them.”); MS AG Op., *Magee* at *1 (Oct. 21, 2005) (“The statute references ‘any type of radar speed detection equipment’ which would include VASCAR.”); *but see* MS AG Op., *Sollie* at *1 (Jan. 23, 2001) (regarding Section 63-3-519 and stating “a law enforcement officer may enforce the posted speed limits by pacing a violator in his patrol vehicle.”).

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Regarding your second question, Section 7-5-25 allows this office to opine upon prospective matters of Mississippi law only. Accordingly, we cannot answer this question as such answer would be speculative and outside the scope of Section 7-5-25.

If this office may be of any further assistance to you, please do not hesitate to contact us.

Sincerely,

LYNN FITCH, ATTORNEY GENERAL

By: */s/ Maggie Kate Bobo*

Maggie Kate Bobo
Special Assistant Attorney General

OFFICIAL OPINION