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1 **SENATE BILL NO. 297**

2 Offered January 14, 2026

3 Prefiled January 13, 2026

4 *A BILL to amend and reenact §§ 33.2-373, 46.2-208, and 46.2-882 of the Code of Virginia and to repeal §*
5 *46.2-882.1 of the Code of Virginia, relating to use of photo speed monitoring devices; repeal.*

6 Patron—Peake

7 Referred to Committee on Transportation

8 **Be it enacted by the General Assembly of Virginia:**9 **1. That §§ 33.2-373, 46.2-208, and 46.2-882 of the Code of Virginia are amended and reenacted as**
10 **follows:**11 **§ 33.2-373. Virginia Highway Safety Improvement Program.**12 A. The Board shall establish the Virginia Highway Safety Improvement Program (the Program) to reduce
13 motorized and nonmotorized fatalities and severe injuries on highways in the Commonwealth, whether such
14 highways are state or locally maintained. The Board shall use funds set aside pursuant to § 33.2-358 and any
15 funds deposited pursuant to § 46.2-882.1 for the Program.16 B. Beginning in fiscal year 2024, the Board shall, after program administration costs, allocate the funds in
17 accordance with its adopted investment strategy pursuant to subsection C as follows:18 1. At least 54 percent for infrastructure projects that address a hazardous road location or feature and
19 address an identified highway safety problem;20 2. At least 29 percent for strategies and activities to address behavioral causes of crashes that result in
21 fatalities and severe injuries; and22 3. The remaining amount for eligible purposes under this section pursuant to the investment strategy
23 adopted pursuant to subsection C.24 C. The Board shall adopt an investment strategy to guide the investments of the Program. The strategy
25 shall cover a period of at least five years and seek to achieve a significant reduction in the anticipated number
26 of fatalities and severe injuries over the covered period and shall give priority to projects, strategies, and
27 activities based on the expected reduction in fatalities and severe injuries relative to cost, including
28 improvements that are widely implemented based on a high-risk roadway feature that is correlated with a
29 particular crash type, rather than crash frequency.30 **§ 46.2-208. Records of Department; when open for inspection; release of privileged information.**31 A. The following information shall be considered privileged and unless otherwise provided for in this title
32 shall not be released except as provided in subsection B:

33 1. Personal information as defined in § 2.2-3801;

34 2. Driver information, defined as all data that relates to driver's license status and driver activity;

35 3. Special identification card information, defined as all data that relates to identification card status; and

36 4. Vehicle information, including all descriptive vehicle data and title, registration, and vehicle activity
37 data, but excluding crash data.

38 B. The Commissioner shall release such information only under the following conditions:

39 1. Notwithstanding other provisions of this section, medical information included in personal information
40 shall be released only to a physician, a physician assistant, or an advanced practice registered nurse in
41 accordance with a proceeding under §§ 46.2-321 and 46.2-322.

42 2. 3. [Repealed.]

43 4. Upon the request of (i) the subject of the information, (ii) the parent of a minor who is the subject of the
44 information, (iii) the guardian of the subject of the information, (iv) the authorized agent or representative of
45 the subject of the information, or (v) the owner of the vehicle that is the subject of the information, the
46 Commissioner shall provide him with the requested information and a complete explanation of it. Requests
47 for such information need not be made in writing or in person and may be made orally or by telephone,
48 provided that the Department is satisfied that there is adequate verification of the requester's identity. When
49 so requested in writing by (a) the subject of the information, (b) the parent of a minor who is the subject of the
50 information, (c) the guardian of the subject of the information, (d) the authorized agent or representative
51 of the subject of the information, or (e) the owner of the vehicle that is the subject of the information, the
52 Commissioner shall verify and, if necessary, correct the personal information provided and furnish driver,
53 special identification card, or vehicle information. If the requester is requesting such information in the scope
54 of his official business as counsel from a public defender's office or as counsel appointed by a court, such
55 records shall be provided free of charge.56 5. Upon the written request of any insurance carrier or surety, or authorized agent of either, the
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59 Commissioner shall furnish to such requester information in the record of any person subject to the
60 provisions of this title. The transcript shall include any record of any conviction of a violation of any
61 provision of any statute or ordinance relating to the operation or ownership of a motor vehicle or of any
62 injury or damage in which he was involved and a report filed pursuant to § 46.2-373. No such report of any
63 conviction or crash shall be made after 60 months from the date of the conviction or crash unless the
64 Commissioner or court used the conviction or crash as a reason for the suspension or revocation of a driver's
65 license or driving privilege, in which case the revocation or suspension and any conviction or crash pertaining
66 thereto shall not be reported after 60 months from the date that the driver's license or driving privilege has
67 been reinstated. The response of the Commissioner under this subdivision shall not be admissible in evidence
68 in any court proceedings.

69 6. Upon the written request of any business organization or its authorized agent, in the conduct of its
70 business, the Commissioner shall compare personal information supplied by the requester with that contained
71 in the Department's records and, when the information supplied by the requester is different from that
72 contained in the Department's records, provide the requester with correct information as contained in the
73 Department's records. Personal information provided under this subdivision shall be used solely for the
74 purpose of pursuing remedies that require locating an individual.

75 7. Upon the written request of any business organization or its authorized agent, the Commissioner shall
76 provide vehicle information to the requester. Disclosures made under this subdivision shall not include any
77 personal information, driver information, or special identification card information and shall not be subject to
78 the limitations contained in subdivision 6.

79 8. Upon the written request of any motor vehicle rental or leasing company or its authorized agent, the
80 Commissioner shall (i) compare personal information supplied by the requester with that contained in the
81 Department's records and, when the information supplied by the requester is different from that contained in
82 the Department's records, provide the requester with correct information as contained in the Department's
83 records and (ii) provide the requester with driver information of any person subject to the provisions of this
84 title. Such information shall include any record of any conviction of a violation of any provision of any
85 statute or ordinance relating to the operation or ownership of a motor vehicle or of any injury or damage in
86 which the subject of the information was involved and a report of which was filed pursuant to § 46.2-373. No
87 such information shall include any record of any conviction or crash more than 60 months after the date of
88 such conviction or crash unless the Commissioner or court used the conviction or crash as a reason for the
89 suspension or revocation of a driver's license or driving privilege, in which case the revocation or suspension
90 and any conviction or crash pertaining thereto shall cease to be included in such information after 60 months
91 from the date on which the driver's license or driving privilege was reinstated. The response of the
92 Commissioner under this subdivision shall not be admissible in evidence in any court proceedings.

93 9. Upon the request of any federal, state, or local governmental entity, local government group self-
94 insurance pool, law-enforcement officer, attorney for the Commonwealth, or court, or the authorized agent of
95 any of the foregoing, the Commissioner shall compare personal information supplied by the requester with
96 that contained in the Department's records and, when the information supplied by the requester is different
97 from that contained in the Department's records, provide the requester with correct information as contained
98 in the Department's records. The Commissioner shall also provide driver, special identification card, and
99 vehicle information as requested pursuant to this subdivision. The Commissioner may release other
100 appropriate information to the governmental entity upon request. Upon request in accordance with this
101 subdivision, the Commissioner shall furnish a certificate, under seal of the Department, setting forth a
102 distinguishing number or license plate of a motor vehicle, trailer, or semitrailer, together with the name and
103 address of its owner. The certificate shall be *prima facie* evidence in any court in the Commonwealth of the
104 ownership of the vehicle, trailer, or semitrailer to which the distinguishing number or license plate has been
105 assigned by the Department. However, the Commissioner shall not release any photographs pursuant to this
106 subdivision unless the requester provides the depicted individual's name and other sufficient identifying
107 information contained on such individual's record. The information in this subdivision shall be provided free
108 of charge.

109 The Department shall release to a requester information that is required for a requester to carry out the
110 requester's official functions in accordance with this subdivision. If the requester has entered into an
111 agreement with the Department, such agreement shall be in a manner prescribed by the Department, and such
112 agreement shall contain the legal authority that authorizes the performance of the requester's official
113 functions and a description of how such information will be used to carry out such official functions. If the
114 Commissioner determines that sufficient authority has not been provided by the requester to show that the
115 purpose for which the information shall be used is one of the requester's official functions, the Commissioner
116 shall refuse to enter into any agreement. If the requester submits a request for information in accordance with
117 this subdivision without an existing agreement to receive the information, the request shall be in a manner
118 prescribed by the Department, and such request shall contain the legal authority that authorizes the
119 performance of the requester's official functions and a description of how such information will be used to
120 carry out such official functions. If the Commissioner determines that sufficient authority has not been

121 provided by the requester to show that the purpose for which such information shall be used is one of the
 122 requester's official functions, the Commissioner shall deny such request.

123 Notwithstanding the provisions of this subdivision, the Department shall not disseminate to any federal,
 124 state, or local government entity, law-enforcement officer, or law-enforcement agency any privileged
 125 information for any purposes related to civil immigration enforcement unless (i) the subject of the
 126 information provides consent or (ii) the requesting agency presents a lawful judicial order, judicial subpoena,
 127 or judicial warrant. When responding to a lawful judicial order, judicial subpoena, or judicial warrant, the
 128 Department shall disclose only those records or information specifically requested. Within three business
 129 days of receiving a request for information for the purpose of civil immigration enforcement, the
 130 Commissioner shall send a notification to the individual about whom such information was requested that
 131 such a request was made and the identity of the entity that made such request.

132 The Department shall not enter into any agreement pursuant to subsection E with a requester pursuant to
 133 this subdivision unless the requester certifies that the information obtained will not be used for civil
 134 immigration purposes or knowingly disseminated to any third party for any purpose related to civil
 135 immigration enforcement.

136 10. Upon the request of the driver licensing authority in any foreign country, the Commissioner shall
 137 provide whatever driver and vehicle information the requesting authority shall require to carry out its official
 138 functions. The information shall be provided free of charge.

139 11. a. For the purpose of obtaining information regarding noncommercial driver's license holders, upon
 140 the written request of any employer, prospective employer, or authorized agent of either, and with the written
 141 consent of the individual concerned, the Commissioner shall (i) compare personal information supplied by
 142 the requester with that contained in the Department's records and, when the information supplied by the
 143 requester is different from that contained in the Department's records, provide the requester with correct
 144 information as contained in the Department's records and (ii) provide the requester with driver information in
 145 the form of a transcript of an individual's record, including all convictions, all crashes, any type of driver's
 146 license that the individual currently possesses, and all driver's license suspensions, revocations, cancellations,
 147 or forfeiture, provided that such individual's position or the position that the individual is being considered for
 148 involves the operation of a motor vehicle.

149 b. For the purpose of obtaining information regarding commercial driver's license holders, upon the
 150 written request of any employer, prospective employer, or authorized agent of either, the Commissioner shall
 151 (i) compare personal information supplied by the requester with that contained in the Department's records
 152 and, when the information supplied by the requester is different from that contained in the Department's
 153 records, provide the requester with correct information as contained in the Department's records and (ii)
 154 provide the requester with driver information in the form of a transcript of such individual's record, including
 155 all convictions, all crashes, any type of driver's license that the individual currently possesses, and all driver's
 156 license suspensions, revocations, cancellations, forfeitures, or disqualifications, provided that such
 157 individual's position or the position that the individual is being considered for involves the operation of a
 158 commercial motor vehicle.

159 12. Upon the written request of any member of a volunteer fire company or volunteer emergency medical
 160 services agency and with written consent of the individual concerned, or upon the request of an applicant for
 161 membership in a volunteer fire company or to serve as volunteer emergency medical services personnel, the
 162 Commissioner shall (i) compare personal information supplied by the requester with that contained in the
 163 Department's records and, when the information supplied by the requester is different from that contained in
 164 the Department's records, provide the requester with correct information as contained in the Department's
 165 records and (ii) provide driver information in the form of a transcript of the individual's record, including all
 166 convictions, all crashes, any type of driver's license that the individual currently possesses, and all license
 167 suspensions, revocations, cancellations, or forfeitures. Such transcript shall be provided free of charge if the
 168 request is accompanied by appropriate written evidence that the person is a member of or applicant for
 169 membership in a volunteer fire company or a volunteer emergency medical services agency and the transcript
 170 is needed by the requester to establish the qualifications of the member, volunteer, or applicant to operate
 171 equipment owned by the volunteer fire company or volunteer emergency medical services agency.

172 13. Upon the written request of a Virginia affiliate of Big Brothers Big Sisters of America, a Virginia
 173 affiliate of Compeer, or the Virginia Council of the Girl Scouts of the USA, and with the consent of the
 174 individual who is the subject of the information and has applied to be a volunteer with the requester, or on the
 175 written request of a Virginia chapter of the American Red Cross, a Virginia chapter of the Civil Air Patrol, or
 176 Faith in Action, and with the consent of the individual who is the subject of the information and applied to be
 177 a volunteer vehicle operator with the requester, the Commissioner shall (i) compare personal information
 178 supplied by the requester with that contained in the Department's records and, when the information supplied
 179 by the requester is different from that contained in the Department's records, provide the requester with
 180 correct information as contained in the Department's records and (ii) provide driver information in the form
 181 of a transcript of the applicant's record, including all convictions, all crashes, any type of driver's license that

182 the individual currently possesses, and all license suspensions, revocations, cancellations, or forfeitures. Such
183 transcript shall be provided at a fee that is one-half the normal charge if the request is accompanied by
184 appropriate written evidence that the person has applied to be a volunteer or volunteer vehicle operator with
185 the requester as provided in this subdivision.

186 14. On the written request of any person who has applied to be a volunteer with a court-appointed special
187 advocate program pursuant to § 9.1-153, the Commissioner shall provide a transcript of the applicant's
188 record, including all convictions, all crashes, any type of driver's license that the individual currently
189 possesses, and all license suspensions, revocations, cancellations, or forfeitures. Such transcript shall be
190 provided free of charge if the request is accompanied by appropriate written evidence that the person has
191 applied to be a volunteer with a court-appointed special advocate program pursuant to § 9.1-153.

192 15. 16. [Repealed.]

193 17. Upon the request of an attorney representing a person involved in a motor vehicle crash, the
194 Commissioner shall provide the vehicle information for any vehicle involved in the crash and the name and
195 address of the owner of any such vehicle.

196 18. Upon the request, in the course of business, of any authorized agent of an insurance company or of
197 any not-for-profit entity organized to prevent and detect insurance fraud, or perform rating and underwriting
198 activities, the Commissioner shall provide (i) all vehicle information, the owner's name and address,
199 descriptive data and title, registration, and vehicle activity data, as requested, or (ii) the driver name, license
200 number and classification, date of birth, and address information for each driver under the age of 22 licensed
201 in the Commonwealth, provided that such request includes the driver's license number or address information
202 of such driver. Use of such information shall be limited to use in connection with insurance claims
203 investigation activities, antifraud activities, rating, or underwriting.

204 19. [Repealed.]

205 20. Upon the written request of the compliance agent of a private security services business, as defined in
206 § 9.1-138, which is licensed by the Virginia Department of Criminal Justice Services, the Commissioner shall
207 provide the name and address of the owner of the vehicle under procedures determined by the Commissioner.

208 21. (For contingent expiration date, see Acts 2023, c. 738, cl. 2) Upon the request of the operator of a toll
209 facility, a traffic light signal violation monitoring system acting on behalf of a government entity, a traffic
210 control device violation monitoring system acting on behalf of a government entity, or the Dulles Access
211 Highway, or an authorized agent or employee of a toll facility operator, a traffic light signal violation
212 monitoring system operator acting on behalf of a government entity, a traffic control device violation
213 monitoring system operator acting on behalf of a government entity, or the Dulles Access Highway, for the
214 purpose of obtaining vehicle owner data under subsection H of § 15.2-968.1, subsection A of § 33.2-504,
215 subsection M of § 46.2-819.1, subsection P of § 46.2-819.3:1, or subsection N of § 46.2-819.5. Information
216 released pursuant to this subdivision shall be limited to (i) the name, physical address, and, if available, email
217 or other electronic address of the owner of the vehicle having failed to pay a toll, comply with a traffic light
218 signal, or comply with a traffic control device or having improperly used the Dulles Access Highway and (ii)
219 the vehicle information, including all descriptive vehicle data and title and registration data of the same
220 vehicle.

221 21. (For contingent effective date, see Acts 2023, c. 738, cl. 2) Upon the request of the operator of a toll
222 facility, a traffic light photo monitoring system acting on behalf of a government entity, or the Dulles Access
223 Highway, or an authorized agent or employee of a toll facility operator or traffic light photo monitoring
224 system operator acting on behalf of a government entity or the Dulles Access Highway, for the purpose of
225 obtaining vehicle owner data under subsection H of § 15.2-968.1, subsection A of § 33.2-504, subsection M
226 of § 46.2-819.1, subsection P of § 46.2-819.3:1, or subsection N of § 46.2-819.5. Information released
227 pursuant to this subdivision shall be limited to the name, physical address, and, if available, email or other
228 electronic address of the owner of the vehicle having failed to pay a toll or having failed to comply with a
229 traffic light signal or having improperly used the Dulles Access Highway and the vehicle information,
230 including all descriptive vehicle data and title registration data of the same vehicle.

231 22-26. [Repealed.]

232 27. Upon the written request of the executor or administrator of a deceased person's estate, the
233 Department shall, if the deceased person had been issued a driver's license or special identification card by
234 the Department, supply the requester with a hard copy image of any photograph of the deceased person kept
235 in the Department's records.

236 28. [Repealed.]

237 29. a. Upon written agreement, the Commissioner may digitally verify the authenticity and validity of a
238 driver's license, learner's permit, or special identification card to the American Association of Motor Vehicle
239 Administrators, a motor vehicle dealer as defined in § 46.2-1500, or another organization approved by the
240 Commissioner.

241 b. Upon written agreement, the Commissioner may release minimum information as needed in the
242 Department's record through any American Association of Motor Vehicle Administrators service program
243 created for the purpose of the exchange of information to any business, government agency, or authorized

244 agent who would otherwise be authorized to receive the information requested pursuant to this section.

245 30. Upon the request of the operator of a video-monitoring system as defined in § 46.2-844 acting on
 246 behalf of a government entity, the Commissioner shall provide vehicle owner data pursuant to subsection B
 247 of § 46.2-844. Information released pursuant to this subdivision shall be limited to the name and address of
 248 the owner of the vehicle having passed a stopped school bus and the vehicle information, including all
 249 descriptive vehicle data and title and registration data for such vehicle.

250 31. Upon the request of the operator of a photo speed monitoring device as defined in § 46.2-882.1 acting
 251 on behalf of a government entity, the Commissioner shall provide vehicle owner data pursuant to subsection
 252 H of § 46.2-882.1. Information released pursuant to this subdivision shall be limited to the name and address
 253 of the owner of the vehicle having committed a vehicle speed violation, as defined in § 46.2-882.1, and the
 254 vehicle information, including all descriptive vehicle data and title and registration data, for such vehicle.

255 32. Notwithstanding the provisions of this section other than subdivision 33 32, the Department shall not
 256 release, except upon request by the subject of the information, the guardian of the subject of the information,
 257 the parent of a minor who is the subject of the information, or the authorized agent of the subject of the
 258 information, or pursuant to a court order, (i) proof documents submitted for the purpose of obtaining a driving
 259 credential or a special identification card, (ii) the information in the Department's records indicating the type
 260 of proof documentation that was provided, or (iii) applications relating to the issuance of a driving credential
 261 or a special identification card. As used in this subdivision, "proof document" means any document not
 262 originally created by the Department that is submitted to the Department for the issuance of any driving
 263 credential or special identification card. "Proof document" does not include any information contained on a
 264 driving credential or special identification card.

265 33. 32. Notwithstanding the provisions of this section, the Department may release the information in the
 266 Department's records that it deems reasonable and necessary for the purpose of federal compliance audits.

267 34. 33. The Department may release to a party that is subject to an administrative proceeding conducted
 268 by the Department nonmedical privileged information necessary to participate in such administrative
 269 proceeding. Such information shall be limited to matters of fact and law asserted or questioned by the
 270 Department, as are required to be provided pursuant to §§ 2.2-4019 and 2.2-4020. The Department may also
 271 release such information to other parties to the same administrative proceeding. Notwithstanding the
 272 provisions of subsection E, no information released pursuant to this subdivision shall be disseminated to any
 273 third party that is not a party to such administrative proceeding.

274 C. Information disclosed or furnished shall be assessed a fee as specified in § 46.2-214, unless as
 275 otherwise provided in this section.

276 D. Upon the receipt of a completed application and payment of applicable processing fees, the
 277 Commissioner may enter into an agreement with any governmental authority or business to exchange
 278 information specified in this section by electronic or other means.

279 E. The Department shall not release any privileged information pursuant to this title unless the
 280 Department has entered into a written agreement authorizing such release. The Department shall require the
 281 requesting entity to specify the purpose authorized pursuant to this title that forms the basis for the request
 282 and provide the permissible purpose as defined under 18 U.S.C. § 2721(b). Privileged information requested
 283 by an entity that has been altered or aggregated may be used only for the original purposes specified in the
 284 written agreement consistent with this title. The requesting entity shall disseminate privileged information
 285 only to third parties subject to the original purpose specified in the written agreement consistent with this
 286 title. Any agreement that does not allow third-party distribution shall include a statement that such
 287 distribution is prohibited. Such agreement may limit the scope of any authorized distribution consistent with
 288 this title. Privileged information distributed to any third party shall only be further distributed by such third
 289 party subject to the original purpose specified and consistent with this title, or unless such third party is the
 290 subject of the information, the parent of a minor who is the subject of the information, the guardian of the
 291 subject of the information, the authorized agent or representative of the subject of the information, or the
 292 owner of the vehicle that is the subject of the information.

293 Any agreement entered into pursuant to this subsection between the Department and the Department of
 294 State Police shall specify (i) that privileged information shall be distributed only to authorized personnel of
 295 an entity meeting the definition of a criminal justice agency as defined in § 9.1-101 and other comparable
 296 local, state, and federal criminal justice agencies and entities issued a Virginia S-Originating Agency
 297 Identification (S-ORI) status; (ii) that privileged information shall be accessed, used, and disseminated only
 298 for the administration of criminal justice as defined in § 9.1-101; and (iii) that no local, state, or federal
 299 government entity, through the Virginia Criminal Information Network (VCIN) or any other method of
 300 dissemination controlled by the Department of State Police, has access to information stored by the
 301 Department in violation of the protections contained in this section. The Department of State Police shall
 302 notify the Department prior to when a new entity is to be granted S-ORI status and provide a copy of the
 303 S-ORI application to the Department. The Department of State Police shall not allow any entity to access
 304 Department data through VCIN if the Department objects in writing to the entity obtaining such data.

305 The provisions of this subsection shall not apply to (a) requests for information made pursuant to

306 subdivision B 4; (b) a request made by an entity authorized to receive privileged information pursuant to
307 subsection B, provided that such request is made on a form provided by the Department, other than a written
308 agreement, that requires the requester to certify that such entity is entitled to receive such information
309 pursuant to this title, state the purpose authorized pursuant to subsection B that forms the basis for the
310 request, explain why the information requested is necessary to accomplish the stated purpose, and certify that
311 the information will be used only for the stated purpose and the information received shall not be
312 disseminated to third parties unless there is authorization to do so; or (c) the release of information to a law-
313 enforcement officer or agency during an emergency situation, provided that (1) the requesting entity is
314 authorized to receive such information pursuant to subdivision B 9, (2) the timely release of such information
315 is in the interest of public safety, and (3) the requesting entity completes the form required pursuant to clause
316 (b) within 48 hours of the release of such information.

317 F. Any person that receives any privileged information that such person knows or has reason to know was
318 received in violation of this title shall not disseminate any such information and shall notify the Department
319 of the receipt of such privileged information.

320 G. The Department shall conduct audits annually based on a risk assessment to ensure that privileged
321 information released by the Department pursuant to this title is being used as authorized by law and pursuant
322 to the agreements entered into by the Department. If the Department finds that privileged information has
323 been used in a manner contrary to law or the relevant agreement, the Department may revoke access.

324 H. Any request for privileged information by an authorized agent of a governmental entity shall be
325 governed by the provisions of subdivision B 9.

326 **§ 46.2-882. Determining speed with various devices; certificate as to accuracy of device; arrest
327 without warrant.**

328 The speed of any motor vehicle may be determined by the use of (i) a laser speed determination device,
329 (ii) radar, (iii) a microcomputer device that is physically connected to an odometer cable and both measures
330 and records distance traveled and elapsed time to determine the average speed of a motor vehicle, or (iv) a
331 microcomputer device that is located aboard an airplane or helicopter and measures and records distance
332 traveled and elapsed time to determine the average speed of a motor vehicle being operated on highways
333 within the Interstate System of highways as defined in § 33.2-100. ~~The speed of motor vehicles may be
334 determined by the use of a photo speed monitoring device as authorized in § 46.2-882.1.~~ The results of such
335 determinations shall be accepted as *prima facie* evidence of the speed of such motor vehicle in any court or
336 legal proceeding where the speed of the motor vehicle is at issue.

337 In any court or legal proceeding in which any question arises about the calibration or accuracy of any laser
338 speed determination device, radar, *or* microcomputer device, ~~or photo speed monitoring device~~ as described
339 in this section used to determine the speed of any motor vehicle, a certificate, or a true copy thereof, showing
340 the calibration or accuracy of (a) the speedometer of any vehicle, (b) any tuning fork employed in calibrating
341 or testing the radar or other speed determination device, or (c) any other method employed in calibrating or
342 testing any laser speed determination device ~~or photo speed monitoring device~~, and when and by whom the
343 calibration was made, shall be admissible as evidence of the facts therein stated. No calibration or testing of
344 any device ~~other than a photo speed monitoring device~~ shall be valid for longer than six months. ~~No
345 calibration or testing of a photo speed monitoring device shall be valid for longer than 12 months.~~

346 The driver of any such motor vehicle may be arrested without a warrant under this section if the arresting
347 officer is in uniform and displays his badge of authority and if the officer has observed the registration of the
348 speed of such motor vehicle by the laser speed determination device, radar, or microcomputer device as
349 described in this section, or has received a radio message from the officer who observed the speed of the
350 motor vehicle registered by the laser speed determination device, radar, or microcomputer device as described
351 in this section. However, in case of an arrest based on such a message, such radio message shall have been
352 dispatched immediately after the speed of the motor vehicle was registered and furnished the license number
353 or other positive identification of the vehicle and the registered speed to the arresting officer.

354 Neither State Police officers nor local law-enforcement officers shall use laser speed determination
355 devices or radar, as described herein in airplanes or helicopters for the purpose of determining the speed of
356 motor vehicles.

357 State Police officers may use laser speed determination devices, radar, and/or microcomputer devices as
358 described in this section. All localities may use radar and laser speed determination devices to measure speed.
359 ~~State Police officers and local law enforcement may use photo speed monitoring devices to measure speed as
360 authorized in § 46.2-882.1.~~ The Cities of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park
361 and the Counties of Arlington, Fairfax, Loudoun, and Prince William and towns within such counties may
362 use microcomputer devices as described in this section.

363 The Division of Purchases and Supply, pursuant to § 2.2-1112, shall determine the proper equipment used
364 to determine the speed of motor vehicles and shall advise the respective law-enforcement officials of the
365 same. Police chiefs and sheriffs shall ensure that all such equipment and devices purchased on or after July 1,
366 1986, meet or exceed the standards established by the Division.

367 **2. That § 46.2-882.1 of the Code of Virginia is repealed.**