## Department of Planning and Budget 2025 General Assembly Session State Fiscal Impact Statement

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**Bill Number:** SB1209S2 **Patron:** Obenshain

**Bill Title:** Photo speed monitoring devices; private vendors; calibration; civil penalty.

Bill Summary: Requires any private vendor that has entered into an agreement with a law-enforcement agency to provide a photo speed monitoring device and is also compensated for the calibration of such device to calibrate such device in the same manner and to the same specifications as all other devices determining speed, to the extent that such devices utilize the same method of speed detection as such photo speed monitoring device, used by such law-enforcement agency. The bill also (i) requires such a private vendor to provide, within 10 days of a request by a person receiving a summons by mail for a vehicle speed violation recorded by a photo speed monitoring device provided by such private vendor, for proof of calibration for such photo speed monitoring device; (ii) requires such a summons to provide notice of such right to request such proof of calibration; and (iii) imposes a civil penalty on any private vendor who fails to provides such proof of calibration within such time. Additionally, this bill requires the private vendor to conduct a daily accuracy test to confirm the accuracy of such device and transmit the results from the previous day's test to the law-enforcement agency with which such private vendor has entered into an agreement.

**Budget Amendment Necessary:** Yes **Items Impacted:** Item 415

**Explanation:** See below

**Fiscal Summary:** The Department of State Police anticipates personnel expenses as a result of this bill. The amount of revenue generated for the Commonwealth Transportation Fund from the creation of an additional civil penalty is indeterminate. The Virginia Department of Transportation does not anticipate an operational impact.

## **General Fund Expenditure Impact:**

<u>Agency</u>	FY2025	<u>FY2026</u>	<u>FY2027</u>	<u>FY2028</u>	<u>FY2029</u>	FY2030
Dept. of State Police	0	\$138,966	\$130,079	\$130,079	\$130,079	\$130,079
TOTAL	0	\$138,966	\$130,079	\$130,079	\$130,079	\$130,079

## **Position Impact:**

Dept. of State Police  0 1 1 1 1 1 1 1	<u>Agency</u>	FY2025	<u>FY2026</u>	<u>FY2027</u>	<u>FY2028</u>	<u>FY2029</u>	<u>FY2030</u>
	Dept. of State Police	0	1	1	1	1	1

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TOTAL 0 1 1 1 1 1

**Fiscal Analysis:** The bill adds additional reporting and aggregation of data for Virginia State Police (VSP). The bill requires the agency to aggregate the results of the daily accuracy tests, as well as the operating costs for the use of photo speed devices for the agency operating them. This is in addition to data already collected by the agency. VSP anticipates needing additional funding for a Senior Management Analyst position. The estimated cost of the position is \$138,966 the first year and \$130,079 the second year. The agency reported that at the end of calendar year 2024, there were 298 devices operated by 39 agencies in the Commonwealth.

The bill provides that any private vendor who fails to provide proof of calibration within 10 days is subject to a civil penalty of \$1,000 and that such penalties would be paid to the Commonwealth Transportation Board to be used for the Virginia Highway Safety Improvement Program. The number of potential penalties imposed and subsequent revenue generated is indeterminate. The Virginia Department of Transportation (VDOT) manages the program and it is anticipated that there would not be an operational impact to VDOT beyond allocating any additional revenue to qualifying projects.

Other: None.