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SENATE BILL NO. 832

Offered January 23, 2026

A *BILL* to amend the Code of Virginia by adding in Article 7 of Chapter 15 of Title 33.2 a section numbered 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 vulnerable road user safety zones; Vulnerable Road User Safety Improvement Fund; civil penalty; reports.

 Patron—Srinivasan

 Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:

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

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

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

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

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

1. Installation and maintenance of pedestrian crosswalks, signals, and refuge islands;
2. Construction of sidewalks, bicycle lanes, and multi-use paths;
3. Improved street lighting;
4. Traffic calming measures;
5. Signage and pavement markings to enhance visibility of vulnerable road users, as defined in § 46.2-816.1; and

6. Public education campaigns regarding vulnerable road user safety.

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

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

A. As used in this section:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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