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HOUSE BILL NO. 1330
AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the House Committee on Transportation
on _____)
(Patron Prior to Substitute—Delegate Seibold)

A BILL to amend and reenact §§ 46.2-208, 46.2-882, and 46.2-882.1 of the Code of Virginia, relating to speed safety cameras, pedestrian crossing violation monitoring systems, and stop sign violation monitoring systems; placement and operation; violation enforcement; civil penalties.

Be it enacted by the General Assembly of Virginia:

1. That §§ 46.2-208, 46.2-882, and 46.2-882.1 of the Code of Virginia are amended and reenacted as follows:

§ 46.2-208. Records of Department; when open for inspection; release of privileged information.

A. The following information shall be considered privileged and unless otherwise provided for in this title shall not be released except as provided in subsection B:

- 1. Personal information as defined in § 2.2-3801;
- 2. Driver information, defined as all data that relates to driver's license status and driver activity;
- 3. Special identification card information, defined as all data that relates to identification card status; and
- 4. Vehicle information, including all descriptive vehicle data and title, registration, and vehicle activity data, but excluding crash data.

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

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

2, 3. [Repealed.]

4. Upon the request of (i) the subject of the information, (ii) the parent of a minor who is the subject of the information, (iii) the guardian of the subject of the information, (iv) the authorized agent or representative of the subject of the information, or (v) the owner of the vehicle that is the subject of the information, the Commissioner shall provide him with the requested information and a complete explanation of it. Requests for such information need not be made in writing or in person and may be made orally or by telephone, provided that the Department is satisfied that there is adequate verification of the requester's identity. When

31 so requested in writing by (a) the subject of the information, (b) the parent of a minor who is the subject of
32 the information, (c) the guardian of the subject of the information, (d) the authorized agent or representative
33 of the subject of the information, or (e) the owner of the vehicle that is the subject of the information, the
34 Commissioner shall verify and, if necessary, correct the personal information provided and furnish driver,
35 special identification card, or vehicle information. If the requester is requesting such information in the scope
36 of his official business as counsel from a public defender's office or as counsel appointed by a court, such
37 records shall be provided free of charge.

38 5. Upon the written request of any insurance carrier or surety, or authorized agent of either, the
39 Commissioner shall furnish to such requester information in the record of any person subject to the
40 provisions of this title. The transcript shall include any record of any conviction of a violation of any
41 provision of any statute or ordinance relating to the operation or ownership of a motor vehicle or of any
42 injury or damage in which he was involved and a report filed pursuant to § 46.2-373. No such report of any
43 conviction or crash shall be made after 60 months from the date of the conviction or crash unless the
44 Commissioner or court used the conviction or crash as a reason for the suspension or revocation of a driver's
45 license or driving privilege, in which case the revocation or suspension and any conviction or crash pertaining
46 thereto shall not be reported after 60 months from the date that the driver's license or driving privilege has
47 been reinstated. The response of the Commissioner under this subdivision shall not be admissible in evidence
48 in any court proceedings.

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

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

59 8. Upon the written request of any motor vehicle rental or leasing company or its authorized agent, the
60 Commissioner shall (i) compare personal information supplied by the requester with that contained in the

61 Department's records and, when the information supplied by the requester is different from that contained in
62 the Department's records, provide the requester with correct information as contained in the Department's
63 records and (ii) provide the requester with driver information of any person subject to the provisions of this
64 title. Such information shall include any record of any conviction of a violation of any provision of any
65 statute or ordinance relating to the operation or ownership of a motor vehicle or of any injury or damage in
66 which the subject of the information was involved and a report of which was filed pursuant to § 46.2-373. No
67 such information shall include any record of any conviction or crash more than 60 months after the date of
68 such conviction or crash unless the Commissioner or court used the conviction or crash as a reason for the
69 suspension or revocation of a driver's license or driving privilege, in which case the revocation or suspension
70 and any conviction or crash pertaining thereto shall cease to be included in such information after 60 months
71 from the date on which the driver's license or driving privilege was reinstated. The response of the
72 Commissioner under this subdivision shall not be admissible in evidence in any court proceedings.

73 9. Upon the request of any federal, state, or local governmental entity, local government group self-
74 insurance pool, law-enforcement officer, attorney for the Commonwealth, or court, or the authorized agent of
75 any of the foregoing, the Commissioner shall compare personal information supplied by the requester with
76 that contained in the Department's records and, when the information supplied by the requester is different
77 from that contained in the Department's records, provide the requester with correct information as contained
78 in the Department's records. The Commissioner shall also provide driver, special identification card, and
79 vehicle information as requested pursuant to this subdivision. The Commissioner may release other
80 appropriate information to the governmental entity upon request. Upon request in accordance with this
81 subdivision, the Commissioner shall furnish a certificate, under seal of the Department, setting forth a
82 distinguishing number or license plate of a motor vehicle, trailer, or semitrailer, together with the name and
83 address of its owner. The certificate shall be prima facie evidence in any court in the Commonwealth of the
84 ownership of the vehicle, trailer, or semitrailer to which the distinguishing number or license plate has been
85 assigned by the Department. However, the Commissioner shall not release any photographs pursuant to this
86 subdivision unless the requester provides the depicted individual's name and other sufficient identifying
87 information contained on such individual's record. The information in this subdivision shall be provided free
88 of charge.

89 The Department shall release to a requester information that is required for a requester to carry out the
90 requester's official functions in accordance with this subdivision. If the requester has entered into an

91 agreement with the Department, such agreement shall be in a manner prescribed by the Department, and such
92 agreement shall contain the legal authority that authorizes the performance of the requester's official
93 functions and a description of how such information will be used to carry out such official functions. If the
94 Commissioner determines that sufficient authority has not been provided by the requester to show that the
95 purpose for which the information shall be used is one of the requester's official functions, the Commissioner
96 shall refuse to enter into any agreement. If the requester submits a request for information in accordance with
97 this subdivision without an existing agreement to receive the information, the request shall be in a manner
98 prescribed by the Department, and such request shall contain the legal authority that authorizes the
99 performance of the requester's official functions and a description of how such information will be used to
100 carry out such official functions. If the Commissioner determines that sufficient authority has not been
101 provided by the requester to show that the purpose for which such information shall be used is one of the
102 requester's official functions, the Commissioner shall deny such request.

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

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

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

119 11. a. For the purpose of obtaining information regarding noncommercial driver's license holders, upon

120 the written request of any employer, prospective employer, or authorized agent of either, and with the written
121 consent of the individual concerned, the Commissioner shall (i) compare personal information supplied by
122 the requester with that contained in the Department's records and, when the information supplied by the
123 requester is different from that contained in the Department's records, provide the requester with correct
124 information as contained in the Department's records and (ii) provide the requester with driver information in
125 the form of a transcript of an individual's record, including all convictions, all crashes, any type of driver's
126 license that the individual currently possesses, and all driver's license suspensions, revocations, cancellations,
127 or forfeiture, provided that such individual's position or the position that the individual is being considered for
128 involves the operation of a motor vehicle.

129 b. For the purpose of obtaining information regarding commercial driver's license holders, upon the
130 written request of any employer, prospective employer, or authorized agent of either, the Commissioner shall
131 (i) compare personal information supplied by the requester with that contained in the Department's records
132 and, when the information supplied by the requester is different from that contained in the Department's
133 records, provide the requester with correct information as contained in the Department's records and (ii)
134 provide the requester with driver information in the form of a transcript of such individual's record, including
135 all convictions, all crashes, any type of driver's license that the individual currently possesses, and all driver's
136 license suspensions, revocations, cancellations, forfeitures, or disqualifications, provided that such
137 individual's position or the position that the individual is being considered for involves the operation of a
138 commercial motor vehicle.

139 12. Upon the written request of any member of a volunteer fire company or volunteer emergency medical
140 services agency and with written consent of the individual concerned, or upon the request of an applicant for
141 membership in a volunteer fire company or to serve as volunteer emergency medical services personnel, the
142 Commissioner shall (i) compare personal information supplied by the requester with that contained in the
143 Department's records and, when the information supplied by the requester is different from that contained in
144 the Department's records, provide the requester with correct information as contained in the Department's
145 records and (ii) provide driver information in the form of a transcript of the individual's record, including all
146 convictions, all crashes, any type of driver's license that the individual currently possesses, and all license
147 suspensions, revocations, cancellations, or forfeitures. Such transcript shall be provided free of charge if the
148 request is accompanied by appropriate written evidence that the person is a member of or applicant for

149 membership in a volunteer fire company or a volunteer emergency medical services agency and the transcript
150 is needed by the requester to establish the qualifications of the member, volunteer, or applicant to operate
151 equipment owned by the volunteer fire company or volunteer emergency medical services agency.

152 13. Upon the written request of a Virginia affiliate of Big Brothers Big Sisters of America, a Virginia
153 affiliate of Compeer, or the Virginia Council of the Girl Scouts of the USA, and with the consent of the
154 individual who is the subject of the information and has applied to be a volunteer with the requester, or on the
155 written request of a Virginia chapter of the American Red Cross, a Virginia chapter of the Civil Air Patrol, or
156 Faith in Action, and with the consent of the individual who is the subject of the information and applied to be
157 a volunteer vehicle operator with the requester, the Commissioner shall (i) compare personal information
158 supplied by the requester with that contained in the Department's records and, when the information supplied
159 by the requester is different from that contained in the Department's records, provide the requester with
160 correct information as contained in the Department's records and (ii) provide driver information in the form
161 of a transcript of the applicant's record, including all convictions, all crashes, any type of driver's license that
162 the individual currently possesses, and all license suspensions, revocations, cancellations, or forfeitures. Such
163 transcript shall be provided at a fee that is one-half the normal charge if the request is accompanied by
164 appropriate written evidence that the person has applied to be a volunteer or volunteer vehicle operator with
165 the requester as provided in this subdivision.

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

172 15, 16. [Repealed.]

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

176 18. Upon the request, in the course of business, of any authorized agent of an insurance company or of
177 any not-for-profit entity organized to prevent and detect insurance fraud, or perform rating and underwriting

178 activities, the Commissioner shall provide (i) all vehicle information, the owner's name and address,
179 descriptive data and title, registration, and vehicle activity data, as requested, or (ii) the driver name, license
180 number and classification, date of birth, and address information for each driver under the age of 22 licensed
181 in the Commonwealth, provided that such request includes the driver's license number or address information
182 of such driver. Use of such information shall be limited to use in connection with insurance claims
183 investigation activities, antifraud activities, rating, or underwriting.

184 19. [Repealed.]

185 20. Upon the written request of the compliance agent of a private security services business, as defined in
186 § 9.1-138, which is licensed by the Virginia Department of Criminal Justice Services, the Commissioner shall
187 provide the name and address of the owner of the vehicle under procedures determined by the Commissioner.

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

201 21. (For contingent effective date, see Acts 2023, c. 738, cl. 2) Upon the request of the operator of a toll
202 facility, a traffic light photo monitoring system acting on behalf of a government entity, or the Dulles Access
203 Highway, or an authorized agent or employee of a toll facility operator or traffic light photo monitoring
204 system operator acting on behalf of a government entity or the Dulles Access Highway, for the purpose of
205 obtaining vehicle owner data under subsection H of § 15.2-968.1, subsection A of § 33.2-504, subsection M
206 of § 46.2-819.1, subsection P of § 46.2-819.3:1, or subsection N of § 46.2-819.5. Information released
207 pursuant to this subdivision shall be limited to the name, physical address, and, if available, email or other
208 electronic address of the owner of the vehicle having failed to pay a toll or having failed to comply with a

209 traffic light signal or having improperly used the Dulles Access Highway and the vehicle information,
210 including all descriptive vehicle data and title registration data of the same vehicle.

211 22-26. [Repealed.]

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

216 28. [Repealed.]

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

221 b. Upon written agreement, the Commissioner may release minimum information as needed in the
222 Department's record through any American Association of Motor Vehicle Administrators service program
223 created for the purpose of the exchange of information to any business, government agency, or authorized
224 agent who would otherwise be authorized to receive the information requested pursuant to this section.

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

230 31. Upon the request of the operator of a ~~photo speed monitoring device~~ *speed safety camera, pedestrian*
231 *crossing violation monitoring system, or stop sign violation monitoring system* as *those terms* are defined in
232 § 46.2-882.1 acting on behalf of a government entity, the Commissioner shall provide vehicle owner data
233 pursuant to subsection H of § 46.2-882.1. Information released pursuant to this subdivision shall be limited to
234 the name and address of the owner of the vehicle having committed a vehicle speed violation, *pedestrian*
235 *crossing violation, or stop sign violation, respectively*, as *those terms* are defined in § 46.2-882.1, and the
236 vehicle information, including all descriptive vehicle data and title and registration data, for such vehicle.

237 32. Notwithstanding the provisions of this section other than subdivision 33, the Department shall not
238 release, except upon request by the subject of the information, the guardian of the subject of the information,

239 the parent of a minor who is the subject of the information, or the authorized agent of the subject of the
240 information, or pursuant to a court order, (i) proof documents submitted for the purpose of obtaining a driving
241 credential or a special identification card, (ii) the information in the Department's records indicating the type
242 of proof documentation that was provided, or (iii) applications relating to the issuance of a driving credential
243 or a special identification card. As used in this subdivision, "proof document" means any document not
244 originally created by the Department that is submitted to the Department for the issuance of any driving
245 credential or special identification card. "Proof document" does not include any information contained on a
246 driving credential or special identification card.

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

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

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

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

261 E. The Department shall not release any privileged information pursuant to this title unless the
262 Department has entered into a written agreement authorizing such release. The Department shall require the
263 requesting entity to specify the purpose authorized pursuant to this title that forms the basis for the request
264 and provide the permissible purpose as defined under 18 U.S.C. § 2721(b). Privileged information requested
265 by an entity that has been altered or aggregated may be used only for the original purposes specified in the
266 written agreement consistent with this title. The requesting entity shall disseminate privileged information
267 only to third parties subject to the original purpose specified in the written agreement consistent with this

268 title. Any agreement that does not allow third-party distribution shall include a statement that such
269 distribution is prohibited. Such agreement may limit the scope of any authorized distribution consistent with
270 this title. Privileged information distributed to any third party shall only be further distributed by such third
271 party subject to the original purpose specified and consistent with this title, or unless such third party is the
272 subject of the information, the parent of a minor who is the subject of the information, the guardian of the
273 subject of the information, the authorized agent or representative of the subject of the information, or the
274 owner of the vehicle that is the subject of the information.

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

287 The provisions of this subsection shall not apply to (a) requests for information made pursuant to
288 subdivision B 4; (b) a request made by an entity authorized to receive privileged information pursuant to
289 subsection B, provided that such request is made on a form provided by the Department, other than a written
290 agreement, that requires the requester to certify that such entity is entitled to receive such information
291 pursuant to this title, state the purpose authorized pursuant to subsection B that forms the basis for the
292 request, explain why the information requested is necessary to accomplish the stated purpose, and certify that
293 the information will be used only for the stated purpose and the information received shall not be
294 disseminated to third parties unless there is authorization to do so; or (c) the release of information to a law-
295 enforcement officer or agency during an emergency situation, provided that (1) the requesting entity is
296 authorized to receive such information pursuant to subdivision B 9, (2) the timely release of such information
297 is in the interest of public safety, and (3) the requesting entity completes the form required pursuant to clause

298 (b) within 48 hours of the release of such information.

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

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

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

308 **§ 46.2-882. Determining speed with various devices; certificate as to accuracy of device; arrest**
309 **without warrant.**

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

319 In any court or legal proceeding in which any question arises about the calibration or accuracy of any laser
320 speed determination device, radar, microcomputer device, or ~~photo speed monitoring device~~ *speed safety*
321 *camera* as described in this section used to determine the speed of any motor vehicle, a certificate, or a true
322 copy thereof, showing the calibration or accuracy of (a) the speedometer of any vehicle, (b) any tuning fork
323 employed in calibrating or testing the radar or other speed determination device, or (c) any other method
324 employed in calibrating or testing any laser speed determination device or ~~photo speed monitoring device~~
325 *speed safety camera*, and when and by whom the calibration was made, shall be admissible as evidence of the
326 facts therein stated. No calibration or testing of any device other than a ~~photo speed monitoring device~~ *speed*
327 *safety camera* shall be valid for longer than six months. No calibration or testing of a ~~photo speed monitoring~~

328 ~~device~~ speed safety camera, including daily testing as required by subsection O of § 46.2-882.1, shall be
329 valid for longer than 12 months.

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

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

341 State Police officers may use laser speed determination devices, radar, and/or microcomputer devices as
342 described in this section. All localities may use radar and laser speed determination devices to measure speed.
343 State Police officers and local law-enforcement may use ~~photo speed monitoring devices~~ speed safety
344 cameras to measure speed as authorized in § 46.2-882.1. The Cities of Alexandria, Fairfax, Falls Church,
345 Manassas, and Manassas Park and the Counties of Arlington, Fairfax, Loudoun, and Prince William and
346 towns within such counties may use microcomputer devices as described in this section.

347 The Division of Purchases and Supply, pursuant to § 2.2-1112, shall determine the proper equipment used
348 to determine the speed of motor vehicles and shall advise the respective law-enforcement officials of the
349 same. Police chiefs and sheriffs shall ensure that all such equipment and devices purchased on or after July 1,
350 1986, meet or exceed the standards established by the Division.

351 **§ 46.2-882.1. Use of speed safety cameras, pedestrian crossing violation monitoring systems, or stop**
352 **sign violation monitoring systems in highway work zones, school crossing zones, high-risk speed**
353 **corridors, and certain pedestrian corridors; civil penalties.**

354 A. For the purposes of this section:

355 ~~"High-risk intersection segment"~~ "High-risk speed corridor" means any highway or portion thereof
356 located not more than 1,000 feet from the limits of the property of a school that is part of or adjacent to an
357 intersection containing a marked crosswalk that is identified in the manner provided in this section as one in

358 which a traffic fatality has occurred since January 1, 2014.

359 "Highway work zone" has the same meaning ascribed to it in § 46.2-878.1.

360 "~~Photo speed monitoring device~~" means equipment that uses radar or LIDAR-based speed detection and
361 produces one or more photographs, microphotographs, videotapes, or other recorded images of vehicles.

362 "*Operating costs*" means the costs attributable to a locality's speed safety camera, pedestrian crossing
363 violation monitoring system, or stop sign violation monitoring system program, including costs for (i)
364 cameras and associated equipment, including the installation and operation of such cameras and equipment;
365 (ii) signs and speed display signs indicating the use of a speed safety camera, pedestrian crossing violation
366 monitoring system, or stop sign violation monitoring system; (iii) contracts with private vendors; and (iv)
367 personnel costs.

368 "*Pedestrian crossing violation*" means a violation of this title resulting from the operation of a vehicle in
369 violation of § 46.2-924.

370 "*Pedestrian crossing violation monitoring system*" means equipment that produces one or more
371 photographs, microphotographs, videotapes, or other recorded images of pedestrian crossing violations.

372 "Retired sworn law-enforcement officer" means any officer of the United States, or of a state or political
373 subdivision thereof, who was empowered by law to conduct investigations and make arrests and any attorney
374 authorized by law to prosecute or participate in the prosecution of such offenses, who at the time of
375 retirement kept an up-to-date certification and retired honorably in good standing. A retired sworn law-
376 enforcement officer shall not be required to keep an up-to-date certification after the date of his retirement.

377 "School crossing zone" has the same meaning ascribed to it in § 46.2-873.

378 "*Speed display sign*" means a self-contained system that uses radar or LIDAR-based speed detection to
379 measure the real-time speed of an approaching vehicle and displays that speed to the driver.

380 "*Speed safety camera*" means equipment that uses radar or LIDAR-based speed detection and produces
381 one or more photographs, microphotographs, videotapes, or other recorded images of vehicles.

382 "*Stop sign violation*" means a violation of this title resulting from the operation of a vehicle in violation of
383 a stop sign placed in accordance with § 46.2-830, including a violation of § 46.2-821 or 46.2-833.1. "Stop
384 sign violation" does not include violations of traffic light signals, traffic control devices other than stop signs,
385 or speed limits.

386 "*Stop sign violation monitoring system*" means equipment that produces one or more photographs,
387 microphotographs, videotapes, or other recorded images of stop sign violations.

388 "*Workers are present*" means one or more individuals are physically present and providing highway

389 *maintenance or construction services pursuant to a contract with the Department of Transportation or a*
390 *political subdivision of the Commonwealth.*

391 "Vehicle speed violation" means a violation of this title resulting from the operation of a vehicle in excess
392 of the speed limit, including a violation of § 46.2-873 or 46.2-878.1.

393 B. A state or local law-enforcement agency may place and operate a ~~photo speed monitoring device~~ *speed*
394 *safety camera* in school crossing zones for the ~~purposes~~ *purpose* of recording violations of § 46.2-873 and,
395 *when workers are present*, in highway work zones for the purposes of recording violations of § 46.2-878.1.

396 A state or local law-enforcement agency may place and operate a ~~photo speed monitoring device~~ *speed*
397 *safety camera* at a ~~high-risk intersection segment~~ *high-risk speed corridor* located within the locality for the
398 purpose of recording vehicle speed violations, provided that such law-enforcement agency certifies that a
399 traffic fatality has occurred since January 1, 2014, in such ~~segment~~ *corridor*.

400 *A state or local law-enforcement agency may place and operate in school crossing zones or highway work*
401 *zones (i) a pedestrian crossing violation monitoring system for purposes of recording pedestrian crossing*
402 *violations and (ii) a stop sign violation monitoring system for purposes of recording stop sign violations.*

403 *A state or local law-enforcement agency may place and operate at a high-risk speed corridor located*
404 *within the locality (a) a pedestrian crossing violation monitoring system for the purposes of recording*
405 *pedestrian crossing violations and (b) a stop sign violation monitoring system for the purposes of recording*
406 *stop sign violations, provided that such law-enforcement agency certifies that a traffic fatality has occurred*
407 *since January 1, 2014, in such corridor.*

408 C. The operator of a vehicle shall be liable for a monetary civil penalty imposed pursuant to this section if
409 such vehicle is found; (i) as evidenced by information obtained from a ~~photo speed monitoring device~~ *speed*
410 *safety camera*, to be traveling at speeds of at least 10 miles per hour above the posted speed limit in the zone
411 monitored by the ~~photo speed monitoring device~~ *speed safety camera*; (ii) as evidenced by information
412 obtained from a pedestrian crossing violation monitoring system, to have committed a pedestrian crossing
413 violation; or (iii) as evidenced by information obtained from a stop sign violation monitoring system, to have
414 committed a stop sign violation. However, no person shall be liable for a monetary civil penalty pursuant to
415 this subsection for any violation in a highway work zone unless workers are present at the time of such
416 violation. Such civil penalty shall not exceed \$100, and any prosecution shall be instituted and conducted in
417 the same manner as prosecution for traffic infractions. Civil penalties collected under this section resulting
418 from a summons issued by a local law-enforcement officer or retired sworn law-enforcement officer
419 employed by a locality shall be paid to the locality in which such violation occurred *to be used for its speed*

420 *safety camera program, pedestrian crossing violation monitoring system program, or a stop sign violation*
421 *monitoring system program, respectively. Any funds in excess of those allocated for such purposes shall be*
422 *deposited in a local fund used solely for planning, design and construction, implementation, administration,*
423 *and operation of initiatives, projects, or programs that improve traffic safety, speed management, bicycle and*
424 *pedestrian safety, public transit, and local systemic safety initiatives otherwise eligible for funding through*
425 *the Virginia Highway Safety Improvement Program established pursuant to § 33.2-373. Any such excess*
426 *funds shall first be used for such purposes in highway work zones, high-risk intersection segments, or school*
427 *crossing zones prior to being used for such purposes in any other area. Civil penalties collected under this*
428 *section resulting from a summons issued after July 1, 2026, by a law-enforcement officer or retired sworn*
429 *law-enforcement officer employed by the Department of State Police shall be paid into the Literary Fund to*
430 *the Department of State Police to be deposited in a fund used solely for the payment of the agreed-upon*
431 *compensation and actual program costs incurred by the Department of State Police in placing and operating*
432 *such speed safety cameras, pedestrian crossing violation monitoring systems, or stop sign violation*
433 *monitoring systems, except that any excess moneys in such fund shall be paid to the Commonwealth*
434 *Transportation Board to be used for the Virginia Highway Safety Improvement Program established*
435 *pursuant to § 33.2-373. However, all civil penalties collected under this section resulting from a summons*
436 *issued based on evidence obtained from a ~~photo speed monitoring device~~ speed safety camera, pedestrian*
437 *crossing violation monitoring system, or stop sign violation monitoring system placed and operated at a ~~high-~~*
438 *risk intersection segment high-risk speed corridor shall be paid to the Commonwealth Transportation Board*
439 *to be used for the Virginia Highway Safety Improvement Program established pursuant to § 33.2-373.*

440 D. If a ~~photo speed monitoring device~~ speed safety camera, pedestrian crossing violation monitoring
441 system, or stop sign violation monitoring system is used, proof of a vehicle speed violation, pedestrian
442 crossing violation, or stop sign violation, respectively, shall be evidenced by information obtained from such
443 ~~device~~ camera or system. A certificate, or a facsimile thereof, sworn to or affirmed by a law-enforcement
444 officer or a retired sworn law-enforcement officer, based upon inspection of photographs, microphotographs,
445 videotapes, or other recorded images produced by a ~~photo speed monitoring device~~ speed safety camera,
446 pedestrian crossing violation monitoring system, or stop sign violation monitoring system, shall be prima
447 facie evidence of the facts contained therein, provided that such certificate or facsimile thereof includes
448 accompanying documentation that confirms daily testing was conducted on such camera or system to the
449 extent required by subsection O. However, for any ~~photo speed monitoring device~~ speed safety camera
450 placed in a school crossing zone, such sworn certificate or facsimile thereof shall not be prima facie evidence

451 of the facts contained therein unless such photographs, microphotographs, videotapes, or other recorded
452 images, or documentation, depict or confirm a portable sign or tilt-over sign that is in position or blinking
453 sign that is activated, indicating the school crossing zone pursuant to § 46.2-873, at the time of such vehicle
454 speed violation. *However, for any speed safety camera, pedestrian crossing violation monitoring system, or*
455 *stop sign violation monitoring system placed in a highway work zone, such sworn certificate or facsimile*
456 *thereof shall not be prima facie evidence of the facts contained therein unless the operator of the speed safety*
457 *camera, pedestrian crossing violation monitoring system, or stop sign violation monitoring system,*
458 *respectively, provides a sworn certification verifying that workers were present at the time of such violation.*
459 Any photographs, microphotographs, videotapes, or other recorded images *and the accompanying*
460 *documentation of such required daily testing, as applicable,* evidencing such a violation shall be available for
461 inspection in any proceeding to adjudicate the liability for such vehicle speed violation, *pedestrian crossing*
462 *violation, or stop sign violation.*

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

478 F. Imposition of a penalty pursuant to this section by mailing a summons shall not be deemed a conviction
479 as an operator and shall not be made part of the operating record of the person upon whom such liability is
480 imposed, nor shall it be used for insurance purposes in the provision of motor vehicle insurance coverage.
481 However, if a law-enforcement officer uses a ~~photo speed monitoring device~~ *speed safety camera* to record a

482 vehicle speed violation and personally issues a summons at the time of the violation, the conviction that
483 results shall be made a part of such driver's driving record and used for insurance purposes in the provision of
484 motor vehicle insurance coverage.

485 *G. 1. The Supreme Court of Virginia shall develop a summons for purposes of this section. Every*
486 *summons issued pursuant to this section shall be such a summons.*

487 2. A summons for a vehicle speed violation, *pedestrian crossing violation, or stop sign violation* issued by
488 mail pursuant to this section may be executed pursuant to § 19.2-76.2. Notwithstanding the provisions of
489 § 19.2-76, a summons issued by mail pursuant to this section may be executed by mailing by first-class mail a
490 copy thereof to the owner, lessee, or renter of the vehicle. In the case of a vehicle owner, the copy shall be
491 mailed to the address contained in the records of or accessible to the Department. In the case of a vehicle
492 lessee or renter, the copy shall be mailed to the address contained in the records of the lessor or renter. Every
493 such mailing shall include, in addition to the summons, a notice of (i) the summoned person's ability to rebut
494 the presumption that he was the operator of the vehicle at the time of the alleged violation through the filing
495 of an affidavit as provided in subsection E and (ii) instructions for filing such affidavit, including the address
496 to which the affidavit is to be sent. *Every such mailing shall also include an explanation and necessary*
497 *information for the process of contesting such an alleged violation and payment of a civil penalty.* If the
498 summoned person fails to appear on the date of return set out in the summons mailed pursuant to this section,
499 the summons shall be executed in the manner set out in § 19.2-76.3. No proceedings for contempt or arrest of
500 a person summoned by mailing shall be instituted for failure to appear on the return date of the summons. If
501 the summons is issued to an owner, lessee, or renter of a vehicle with a registration outside the
502 Commonwealth and such person fails to appear on the date of return set out in the summons mailed pursuant
503 to this section, the summons will be eligible for all legal collections activities. Any summons executed for a
504 vehicle speed violation, *pedestrian crossing violation, or stop sign violation* issued pursuant to this section
505 shall provide to the person summoned at least 30 days from the mailing of the summons to inspect
506 information collected by a ~~photo speed monitoring device~~ *speed safety camera, pedestrian crossing violation*
507 *monitoring system, or stop sign violation monitoring system, respectively, in connection with the violation.*
508 *Such information, if collected by a speed safety camera, shall include proof of calibration of the speed safety*
509 *camera used to record the alleged vehicle speed violation if the citation is contested.* If the law-enforcement
510 agency that was operating the ~~photo speed monitoring device~~ *speed safety camera, pedestrian crossing*
511 *violation monitoring system, or stop sign violation monitoring system* does not execute a summons for a
512 vehicle speed violation, *pedestrian crossing violation, or stop sign violation, respectively, issued pursuant to*

513 this section within 30 days from the date of the violation, all information collected pertaining to that
514 suspected violation shall be purged within 60 days from the date of the violation.

515 H. A private vendor may enter into an agreement with a law-enforcement agency to be compensated for
516 providing a ~~photo speed monitoring device~~ *speed safety camera, pedestrian crossing violation monitoring*
517 *system, or stop sign violation monitoring system* and all related support services, including consulting,
518 operations, and administration. However, only a law-enforcement officer or retired sworn law-enforcement
519 officer may swear to or affirm the certificate required by this section. Any such agreement for compensation
520 shall be based on the value of the goods and services provided, not on the number of violations paid or
521 monetary penalties imposed. *Any such agreement for compensation shall provide that if such private vendor*
522 *is responsible for mailing a summons pursuant to this section, such private vendor shall not impose or collect*
523 *any additional fee, including any administrative fee, and shall only collect a civil penalty as authorized*
524 *pursuant to this section, except that a reasonable postage and convenience fee for electronic payment of the*
525 *civil penalty, not to exceed five percent of the amount paid, may be imposed and collected. Any private*
526 *vendor contracting with a law-enforcement agency pursuant to this section may enter into an agreement with*
527 *the Department, in accordance with the provisions of subdivision B 31 of § 46.2-208, to obtain vehicle owner*
528 *information regarding the registered owners of vehicles that committed a vehicle speed violation, pedestrian*
529 *crossing violation, or stop sign violation. Any such information provided to such private vendor shall be*
530 *protected in a database. Any such private vendor providing a speed safety camera that is also compensated*
531 *for the calibration of such camera shall calibrate such camera in the same manner and to the same*
532 *specifications as all other devices determining speed, to the extent that such devices utilize the same method*
533 *of speed detection as such speed safety camera, that are used by the law-enforcement agency with which such*
534 *vendor has entered into an agreement. Upon request of any person receiving a summons by mail for a vehicle*
535 *speed violation recorded by a speed safety camera provided by such a private vendor and who contests such*
536 *citation, such private vendor shall deliver proof of calibration of such speed safety camera for the time*
537 *period in which the alleged violation was recorded to such person and to the court in which such citation is*
538 *to be contested. If such proof of calibration is delivered by mail, it shall be postmarked within 10 days of such*
539 *request for such proof of calibration, and if such proof of calibration is electronically delivered, it shall be*
540 *electronically delivered within 10 days of such request for such proof of calibration. Such summons shall*
541 *include notice of such person's right to request such proof of calibration. Any private vendor that fails to*
542 *provide such proof of calibration within the time specified shall be subject to a civil penalty of \$1,000. All*
543 *civil penalties received pursuant to this subsection shall be paid to the Commonwealth Transportation Board*

544 *to be used for the Virginia Highway Safety Improvement Program established pursuant to § 33.2-373. Such*
545 *private vendor shall, in addition to the calibration for which proof is required pursuant to this subsection,*
546 *conduct a daily test of the accuracy of such device. Such private vendor shall each day transmit the results of*
547 *the previous day's test to the law-enforcement agency with which such private vendor has entered into an*
548 *agreement.*

549 I. Information collected by a ~~photo speed monitoring device~~ *speed safety camera, pedestrian crossing*
550 *violation monitoring system, or stop sign violation monitoring system* operated pursuant to this section shall
551 be limited exclusively to that information that is necessary for the enforcement of vehicle speed violations,
552 *pedestrian crossing violations, or stop sign violations, respectively.* Information provided to the operator of a
553 ~~photo speed monitoring device~~ *speed safety camera, pedestrian crossing violation monitoring system, or stop*
554 *sign violation monitoring system* shall be protected in a database and used only for enforcement of vehicle
555 speed violations, *pedestrian crossing violations, or stop sign violations, respectively,* and enforcement against
556 individuals who violate the provisions of this section. Notwithstanding any other provision of law, all
557 photographs, microphotographs, videotapes, or other recorded images collected by a ~~photo speed monitoring~~
558 ~~device~~ *speed safety camera, pedestrian crossing violation monitoring system, or stop sign violation*
559 *monitoring system* shall be used exclusively for enforcing vehicle speed violations, *pedestrian crossing*
560 *violations, or stop sign violations, respectively,* and shall not be (i) open to the public; (ii) sold or used for
561 sales, solicitation, or marketing purposes; (iii) disclosed to any other entity except as may be necessary for the
562 enforcement of a vehicle speed violation, *pedestrian crossing violation, or stop sign violation, respectively,*
563 or to a vehicle owner or operator as part of a challenge to the violation; or (iv) used in a court in a pending
564 action or proceeding unless the action or proceeding relates to a vehicle speed violation, *pedestrian crossing*
565 *violation, or stop sign violation, respectively,* or a violation of this section, or such information is requested
566 upon order from a court of competent jurisdiction. Information collected under this section pertaining to a
567 specific violation shall be purged and not retained ~~later than 60 days~~ *21 days after the date of its capture in*
568 *such a manner that such data is destroyed and not recoverable by either a private vendor or the law-*
569 *enforcement agency, except that when a summons is issued for a violation, such information may be retained*
570 *until after the collection of any civil penalties or the final disposition of any civil matter related to the*
571 *information. A law-enforcement agency or private vendor using such a database shall maintain records*
572 *sufficient to facilitate reporting as required by this section. Any law-enforcement agency using ~~photo speed~~*
573 ~~monitoring devices~~ *a speed safety camera, pedestrian crossing violation monitoring system, or stop sign*
574 *violation monitoring system* shall annually certify compliance with this section and make all records

575 pertaining to such *camera or* system available for inspection and audit by the Commissioner of Highways or
576 the Commissioner of the Department of Motor Vehicles or his designee. Any person who discloses personal
577 information in violation of the provisions of this subsection shall be subject to a civil penalty of \$1,000 per
578 disclosure.

579 J. ~~A conspicuous sign~~ *At least two conspicuous signs* shall be placed, *from any direction*, within 1,000 feet
580 of any school crossing zone, highway work zone, or ~~high-risk intersection segment~~ *high-risk speed corridor*
581 at which a ~~photo speed monitoring device~~ *speed safety camera* is used, indicating the use of the ~~device~~
582 *camera. At least one of such signs shall be a speed display sign. At least two conspicuous signs shall be*
583 *placed within 1,000 feet of any school crossing zone, highway work zone, or high-risk speed corridor at*
584 *which a pedestrian crossing violation monitoring system or stop sign violation monitoring system is used,*
585 *indicating the use of the system. There shall be* is a rebuttable presumption that such sign was in place at the
586 time of the commission of the *vehicle speed limit* violation, *pedestrian crossing violation, or stop sign*
587 *violation, respectively.*

588 K. Any state or local law-enforcement agency that places and operates a ~~photo speed monitoring device~~
589 *speed safety camera, pedestrian crossing violation monitoring system, or stop sign violation monitoring*
590 *system* pursuant to the provisions of this section shall report to the Department of State Police, in a format to
591 be determined by the Department of State Police, by ~~January~~ *November 15* of each year on the number of
592 traffic violations prosecuted; the number of successful prosecutions; *the operating costs of the use of such*
593 *speed safety camera, pedestrian crossing violation monitoring system, or stop sign violation monitoring*
594 *system; and the total amount of monetary civil penalties collected. Any such local law-enforcement agency*
595 *shall also report to the Department of State Police, in a format to be determined by the Department of State*
596 *Police, by November 15 of each year on (i) the projects and initiatives funded by moneys in the local fund*
597 *created pursuant to subsection C, (ii) the change in number of summonses issued over the course of the*
598 *reporting period relative to the prior reporting periods, (iii) the number of unsuccessful prosecutions, and*
599 *(iv) the percentage of vehicles that receive a summons pursuant to this section relative to the total vehicle*
600 *throughput. The Department of State Police shall aggregate such information and report it to the General*
601 ~~Assembly~~ *Chairs of the House and Senate Committees on Transportation by February* ~~December~~ 15 of each
602 year.

603 L. Any state or local law-enforcement agency that places and operates a *speed safety camera, pedestrian*
604 *crossing violation monitoring system, or stop sign violation monitoring system* pursuant to the provisions of
605 *this section shall develop an emergency action plan for addressing issues with such speed safety camera,*

606 *pedestrian crossing violation monitoring system, or stop sign violation monitoring system, respectively,*
607 *including system malfunctions. Such law-enforcement agency shall follow current guidance published by the*
608 *U.S. Department of Transportation regarding the use of speed safety cameras, pedestrian crossing violation*
609 *monitoring systems, or stop sign violation monitoring systems, as applicable. Such law-enforcement agency*
610 *shall annually review its use of speed safety cameras, pedestrian crossing violation monitoring systems, or*
611 *stop sign violation monitoring systems to ensure effective distribution of such cameras or monitoring systems,*
612 *respectively, to properly address safety needs and address racial, economic, and other equity issues and*
613 *public concerns.*

614 *M. Any state or local law-enforcement agency that places and operates a speed safety camera, pedestrian*
615 *crossing violation monitoring system, or stop sign violation monitoring system pursuant to the provisions of*
616 *this section shall, on its website and social media accounts, (i) provide information regarding procedures for*
617 *contesting an alleged vehicle speed violation, pedestrian crossing violation, or stop sign violation, as*
618 *applicable, and the process for paying the civil penalty for such an alleged violation; (ii) establish a method*
619 *for answering questions related to such speed safety cameras, pedestrian crossing violation monitoring*
620 *systems, or stop sign violation monitoring systems; and (iii) publicize any changes to the use of speed safety*
621 *cameras, pedestrian crossing violation monitoring systems, or stop sign violation monitoring systems,*
622 *including the locations of new speed safety cameras, pedestrian crossing violation monitoring systems, or*
623 *stop sign violation monitoring systems. Such requirement shall be satisfied if the state or local law-*
624 *enforcement agency provides a link on its website and social media accounts to the website of the private*
625 *vendor with which it has entered into an agreement pursuant to subsection H, provided that such website*
626 *satisfies the requirements of clauses (i), (ii), and (iii).*

627 *N. For any new speed safety camera, pedestrian crossing violation monitoring system, or stop sign*
628 *violation monitoring system placed and operated after July 1, 2026, for the first 30 days of its operation, the*
629 *law-enforcement agency shall issue a warning by mail instead of a summons for an alleged vehicle speed*
630 *violation, pedestrian crossing violation, or stop sign violation, respectively, and assess no civil penalty for*
631 *such violation. Nothing in this subsection shall be construed to prevent a law-enforcement officer who uses a*
632 *speed safety camera to record a vehicle speed violation from personally issuing a summons at the time of the*
633 *violation.*

634 *O. Any state or local law-enforcement agency that places and operates a speed safety camera pursuant to*
635 *the provisions of this section shall conduct, in addition to the periodic calibration conducted in accordance*
636 *with the requirements of § 46.2-882, a daily test of the accuracy of such device. Such law-enforcement*

637 agency shall report to the Department of State Police, in a format to be determined by the Department of
638 State Police, by November 15 of each year the aggregate results of such daily tests conducted during the
639 previous 12 months. The requirements of this subsection shall be satisfied if the private vendor with which
640 such law-enforcement agency has entered into an agreement pursuant to subsection H completes the daily
641 test of accuracy and associated reporting requirements pursuant to subsection H.

642 P. Any private vendor that has entered into an agreement with a law-enforcement agency pursuant to
643 subsection H shall comply with the provisions of this section. Any private vendor that violates the provisions
644 of this section is subject to a civil penalty of \$1,000. All civil penalties received pursuant to this subsection
645 shall be paid to the Commonwealth Transportation Board to be used for the Virginia Highway Safety
646 Improvement Program established pursuant to § 33.2-373.

647 Q. Nothing in this section shall be construed to affect the funding of or investment for any project initiated
648 by a locality prior to July 1, 2026.

649 R. Prior to implementing or expanding the use of a pedestrian crossing violation monitoring system or
650 stop sign violation monitoring system in a locality, the local law-enforcement agency shall conduct a public
651 awareness program to advise the public that such local law-enforcement agency is implementing or
652 expanding such pedestrian crossing violation monitoring system or stop sign violation monitoring system.

653 S. In any court proceeding for the failure of a locality or a private vendor acting on its behalf pursuant to
654 subsection H to comply with the requirements of this section, such locality shall waive its sovereign immunity
655 in such proceeding.

656 T. For any summons issued pursuant to this section, failure to comply with the provisions of this section
657 shall render such summons invalid.

658 **2. That the provisions of this act amending subsection J of § 46.2-882.1 of the Code of Virginia to**
659 **require at least two conspicuous signs for speed safety cameras and to require one of such signs to be a**
660 **speed display sign shall become effective on July 1, 2027.**

661 **3. That the Supreme Court of Virginia shall develop a summons for the purposes of § 46.2-882.1 of the**
662 **Code of Virginia, as amended by this act, no later than October 1, 2026.**

663 **4. That the provisions of this act creating subdivision G 1 of § 46.2-882.1 of the Code of Virginia,**
664 **related to the use of a summons developed by the Supreme Court of Virginia, shall become effective on**
665 **January 1, 2027.**