

# 2026 SESSION

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1 **SENATE BILL NO. 832**

2 Offered January 23, 2026

3 A BILL to amend the Code of Virginia by adding in Article 7 of Chapter 15 of Title 33.2 a section numbered  
4 33.2-1533 and by adding in Article 1 of Chapter 8 of Title 46.2 a section numbered 46.2-818.3, relating to  
5 vulnerable road user safety zones; Vulnerable Road User Safety Improvement Fund; civil penalty;  
6 reports.

7 Patron—Srinivasan

8 Referred to Committee on Transportation

9 Be it enacted by the General Assembly of Virginia:

10 1. That the Code of Virginia is amended by adding in Article 7 of Chapter 15 of Title 33.2 a section  
11 numbered 33.2-1533 and by adding in Article 1 of Chapter 8 of Title 46.2 a section numbered  
12 46.2-818.3, as follows:

13 § 33.2-1533. **Vulnerable Road User Safety Improvement Fund.**

14 A. There is hereby created in the state treasury a special nonreverting fund to be known as the Vulnerable  
15 Road User Safety Improvement Fund, referred to in this section as "the Fund." The Fund shall be established  
16 on the books of the Comptroller.

17 B. The civil penalties collected pursuant to § 46.2-818.3 and any funds as may be appropriated by the  
18 General Assembly shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in  
19 the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including  
20 interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the  
21 Fund.

22 C. Moneys in the Fund shall be allocated by the Commissioner and used solely for the purposes of  
23 funding safety improvements in vulnerable road user safety zones, as provided in § 46.2-818.3. For purposes  
24 of this section, "safety improvements" includes:

25 1. Installation and maintenance of pedestrian crosswalks, signals, and refuge islands;

26 2. Construction of sidewalks, bicycle lanes, and multi-use paths;

27 3. Improved street lighting;

28 4. Traffic calming measures;

29 5. Signage and pavement markings to enhance visibility of vulnerable road users, as defined in  
30 § 46.2-816.1; and

31 6. Public education campaigns regarding vulnerable road user safety.

32 D. The Commissioner shall prioritize expenditures from the Fund based on the severity of safety concerns  
33 within each zone and the potential impact of proposed improvements.

34 § 46.2-818.3. **Vulnerable road user safety zones; automated traffic enforcement; civil penalties; reports.**

35 A. As used in this section:

36 "Automated traffic enforcement system" means equipment that automatically produces one or more  
37 photographs, microphotographs, videotapes, or other recorded images of vehicles for the purpose of  
38 enforcing traffic violations. "Automated traffic enforcement system" includes photo speed monitoring devices,  
39 as defined in § 46.2-882.1, and traffic light signal violation monitoring systems, as defined in § 15.2-968.1.

40 "Division" means the Traffic Operations Division of the Department of Transportation.

41 "Fund" means the Vulnerable Road User Safety Improvement Fund established pursuant to § 33.2-1533.

42 "Vulnerable road user" means the same as that term is defined in § 46.2-816.1.

43 "Vulnerable road user safety zone" or "zone" means a segment of highway so designated by the Division  
44 pursuant to this section based on elevated rates of crashes, injuries, or fatalities involving pedestrians or  
45 cyclists.

46 B. No later than January 1, 2027, the Division shall:

47 1. Analyze crash data, injury reports, and fatality statistics from the previous five years to identify the 25  
48 highway segments in the Commonwealth with the highest rates of crashes, injuries, or fatalities involving  
49 vulnerable road users;

50 2. Designate such segments as vulnerable road user safety zones; and

51 3. Submit a report to the Governor, the Commissioner of Highways, and the Chairs of the House and  
52 Senate Committees on Transportation identifying such zones and the methodology used for such designation.

53 C. Every three years the Division shall update the designation of vulnerable road user safety zones based  
54 on the most recent crash data, injury reports, and fatality statistics. The Division shall certify a vulnerable  
55 road user safety zone as improved if crash, injury, or fatality rates for vulnerable road users in such zone  
56 have decreased by 25 percent or more compared to baseline data from the time of the initial designation. A

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59 vulnerable road user safety zone that is certified as improved shall retain its designation as a vulnerable road  
60 user safety zone, and civil penalties collected from automated traffic enforcement within such zone shall  
61 continue to be deposited in the Fund for expenditure on safety improvements within such zone as provided in  
62 subsection M. During such three-year review, the Division may also designate additional zones beyond the  
63 initial 25 zones as vulnerable road user safety zones if crash data warrants such designation.

64 D. Within 180 days of receiving the report submitted by the Division pursuant to subsection C, the  
65 Commissioner of Highways shall install or cause to be installed in appropriate locations, as determined by  
66 the Commissioner, within each vulnerable road user safety zone (i) photo speed monitoring devices, as  
67 defined in § 46.2-882.1, and (ii) traffic light signal violation monitoring systems, as defined in § 15.2-968.1.  
68 Such automated traffic enforcement systems shall be operated by the appropriate law-enforcement agency for  
69 the jurisdiction in which such device or system is installed, pursuant to an agreement entered into with the  
70 Commissioner of Highways.

71 E. Automated traffic enforcement systems installed pursuant to this section shall:

- 72 1. Be clearly marked with signage visible to approaching motorists indicating that the area is a  
73 vulnerable road user safety zone with active automated traffic enforcement systems;
- 74 2. Be calibrated and maintained according to manufacturer specifications;
- 75 3. Capture clear images of both the vehicle and license plate; and
- 76 4. Record the date, time, and location of each violation.

77 F. The operator of a vehicle shall be liable for a monetary civil penalty imposed pursuant to this section if  
78 such vehicle is found, as evidenced by information obtained from an automated traffic enforcement system, to  
79 be:

- 80 1. Travelling at speeds exceeding five miles per hour but not more than 10 miles per hour above the  
81 posted speed limit. A civil penalty assessed pursuant to this subdivision shall be \$100;
- 82 2. Travelling at speeds exceeding 10 miles per hour but not more than 20 miles per hour over the posted  
83 limit. A civil penalty assessed pursuant to this subdivision shall be \$150;
- 84 3. Travelling at speeds in excess of 20 miles per hour. A civil penalty assessed pursuant to this subdivision  
85 shall be \$200; and
- 86 4. Operated in violation of § 46.2-833, 46.2-835, or 46.2-836. A civil penalty assessed pursuant to this  
87 subdivision shall be \$150.

88 G. If an automated traffic enforcement system is used, proof of a violation shall be evidenced by  
89 information obtained from such system. A certificate, or a facsimile thereof, sworn to or affirmed by a law-  
90 enforcement officer, based upon inspection of photographs, microphotographs, videotapes, or other recorded  
91 images produced by an automated traffic enforcement system, shall be *prima facie* evidence of the facts  
92 contained therein. Any photographs, microphotographs, videotapes, or other recorded images evidencing a  
93 violation shall be available for inspection in any proceeding to adjudicate the liability for such violation.

94 H. Imposition of a penalty pursuant to this section by mailing a summons shall not be deemed a  
95 conviction as an operator and shall not be made part of the operating record of the person upon whom such  
96 liability is imposed, nor shall it be used for insurance purposes in the provision of motor vehicle insurance  
97 coverage.

98 I. In the prosecution for a violation in which a summons was issued by mail, *prima facie* evidence that the  
99 vehicle described in the summons issued pursuant to this section was operated in a manner constituting a  
100 violation, together with proof that the defendant was at the time of such violation the owner, lessee, or renter  
101 of the vehicle, shall constitute in evidence a rebuttable presumption that such owner, lessee, or renter of the  
102 vehicle was the person who committed the violation. Such presumption shall be rebutted if the owner, lessee,  
103 or renter of the vehicle (i) files an affidavit by regular mail with the clerk of the general district court that he  
104 was not the operator of the vehicle at the time of the alleged violation and provides the name and address of  
105 the person who was operating the vehicle at the time of the alleged violation or (ii) testifies in open court  
106 under oath that he was not the operator of the vehicle at the time of the alleged violation and provides the  
107 name and address of the person who was operating the vehicle at the time of the alleged violation. Such  
108 presumption shall also be rebutted if a certified copy of a police report, showing that the vehicle had been  
109 reported to the police as stolen prior to the time of the alleged violation, is presented, prior to the return date  
110 established on the summons issued pursuant to this section, to the court adjudicating the alleged violation.

111 J. A summons for a violation issued by mail pursuant to this section may be executed pursuant to  
112 § 19.2-76.2. Such summons shall indicate that the violation occurred within a vulnerable road user safety  
113 zone as designated pursuant to this section and identify the specific zone in which the alleged violation  
114 occurred. Notwithstanding the provisions of § 19.2-76, a summons issued by mail pursuant to this section  
115 may be executed by mailing by first-class mail a copy thereof to the owner, lessee, or renter of the vehicle. In  
116 the case of a vehicle owner, the copy shall be mailed to the address contained in the records of or accessible  
117 to the Department. In the case of a vehicle lessee or renter, the copy shall be mailed to the address contained  
118 in the records of the lessor or renter. Every such mailing shall include, in addition to the summons, a notice  
119 of (i) the summoned person's ability to rebut the presumption that he was the operator of the vehicle at the  
120 time of the alleged violation through the filing of an affidavit as provided in subsection I and (ii) instructions

121 for filing such affidavit, including the address to which the affidavit is to be sent. If the summoned person  
 122 fails to appear on the date of return set out in the summons mailed pursuant to this section, the summons  
 123 shall be executed in the manner set out in § 19.2-76.3. No proceedings for contempt or arrest of a person  
 124 summoned by mailing shall be instituted for failure to appear on the return date of the summons. If the  
 125 summons is issued to an owner, lessee, or renter of a vehicle with a registration outside the Commonwealth  
 126 and such person fails to appear on the date of return set out in the summons mailed pursuant to this section,  
 127 the summons will be eligible for all legal collections activities. Any summons issued pursuant to this section  
 128 shall provide to the person summoned at least 30 days from the mailing of the summons to inspect  
 129 information collected by an automated traffic enforcement system in connection with the violation. If the law-  
 130 enforcement agency that was operating such automated traffic enforcement system does not execute a  
 131 summons for a violation issued pursuant to this section within 30 days from the date of the violation, all  
 132 information collected pertaining to that suspected violation shall be purged within 60 days from the date of  
 133 the violation.

134 K. Information collected by an automated traffic enforcement system operated pursuant to this section  
 135 shall be limited exclusively to that information that is necessary for the enforcement traffic offenses as  
 136 authorized in this section. Information provided to the operator of such system shall be protected in a  
 137 database and used only for enforcement of vehicle speed and traffic control device violations and  
 138 enforcement against individuals who violate the provisions of this section. Notwithstanding any other  
 139 provision of law, all photographs, microphotographs, videotapes, or other recorded images collected by an  
 140 automated traffic enforcement system shall be used exclusively for enforcing violations and shall not be (i)  
 141 open to the public; (ii) sold or used for sales, solicitation, or marketing purposes; (iii) disclosed to any other  
 142 entity except as may be necessary for the enforcement of a vehicle speed and traffic control device violation  
 143 or to a vehicle owner or operator as part of a challenge to the violation; or (iv) used in a court in a pending  
 144 action or proceeding unless the action or proceeding relates to a vehicle speed or traffic control device  
 145 violation or a violation of this section, or such information is requested upon order from a court of competent  
 146 jurisdiction. Information collected under this section pertaining to a specific violation shall be purged and  
 147 not retained later than 60 days after the collection of any civil penalties. Any person who discloses personal  
 148 information in violation of the provisions of this subsection shall be subject to a civil penalty of \$1,000 per  
 149 disclosure.

150 L. Any summons issued for any violation of this title within a vulnerable road user safety zone shall be  
 151 reported to the Department in a format prescribed by the Commissioner. The provisions of this subsection  
 152 apply to any summons issued based on information collected by an automated traffic enforcement system as  
 153 provided in this section or issued in-person by a law-enforcement officer for any such violation in a  
 154 vulnerable road user safety zone.

155 All revenues collected from civil penalties imposed pursuant to this section, after deducting the costs of  
 156 administering the automated traffic enforcement program, shall be deposited in the Vulnerable Road User  
 157 Safety Improvement Fund, established pursuant to § 33.2-1533.

158 M. By November 1 of each year, the Department of Motor Vehicles shall produce and submit to the  
 159 Governor and the General Assembly a comprehensive report detailing, for each vulnerable road user safety  
 160 zone:

- 161 1. The total number of crashes involving vulnerable road users, categorized by severity;
- 162 2. The total number of injuries to vulnerable road users, categorized by severity;
- 163 3. The total number of deaths of vulnerable road users;
- 164 4. The total number of summonses issued by law-enforcement officers within each zone, categorized by  
 165 violation type;
- 166 5. The total number of summonses issued through automated traffic enforcement systems within each  
 167 zone, categorized by violation type;
- 168 6. Conviction rates for summonses issued within each zone, categorized by violation type;
- 169 7. Total revenue generated from automated traffic enforcement civil penalties in each zone;
- 170 8. Total revenue generated from fines, fees, and costs from officer-issued summonses resulting in  
 171 convictions in each zone;
- 172 9. A comparison of crash, injury, and fatality data to baseline data from the time of initial designation;
- 173 10. Any zones certified as improved pursuant to subsection C; and
- 174 11. Recommendations for modifications or improvements to the vulnerable road user safety improvement  
 175 initiatives established by this section and § 33.2-1533.

176 N. By November 1 of each year, the Commissioner of Highways shall submit a report to the Governor and  
 177 the General Assembly detailing:

- 178 1. Expenditures from the Fund, itemized by zone and project type;
- 179 2. Safety improvement projects completed in each zone during the reporting period;
- 180 3. Safety improvement projects planned or in progress for each zone; and
- 181 4. The impact of completed safety improvements on crash, injury, and fatality rates where data is  
 182 available.

183        *O. The provisions of this section shall not apply to traffic light signal violation monitoring systems*  
184        *operated pursuant to § 15.2-968.1 or photo speed monitoring devices operated pursuant to § 46.2-882.1 and*  
185        *the provisions of §§ 15.2-968.1 and 46.2-882.1 shall not apply to automated traffic enforcement systems*  
186        *operated pursuant to this section.*