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HOUSE BILL NO. 684
AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the Senate Committee on Transportation
on _____)
(Patron Prior to Substitute—Delegate Hayes)

A BILL to amend and reenact §§ 9.1-102, 15.2-968.1, as it is currently effective and as it shall become effective, 19.2-13, and 46.2-882.1 of the Code of Virginia, relating to photo speed monitoring devices; photo-monitoring system for traffic signals; proof of violation; certain retired law-enforcement officials, registered conservators of the peace, and technicians; training.

Be it enacted by the General Assembly of Virginia:

1. That §§ 9.1-102, 15.2-968.1, as it is currently effective and as it shall become effective, 19.2-13, and 46.2-882.1 of the Code of Virginia are amended and reenacted as follows:

§ 9.1-102. Powers and duties of the Board and the Department.

The Department, under the direction of the Board, which shall be the policy-making body for carrying out the duties and powers hereunder, shall have the power and duty to:

1. Adopt regulations, pursuant to the Administrative Process Act (§ 2.2-4000 et seq.), for the administration of this chapter including the authority to require the submission of reports and information by law-enforcement officers within the Commonwealth. Any proposed regulations concerning the privacy, confidentiality, and security of criminal justice information shall be submitted for review and comment to any board, commission, or committee or other body which may be established by the General Assembly to regulate the privacy, confidentiality, and security of information collected and maintained by the Commonwealth or any political subdivision thereof;

2. Establish compulsory minimum training standards subsequent to employment as a law-enforcement officer in (i) permanent positions and (ii) temporary or probationary status and establish the time required for completion of such training. Such compulsory minimum training standards shall include crisis intervention training in accordance with clause (i) of § 9.1-188;

3. Establish minimum training standards and qualifications for certification and recertification for law-enforcement officers serving as field training officers;

4. Establish compulsory minimum curriculum requirements for in-service and advanced courses and programs for schools, whether located in or outside the Commonwealth, which are operated for the specific purpose of training law-enforcement officers;

32 5. Establish (i) compulsory minimum training standards for law-enforcement officers who utilize radar or
33 an electrical or microcomputer device to measure the speed of motor vehicles as provided in § 46.2-882 and
34 establish the time required for completion of the training and (ii) compulsory minimum qualifications for
35 certification and recertification of instructors who provide such training;

36 6. [Repealed];

37 7. Establish compulsory minimum entry-level, in-service and advanced training standards for those
38 persons designated to provide courthouse and courtroom security pursuant to the provisions of § 53.1-120,
39 and to establish the time required for completion of such training;

40 8. Establish compulsory minimum entry-level, in-service and advanced training standards for deputy
41 sheriffs designated to serve process pursuant to the provisions of § 8.01-293, and establish the time required
42 for the completion of such training;

43 9. Establish compulsory minimum entry-level, in-service, and advanced training standards, as well as the
44 time required for completion of such training, for persons employed as deputy sheriffs and jail officers by
45 local criminal justice agencies and correctional officers employed by the Department of Corrections under the
46 provisions of Title 53.1. For deputy sheriffs and jail officers who are employees of local or regional
47 correctional facilities and correctional officers employed by the Department of Corrections, such standards
48 shall include training on the general care of pregnant women, the impact of restraints on pregnant inmates
49 and fetuses, the impact of being placed in restrictive housing or solitary confinement on pregnant inmates,
50 and the impact of body cavity searches on pregnant inmates;

51 10. Establish compulsory minimum training standards for all dispatchers employed by or in any local or
52 state government agency, whose duties include the dispatching of law-enforcement personnel. Such training
53 standards shall apply only to dispatchers hired on or after July 1, 1988. Such training shall include training in
54 the identification of, communication with, and facilitation of the safe return of individuals diagnosed with
55 Alzheimer's disease and dementia, which shall include (i) techniques for respectful and effective
56 communication with individuals with Alzheimer's disease and dementia and their caregivers; (ii) techniques
57 for addressing the behavioral symptoms of Alzheimer's disease and dementia, including alternatives to
58 physical restraint; (iii) protocols for identifying and reporting incidents of abuse, neglect, and exploitation of
59 individuals with Alzheimer's disease and dementia to adult protective services; (iv) protocols for contacting
60 caregivers when an individual with Alzheimer's disease or dementia is found wandering or during an
61 emergency or crisis situation; (v) a reference list of local resources available for individuals with Alzheimer's

62 disease and dementia; and (vi) a reference list of local and national organizations that assist law-enforcement
63 personnel with locating missing and wandering individuals with Alzheimer's disease and dementia and
64 returning them to their caregivers;

65 11. Establish compulsory minimum training standards for all auxiliary police officers employed by or in
66 any local or state government agency. Such training shall be graduated and based on the type of duties to be
67 performed by the auxiliary police officers. Such training standards shall not apply to auxiliary police officers
68 exempt pursuant to § 15.2-1731;

69 12. Consult and cooperate with counties, municipalities, agencies of the Commonwealth, other state and
70 federal governmental agencies, and institutions of higher education within or outside the Commonwealth,
71 concerning the development of police training schools and programs or courses of instruction;

72 13. Approve institutions, curricula and facilities, whether located in or outside the Commonwealth, for
73 school operation for the specific purpose of training law-enforcement officers; but this shall not prevent the
74 holding of any such school whether approved or not;

75 14. Establish and maintain police training programs through such agencies and institutions as the Board
76 deems appropriate;

77 15. Establish compulsory minimum qualifications of certification and recertification for instructors in
78 criminal justice training academies approved by the Department;

79 16. Conduct and stimulate research by public and private agencies which shall be designed to improve
80 police administration and law enforcement;

81 17. Make recommendations concerning any matter within its purview pursuant to this chapter;

82 18. Coordinate its activities with those of any interstate system for the exchange of criminal history record
83 information, nominate one or more of its members to serve upon the council or committee of any such
84 system, and participate when and as deemed appropriate in any such system's activities and programs;

85 19. Conduct inquiries and investigations it deems appropriate to carry out its functions under this chapter
86 and, in conducting such inquiries and investigations, may require any criminal justice agency to submit
87 information, reports, and statistical data with respect to its policy and operation of information systems or
88 with respect to its collection, storage, dissemination, and usage of criminal history record information and
89 correctional status information, and such criminal justice agencies shall submit such information, reports, and
90 data as are reasonably required;

- 91 20. Conduct audits as required by § 9.1-131;
- 92 21. Conduct a continuing study and review of questions of individual privacy and confidentiality of
93 criminal history record information and correctional status information;
- 94 22. Advise criminal justice agencies and initiate educational programs for such agencies with respect to
95 matters of privacy, confidentiality, and security as they pertain to criminal history record information and
96 correctional status information;
- 97 23. Maintain a liaison with any board, commission, committee, or other body which may be established
98 by law, executive order, or resolution to regulate the privacy and security of information collected by the
99 Commonwealth or any political subdivision thereof;
- 100 24. Adopt regulations establishing guidelines and standards for the collection, storage, and dissemination
101 of criminal history record information and correctional status information, and the privacy, confidentiality,
102 and security thereof necessary to implement state and federal statutes, regulations, and court orders;
- 103 25. Operate a statewide criminal justice research center, which shall maintain an integrated criminal
104 justice information system, produce reports, provide technical assistance to state and local criminal justice
105 data system users, and provide analysis and interpretation of criminal justice statistical information;
- 106 26. Develop a comprehensive, statewide, long-range plan for strengthening and improving law
107 enforcement and the administration of criminal justice throughout the Commonwealth, and periodically
108 update that plan;
- 109 27. Cooperate with, and advise and assist, all agencies, departments, boards and institutions of the
110 Commonwealth, and units of general local government, or combinations thereof, including planning district
111 commissions, in planning, developing, and administering programs, projects, comprehensive plans, and other
112 activities for improving law enforcement and the administration of criminal justice throughout the
113 Commonwealth, including allocating and subgranting funds for these purposes;
- 114 28. Define, develop, organize, encourage, conduct, coordinate, and administer programs, projects and
115 activities for the Commonwealth and units of general local government, or combinations thereof, in the
116 Commonwealth, designed to strengthen and improve law enforcement and the administration of criminal
117 justice at every level throughout the Commonwealth;
- 118 29. Review and evaluate programs, projects, and activities, and recommend, where necessary, revisions or
119 alterations to such programs, projects, and activities for the purpose of improving law enforcement and the

120 administration of criminal justice;

121 30. Coordinate the activities and projects of the state departments, agencies, and boards of the
122 Commonwealth and of the units of general local government, or combination thereof, including planning
123 district commissions, relating to the preparation, adoption, administration, and implementation of
124 comprehensive plans to strengthen and improve law enforcement and the administration of criminal justice;

125 31. Do all things necessary on behalf of the Commonwealth and its units of general local government, to
126 determine and secure benefits available under the Omnibus Crime Control and Safe Streets Act of 1968 (P.L.
127 90-351, 82 Stat. 197), as amended, and under any other federal acts and programs for strengthening and
128 improving law enforcement, the administration of criminal justice, and delinquency prevention and control;

129 32. Receive, administer, and expend all funds and other assistance available to the Board and the
130 Department for carrying out the purposes of this chapter and the Omnibus Crime Control and Safe Streets Act
131 of 1968, as amended;

132 33. Apply for and accept grants from the United States government or any other source in carrying out the
133 purposes of this chapter and accept any and all donations both real and personal, and grants of money from
134 any governmental unit or public agency, or from any institution, person, firm or corporation, and may
135 receive, utilize and dispose of the same. Any arrangements pursuant to this section shall be detailed in the
136 annual report of the Board. Such report shall include the identity of the donor, the nature of the transaction,
137 and the conditions, if any. Any moneys received pursuant to this section shall be deposited in the state
138 treasury to the account of the Department. To these ends, the Board shall have the power to comply with
139 conditions and execute such agreements as may be necessary;

140 34. Make and enter into all contracts and agreements necessary or incidental to the performance of its
141 duties and execution of its powers under this chapter, including but not limited to, contracts with the United
142 States, units of general local government or combinations thereof, in Virginia or other states, and with
143 agencies and departments of the Commonwealth;

144 35. Adopt and administer reasonable regulations for the planning and implementation of programs and
145 activities and for the allocation, expenditure and subgranting of funds available to the Commonwealth and to
146 units of general local government, and for carrying out the purposes of this chapter and the powers and duties
147 set forth herein;

148 36. Certify and decertify law-enforcement officers in accordance with §§ 15.2-1706 and 15.2-1707 and

149 provide for a decertification review process in accordance with § 15.2-1708;

150 37. Establish training standards and publish and periodically update model policies for law-enforcement
151 personnel in the following subjects:

152 a. The handling of family abuse, domestic violence, sexual assault, and stalking cases, including standards
153 for determining the predominant physical aggressor in accordance with § 19.2-81.3. The Department shall
154 provide technical support and assistance to law-enforcement agencies in carrying out the requirements set
155 forth in subsection A of § 9.1-1301;

156 b. The identification of, communication with, and facilitation of the safe return of individuals diagnosed
157 with Alzheimer's disease and dementia, which shall include (i) techniques for respectful and effective
158 communication with individuals with Alzheimer's disease and dementia and their caregivers; (ii) techniques
159 for addressing the behavioral symptoms of Alzheimer's disease and dementia, including alternatives to
160 physical restraint; (iii) protocols for identifying and reporting incidents of abuse, neglect, and exploitation of
161 individuals with Alzheimer's disease and dementia to adult protective services; (iv) protocols for contacting
162 caregivers when an individual with Alzheimer's disease or dementia is found wandering or during an
163 emergency or crisis situation; (v) a reference list of local resources available for individuals with Alzheimer's
164 disease and dementia; and (vi) a reference list of local and national organizations that assist law-enforcement
165 personnel with locating missing and wandering individuals with Alzheimer's disease and dementia and
166 returning them to their caregivers;

167 c. Sensitivity to and awareness of systemic and individual racism, cultural diversity, and the potential for
168 racially biased policing and bias-based profiling as defined in § 52-30.1, which shall include recognizing
169 implicit biases in interacting with persons who have a mental illness, substance use disorder, or
170 developmental or cognitive disability;

171 d. Protocols for local and regional sexual assault and human trafficking response teams;

172 e. Communication of death notifications;

173 f. The questioning of individuals suspected of driving while intoxicated concerning the physical location
174 of such individual's last consumption of an alcoholic beverage and the communication of such information to
175 the Virginia Alcoholic Beverage Control Authority;

176 g. Vehicle patrol duties that embody current best practices for pursuits and for responding to emergency
177 calls;

178 h. Criminal investigations that embody current best practices for conducting photographic and live
179 lineups;

180 i. Sensitivity to and awareness of human trafficking offenses and the identification of victims of human
181 trafficking offenses for personnel involved in criminal investigations or assigned to vehicle or street patrol
182 duties;

183 j. The recognition, prevention, and reporting of human trafficking;

184 k. Missing children, missing adults, and search and rescue protocol;

185 l. The handling and use of tear gas or other gases and kinetic impact munitions, as defined in § 19.2-83.3,
186 that embody current best practices for using such items as a crowd control measure or during an arrest or
187 detention of another person; and

188 m. The use of naloxone or other opioid antagonists to prevent opioid overdose deaths, in coordination
189 with statewide naloxone training programs developed by the Department of Behavioral Health and
190 Developmental Services and the Virginia Department of Health;

191 38. Establish compulsory training standards for basic training and the recertification of law-enforcement
192 officers to ensure (i) sensitivity to and awareness of systemic and individual racism, cultural diversity, and
193 the potential for racially biased policing and bias-based profiling as defined in § 52-30.1, which shall include
194 recognizing implicit biases in interacting with persons who have a mental illness, substance use disorder, or
195 developmental or cognitive disability; (ii) training in de-escalation techniques; and (iii) training in the lawful
196 use of force, including the use of deadly force, as defined in § 19.2-83.3, only when necessary to protect the
197 law-enforcement officer or another person;

198 39. Review and evaluate community-policing programs in the Commonwealth, and recommend where
199 necessary statewide operating procedures, guidelines, and standards that strengthen and improve such
200 programs, including sensitivity to and awareness of systemic and individual racism, cultural diversity, and the
201 potential for racially biased policing and bias-based profiling as defined in § 52-30.1, which shall include
202 recognizing implicit biases in interacting with persons who have a mental illness, substance use disorder, or
203 developmental or cognitive disability;

204 40. Establish a Virginia Law-Enforcement Accreditation Center. The Center may, in cooperation with
205 Virginia law-enforcement agencies, provide technical assistance and administrative support, including
206 staffing, for the establishment of voluntary state law-enforcement accreditation standards. The Center may
207 provide accreditation assistance and training, resource material, and research into methods and procedures

208 that will assist the Virginia law-enforcement community efforts to obtain Virginia accreditation status;

209 41. Promote community policing philosophy and practice throughout the Commonwealth by providing
210 community policing training and technical assistance statewide to all law-enforcement agencies, community
211 groups, public and private organizations and citizens; developing and distributing innovative policing
212 curricula and training tools on general community policing philosophy and practice and contemporary critical
213 issues facing Virginia communities; serving as a consultant to Virginia organizations with specific
214 community policing needs; facilitating continued development and implementation of community policing
215 programs statewide through discussion forums for community policing leaders, development of law-
216 enforcement instructors; promoting a statewide community policing initiative; and serving as a statewide
217 information source on the subject of community policing including, but not limited to periodic newsletters, a
218 website and an accessible lending library;

219 42. Establish, in consultation with the Department of Education and the Virginia State Crime
220 Commission, compulsory minimum standards for employment and job-entry and in-service training curricula
221 and certification requirements for school security officers, including school security officers described in
222 clause (b) of § 22.1-280.2:1, which training and certification shall be administered by the Virginia Center for
223 School and Campus Safety (VCSCS) pursuant to § 9.1-184. Such training standards shall be specific to the
224 role and responsibility of school security officers and shall include (i) relevant state and federal laws; (ii)
225 school and personal liability issues; (iii) security awareness in the school environment; (iv) mediation and
226 conflict resolution, including de-escalation techniques such as a physical alternative to restraint; (v) disaster
227 and emergency response; (vi) awareness of systemic and individual racism, cultural diversity, and implicit
228 bias; (vii) working with students with disabilities, mental health needs, substance use disorders, and past
229 traumatic experiences; and (viii) student behavioral dynamics, including child and adolescent development
230 and brain research. The Department shall establish an advisory committee consisting of local school board
231 representatives, principals, superintendents, and school security personnel to assist in the development of the
232 standards and certification requirements in this subdivision. The Department shall require any school security
233 officer who carries a firearm in the performance of his duties to provide proof that he has completed a
234 training course provided by a federal, state, or local law-enforcement agency that includes training in active
235 shooter emergency response, emergency evacuation procedure, and threat assessment;

236 43. License and regulate property bail bondsmen and surety bail bondsmen in accordance with Article 11
237 (§ 9.1-185 et seq.);

238 44. License and regulate bail enforcement agents in accordance with Article 12 (§ 9.1-186 et seq.);

239 45. In conjunction with the Virginia State Police and the State Compensation Board, advise criminal
240 justice agencies regarding the investigation, registration, and dissemination of information requirements as
241 they pertain to the Sex Offender and Crimes Against Minors Registry Act (§ 9.1-900 et seq.);

242 46. Establish minimum standards for (i) employment, (ii) job-entry and in-service training curricula, and
243 (iii) certification requirements for campus security officers. Such training standards shall include, but not be
244 limited to, the role and responsibility of campus security officers, relevant state and federal laws, school and
245 personal liability issues, security awareness in the campus environment, and disaster and emergency
246 response. The Department shall provide technical support and assistance to campus police departments and
247 campus security departments on the establishment and implementation of policies and procedures, including
248 but not limited to: the management of such departments, investigatory procedures, judicial referrals, the
249 establishment and management of databases for campus safety and security information sharing, and
250 development of uniform record keeping for disciplinary records and statistics, such as campus crime logs,
251 judicial referrals and Clery Act statistics. The Department shall establish an advisory committee consisting of
252 college administrators, college police chiefs, college security department chiefs, and local law-enforcement
253 officials to assist in the development of the standards and certification requirements and training pursuant to
254 this subdivision;

255 47. Assess and report, in accordance with § 9.1-190, the crisis intervention team programs established
256 pursuant to § 9.1-187;

257 48. In conjunction with the Office of the Attorney General, advise law-enforcement agencies and
258 attorneys for the Commonwealth regarding the identification, investigation, and prosecution of human
259 trafficking offenses using the common law and existing criminal statutes in the Code of Virginia;

260 49. Register tow truck drivers in accordance with § 46.2-116 and carry out the provisions of § 46.2-117;

261 50. Administer the activities of the Virginia Sexual and Domestic Violence Program Professional
262 Standards Committee by providing technical assistance and administrative support, including staffing, for the
263 Committee;

264 51. In accordance with § 9.1-102.1, design and approve the issuance of photo-identification cards to
265 private security services registrants registered pursuant to Article 4 (§ 9.1-138 et seq.);

266 52. In consultation with the State Council of Higher Education for Virginia and the Virginia Association

267 of Campus Law Enforcement Administrators, develop multidisciplinary curricula on trauma-informed sexual
268 assault investigation;

269 53. In consultation with the Department of Behavioral Health and Developmental Services, develop a
270 model addiction recovery program that may be administered by sheriffs, deputy sheriffs, jail officers,
271 administrators, or superintendents in any local or regional jail. Such program shall be based on any existing
272 addiction recovery programs that are being administered by any local or regional jails in the Commonwealth.
273 Participation in the model addiction recovery program shall be voluntary, and such program may address
274 aspects of the recovery process, including medical and clinical recovery, peer-to-peer support, availability of
275 mental health resources, family dynamics, and aftercare aspects of the recovery process;

276 54. Establish compulsory minimum training standards for certification and recertification of law-
277 enforcement officers serving as school resource officers. Such training shall be specific to the role and
278 responsibility of a law-enforcement officer working with students in a school environment and shall include
279 (i) relevant state and federal laws; (ii) school and personal liability issues; (iii) security awareness in the
280 school environment; (iv) mediation and conflict resolution, including de-escalation techniques; (v) disaster
281 and emergency response; (vi) awareness of systemic and individual racism, cultural diversity, and implicit
282 bias; (vii) working with students with disabilities, mental health needs, substance use disorders, or past
283 traumatic experiences; and (viii) student behavioral dynamics, including current child and adolescent
284 development and brain research;

285 55. Establish a model policy for the operation of body-worn camera systems as defined in § 15.2-1723.1
286 that also addresses the storage and maintenance of body-worn camera system records;

287 56. Establish compulsory minimum training standards for detector canine handlers employed by the
288 Department of Corrections, standards for the training and retention of detector canines used by the
289 Department of Corrections, and a central database on the performance and effectiveness of such detector
290 canines that requires the Department of Corrections to submit comprehensive information on each canine
291 handler and detector canine, including the number and types of calls and searches, substances searched for
292 and whether or not detected, and the number of false positives, false negatives, true positives, and true
293 negatives;

294 57. Establish compulsory training standards for basic training of law-enforcement officers for recognizing
295 and managing stress, self-care techniques, and resiliency;

296 58. Establish guidelines and standards for psychological examinations conducted pursuant to subsection C
297 of § 15.2-1705;

298 59. Establish compulsory in-service training standards, to include frequency of retraining, for
299 law-enforcement officers in the following subjects: (i) relevant state and federal laws; (ii) awareness of
300 cultural diversity and the potential for bias-based profiling as defined in § 52-30.1; (iii) de-escalation
301 techniques; (iv) working with individuals with disabilities, mental health needs, or substance use disorders;
302 and (v) the lawful use of force, including the use of deadly force, as defined in § 19.2-83.3, only when
303 necessary to protect the law-enforcement officer or another person;

304 60. Develop a model curriculum and lesson plans for the compulsory minimum entry-level, in-service,
305 and advanced training standards to be employed by criminal justice training academies approved by the
306 Department when conducting training;

307 61. Adopt statewide professional standards of conduct applicable to all certified law-enforcement officers
308 and certified jail officers and appropriate due process procedures for decertification based on serious
309 misconduct in violation of those standards and provide for a decertification review process in accordance
310 with § 15.2-1708;

311 62. Establish and administer a waiver process, in accordance with §§ 2.2-5515 and 15.2-1721.1, for
312 law-enforcement agencies to use certain military property. Any waivers granted by the Criminal Justice
313 Services Board shall be published by the Department on the Department's website;

314 63. Establish compulsory training standards for basic training and the recertification of law-enforcement
315 officers to include crisis intervention training in accordance with clause (ii) of § 9.1-188;

316 64. Advise and assist the Department of Behavioral Health and Developmental Services, and support local
317 law-enforcement cooperation, with the development and implementation of the Marcus alert system, as
318 defined in § 37.2-311.1, including the establishment of local protocols for law-enforcement participation in
319 the Marcus alert system pursuant to § 9.1-193 and for reporting requirements pursuant to §§ 9.1-193 and
320 37.2-311.1;

321 65. Develop an online course to train hotel proprietors and their employees to recognize and report
322 instances of suspected human trafficking;

323 66. Develop an online course to train unarmed security officers, armed security officers, couriers, security
324 canine handlers, and alarm respondents to recognize and report instances of suspected human trafficking to
325 meet the compulsory minimum, entry-level, and in-service training standards as required by § 9.1-141;

326 67. Establish standards and procedures for when the Board may grant a petition for reinstatement of

327 certification of a decertified officer pursuant to subsection E of § 15.2-1708;

328 68. Establish compulsory minimum and in-service training standards for law-enforcement officers on
329 communicating with individuals with an intellectual disability or a developmental disability as defined in
330 § 37.2-100, such as autism spectrum disorder as defined in the most recent edition of the Diagnostic and
331 Statistical Manual of Mental Disorders of the American Psychiatric Association, which shall include (i) an
332 overview and behavioral recognition of autism spectrum disorder, (ii) best practices for crisis prevention and
333 de-escalation techniques, (iii) an objective review of any relevant tools and technology available to assist in
334 communication, and (iv) education on law-enforcement agency and community resources for the autism
335 community on future crisis prevention. Such training standards shall be established in consultation with at
336 least one individual with autism spectrum disorder, one family member of an individual with autism spectrum
337 disorder, one specialist who works with individuals with autism spectrum disorder, one representative from
338 the Department of Behavioral Health and Developmental Services, and one representative from a state or
339 local law-enforcement agency; ~~and~~

340 69. Develop an online course for the Virginia Alcoholic Beverage Control Authority to offer to retail
341 licensees and their employees to train such licensees and employees to recognize and report instances of
342 suspected human trafficking;

343 70. Establish a model policy for best practices for law-enforcement officers responding to or investigating
344 an overdose, when prescriber information has been obtained during the course of such response or
345 investigation, to notify the prescriber of any controlled substance found to be in the possession of or believed
346 to have been ingested by the victim that such prescription of a controlled substance was involved in an
347 overdose. Such model policy shall include that a notification to a prescriber of a controlled substance shall
348 not be required if such notification would jeopardize an active law-enforcement investigation;

349 71. Establish a training curriculum for law-enforcement agencies, law-enforcement officers, and special
350 conservators of the peace on the discretion such officers can exercise regarding arrest as provided in Chapter
351 7 (§ 19.2-71 et seq.) of Title 19.2. Such training shall include (i) instruction on the scope and nature of
352 law-enforcement officer discretion in arrest decisions, with particular emphasis on encounters with
353 individuals experiencing a mental health crisis, including individuals currently subject to an emergency
354 custody order pursuant to § 37.2-808, a temporary detention order pursuant to § 37.2-809, or an involuntary
355 admission order pursuant to § 37.2-817, and (ii) instruction on the immediate and long-term effects of arrests
356 on individuals in need of mental health services due to a mental health crisis, including impacts on treatment
357 outcomes as identified in substantially accepted peer-reviewed research literature;

358 72. Establish a model policy for the provision of security at nonprofit institutions that serve individuals
359 and communities at risk of hate crimes as defined in § 52-8.5 within the Commonwealth, incorporating
360 relevant information about various traditions, services, or activities that any law-enforcement officer,
361 unarmed security officer, or armed security officer providing such security may encounter; ~~and~~

362 73. *Develop and approve a training certificate course for law-enforcement officers, retired sworn law-*
363 *enforcement officers, as that term is defined in § 46.2-882.1, registered special conservators of the peace,*
364 *and technicians for the review of sworn or affirmed certificates for the purposes of enforcement of violations*
365 *recorded by traffic light signal violation monitoring systems or traffic control device violation monitoring*
366 *systems pursuant to § 15.2-968.1 or photo speed monitoring devices pursuant to § 46.2-882.1; and*

367 74. Perform such other acts as may be necessary or convenient for the effective performance of its duties.

368 **§ 15.2-968.1. (For contingent expiration date, see Acts 2023, c. 738, cl. 2) Use of violation monitoring**
369 **systems to enforce traffic light signals and certain traffic control devices.**

370 A. For purposes of this section:

371 "Owner" means the registered owner on record with the Department of Motor Vehicles.

372 "Traffic control device" has the same meaning as set forth in § 46.2-100.

373 "Traffic control device violation monitoring system" means equipment that produces one or more
374 photographs, microphotographs, video, or other recorded images of vehicles used or operated in violation of
375 signs or markings placed in accordance with § 46.2-830. Traffic control device violation monitoring systems
376 shall not be used to enforce violations of traffic light signals or speed limits.

377 "Traffic light signal violation monitoring system" means a vehicle sensor installed to work in conjunction
378 with a traffic light that automatically produces two or more photographs, two or more microphotographs,
379 video, or other recorded images of each vehicle at the time it is used or operated in violation of § 46.2-833,
380 46.2-835, or 46.2-836. For each such vehicle, at least one recorded image shall be of the vehicle before it has
381 illegally entered the intersection, and at least one recorded image shall be of the same vehicle after it has
382 illegally entered the intersection.

383 B. 1. The governing body of any county, city, or town may provide by ordinance for the establishment of
384 a traffic signal enforcement program imposing monetary liability on the operator of a motor vehicle for
385 failure to comply with traffic light signals in such locality in accordance with the provisions of this section.
386 Each such locality may install and operate traffic light signal violation monitoring systems at no more than
387 one intersection for every 10,000 residents within each county, city, or town at any one time, provided,

388 however, that within planning District 8, each such locality may install and operate traffic light signal
389 violation monitoring systems at no more than 10 intersections, or at no more than one intersection for every
390 10,000 residents within each county, city, or town, whichever is greater, at any one time.

391 2. In addition to the authority provided in subdivision 1, the governing body of any locality in Planning
392 District 23 may provide by ordinance for the establishment of a traffic control device violation monitoring
393 system imposing monetary liability on the operator of a motor vehicle for failure to comply with traffic
394 control devices in such locality in accordance with the provisions of this section. Such governing body may
395 install and operate a traffic control device violation monitoring system at any intersection deemed by the
396 governing body to be negatively impacted by traffic due to the Hampton Roads Bridge-Tunnel Express Lanes
397 Hampton Segment (4C) Project (HREL-P).

398 C. The operator of a vehicle shall be liable for a monetary penalty imposed pursuant to this section if such
399 vehicle is found, (i) as evidenced by information obtained from a traffic light signal violation monitoring
400 system, to have failed to comply with a traffic light signal within such locality or (ii) as evidenced by
401 information obtained from a traffic control device violation monitoring system, to have failed to comply with
402 a traffic control device within such locality. No operator shall be liable for a penalty pursuant to clause (i) and
403 a penalty pursuant to clause (ii) arising out of the same act. No monetary penalty shall be imposed pursuant to
404 this section for a first offense of failing to comply with a traffic control device, as evidenced by information
405 obtained from a traffic control device violation monitoring system, and such operator shall be issued a written
406 warning.

407 D. Proof of a violation of this section shall be evidenced by information obtained from a traffic light
408 signal violation monitoring system or traffic control device violation monitoring system authorized pursuant
409 to this section. A certificate, sworn to or affirmed by a law-enforcement officer, *retired sworn law-*
410 *enforcement officer, as that term is defined in § 46.2-882.1, registered special conservator of the peace, or*
411 *technician, who has completed a training course developed and approved pursuant to subdivision 73 of*
412 *§ 9.1-102*, employed by a locality authorized to impose penalties pursuant to this section, or a facsimile
413 thereof, based upon inspection of photographs, microphotographs, videotape, or other recorded images
414 produced by a traffic light signal violation monitoring system or traffic control device violation monitoring
415 system, shall be prima facie evidence of the facts contained therein. Any photographs, microphotographs,
416 videotape, or other recorded images evidencing such a violation shall be available for inspection in any
417 proceeding to adjudicate the liability for such violation pursuant to an ordinance adopted pursuant to this

418 section.

419 E. In the prosecution for a violation of any local ordinance adopted as provided in this section, prima facie
420 evidence that the vehicle described in the summons issued pursuant to this section was operated in violation
421 of such ordinance, together with proof that the defendant was at the time of such violation the owner, lessee,
422 or renter of the vehicle, shall constitute in evidence a rebuttable presumption that such owner, lessee, or
423 renter of the vehicle was the person who committed the violation. Such presumption shall be rebutted if the
424 owner, lessee, or renter of the vehicle (i) files an affidavit by regular mail with the clerk of the general district
425 court that he was not the operator of the vehicle at the time of the alleged violation or (ii) testifies in open
426 court under oath that he was not the operator of the vehicle at the time of the alleged violation. Such
427 presumption shall also be rebutted if a certified copy of a police report, showing that the vehicle had been
428 reported to the police as stolen prior to the time of the alleged violation of this section, is presented, prior to
429 the return date established on the summons issued pursuant to this section, to the court adjudicating the
430 alleged violation.

431 F. Imposition of a penalty pursuant to this section shall not be deemed a conviction as an operator and
432 shall not be made part of the operating record of the person upon whom such liability is imposed, nor shall it
433 be used for insurance purposes in the provision of motor vehicle insurance coverage. No monetary penalty
434 imposed under this section shall exceed \$50, nor shall it include court costs. Any finding in a district court
435 that an operator has violated an ordinance adopted as provided in this section shall be appealable to the circuit
436 court in a civil proceeding.

437 G. A summons for a violation of this section may be executed pursuant to § 19.2-76.2. Notwithstanding
438 the provisions of § 19.2-76, a summons for a violation of this section may be executed by mailing by first
439 class mail a copy thereof to the owner, lessee, or renter of the vehicle. In the case of a vehicle owner, the copy
440 shall be mailed to the address contained in the records of the Department of Motor Vehicles; in the case of a
441 vehicle lessee or renter, the copy shall be mailed to the address contained in the records of the lessor or renter.
442 Every such mailing shall include, in addition to the summons, a notice of (i) the summoned person's ability to
443 rebut the presumption that he was the operator of the vehicle at the time of the alleged violation through the
444 filing of an affidavit as provided in subsection E and (ii) instructions for filing such affidavit, including the
445 address to which the affidavit is to be sent. If the summoned person fails to appear on the date of return set
446 out in the summons mailed pursuant to this section, the summons shall be executed in the manner set out in
447 § 19.2-76.3. No proceedings for contempt or arrest of a person summoned by mailing shall be instituted for

448 failure to appear on the return date of the summons. Any summons executed for a violation of this section
449 shall provide to the person summoned at least 30 business days from the mailing of the summons to inspect
450 information collected by a traffic light signal violation monitoring system or traffic control device violation
451 monitoring system in connection with the violation.

452 H. Information collected by a traffic light signal violation monitoring system or traffic control device
453 violation monitoring system installed and operated pursuant to subsection B shall be limited exclusively to
454 that information that is necessary for the enforcement of traffic light or traffic control device violations. On
455 behalf of a locality, a private entity that operates a traffic light signal violation monitoring system or traffic
456 control device violation monitoring system may enter into an agreement with the Department of Motor
457 Vehicles, in accordance with the provisions of subdivision B 21 of § 46.2-208, to obtain vehicle owner
458 information regarding the registered owners of vehicles that fail to comply with a traffic light signal or traffic
459 control device. Information provided to the operator of a traffic light signal violation monitoring system or
460 traffic control device violation monitoring system shall be protected in a database with security comparable to
461 that of the Department of Motor Vehicles' system, and used only for enforcement against individuals who
462 violate the provisions of this section. Notwithstanding any other provision of law, all photographs,
463 microphotographs, electronic images, or other personal information collected by a traffic light signal
464 violation monitoring system or traffic control device violation monitoring system shall be used exclusively
465 for enforcing traffic light or traffic control device violations and shall not (i) be open to the public; (ii) be sold
466 or used for sales, solicitation, or marketing purposes; (iii) be disclosed to any other entity except as may be
467 necessary for the enforcement of a traffic light or traffic control device violation or to a vehicle owner or
468 operator as part of a challenge to the violation; or (iv) be used in a court in a pending action or proceeding
469 unless the action or proceeding relates to a violation of § 46.2-830, 46.2-833, 46.2-835, or 46.2-836 or
470 requested upon order from a court of competent jurisdiction. Information collected under this section
471 pertaining to a specific violation shall be purged and not retained later than 60 days after the collection of any
472 civil penalties. If a locality does not execute a summons for a violation of this section within 10 business
473 days, all information collected pertaining to that suspected violation shall be purged within two business
474 days. Any locality operating a traffic light signal violation monitoring system or traffic control device
475 violation monitoring system shall annually certify compliance with this section and make all records
476 pertaining to such system available for inspection and audit by the Commissioner of Highways or the
477 Commissioner of the Department of Motor Vehicles or his designee. Any person who discloses personal
478 information in violation of the provisions of this subsection shall be subject to a civil penalty of \$1,000 per

479 disclosure. Any unauthorized use or disclosure of such personal information shall be grounds for termination
480 of the agreement between the Department of Motor Vehicles and the private entity.

481 I. A private entity may enter into an agreement with a locality to be compensated for providing the traffic
482 light signal violation monitoring system or equipment or traffic control device violation monitoring system or
483 equipment, and all related support services, to include consulting, operations and administration. However,
484 only a law-enforcement officer, *retired sworn law-enforcement officer, as that term is defined in*
485 *§ 46.2-882.1, registered special conservator of the peace, or technician, who has completed a training course*
486 *developed and approved pursuant to subdivision 73 of § 9.1-102*, employed by a locality may swear to or
487 affirm the certificate required by subsection D. No locality shall enter into an agreement for compensation
488 based on the number of violations or monetary penalties imposed.

489 J. When selecting potential intersections for a traffic light signal violation monitoring system, a locality
490 shall consider factors such as (i) the accident rate for the intersection, (ii) the rate of red light violations
491 occurring at the intersection (number of violations per number of vehicles), (iii) the difficulty experienced by
492 law-enforcement officers in patrol cars or on foot in apprehending violators, and (iv) the ability of law-
493 enforcement officers to apprehend violators safely within a reasonable distance from the violation. Localities
494 may consider the risk to pedestrians as a factor, if applicable.

495 K. 1. Before the implementation of a traffic light signal violation monitoring system at an intersection, the
496 locality shall complete an engineering safety analysis that addresses signal timing and other location-specific
497 safety features. The length of the yellow phase shall be established based on the recommended methodology
498 of the Institute of Transportation Engineers. No traffic light signal violation monitoring system shall be
499 implemented or utilized for a traffic signal having a yellow signal phase length of less than three seconds. All
500 traffic light signal violation monitoring systems shall provide a minimum 0.5-second grace period between
501 the time the signal turns red and the time the first violation is recorded. If recommended by the engineering
502 safety analysis, the locality shall make reasonable location-specific safety improvements, including signs and
503 pavement markings.

504 2. Before the implementation of a traffic control device violation monitoring system at an intersection, the
505 governing body of the implementing locality shall complete an engineering safety analysis that addresses the
506 impact of the HREL-P on congestion, accident rates, and driver disregard for traffic control devices. If
507 recommended by the engineering safety analysis, the locality shall make reasonable location-specific safety
508 improvements, including signs and pavement markings.

509 L. Any locality that uses a traffic light signal violation monitoring system or traffic control device
510 violation monitoring system shall evaluate the system on a monthly basis to ensure all cameras and traffic
511 signals are functioning properly. Evaluation results shall be made available to the public.

512 M. Any locality that uses a traffic light signal violation monitoring system to enforce traffic light signals
513 shall place conspicuous signs within 500 feet of the intersection approach at which a traffic light signal
514 violation monitoring system is used. There shall be a rebuttable presumption that such signs were in place at
515 the time of the commission of the traffic light signal violation.

516 N. Prior to or coincident with the implementation or expansion of a traffic light signal violation
517 monitoring system or traffic control device violation monitoring system, a locality shall conduct a public
518 awareness program, advising the public that the locality is implementing or expanding a traffic light signal
519 violation monitoring system or traffic control device violation monitoring system.

520 O. Notwithstanding any other provision of this section, if a vehicle depicted in images recorded by a
521 traffic light signal violation monitoring system or traffic control device violation monitoring system is owned,
522 leased, or rented by a county, city, or town, then the county, city, or town may access and use the recorded
523 images and associated information for employee disciplinary purposes.

524 **§ 15.2-968.1. (For contingent effective date, see Acts 2023, c. 738, cl. 2) Use of violation monitoring**
525 **systems to enforce traffic light signals and certain traffic control devices.**

526 A. The governing body of any county, city, or town may provide by ordinance for the establishment of a
527 traffic signal enforcement program imposing monetary liability on the operator of a motor vehicle for failure
528 to comply with traffic light signals in such locality in accordance with the provisions of this section. Each
529 such locality may install and operate traffic light signal photo-monitoring systems at no more than one
530 intersection for every 10,000 residents within each county, city, or town at any one time, provided, however,
531 that within planning District 8, each such locality may install and operate traffic light signal photo-monitoring
532 systems at no more than 10 intersections, or at no more than one intersection for every 10,000 residents
533 within each county, city, or town, whichever is greater, at any one time.

534 B. The operator of a vehicle shall be liable for a monetary penalty imposed pursuant to this section if such
535 vehicle is found, as evidenced by information obtained from a traffic light signal violation monitoring system,
536 to have failed to comply with a traffic light signal within such locality.

537 C. Proof of a violation of this section shall be evidenced by information obtained from a traffic light

538 signal violation monitoring system authorized pursuant to this section. A certificate, sworn to or affirmed by
539 a law-enforcement officer, *retired sworn law-enforcement officer, as that term is defined in § 46.2-882.1,*
540 *registered special conservator of the peace, or technician, who has completed a training course developed*
541 *and approved pursuant to subdivision 73 of § 9.1-102,* employed by a locality authorized to impose penalties
542 pursuant to this section, or a facsimile thereof, based upon inspection of photographs, microphotographs,
543 videotape, or other recorded images produced by a traffic light signal violation monitoring system, shall be
544 prima facie evidence of the facts contained therein. Any photographs, microphotographs, videotape, or other
545 recorded images evidencing such a violation shall be available for inspection in any proceeding to adjudicate
546 the liability for such violation pursuant to an ordinance adopted pursuant to this section.

547 D. In the prosecution for a violation of any local ordinance adopted as provided in this section, prima facie
548 evidence that the vehicle described in the summons issued pursuant to this section was operated in violation
549 of such ordinance, together with proof that the defendant was at the time of such violation the owner, lessee,
550 or renter of the vehicle, shall constitute in evidence a rebuttable presumption that such owner, lessee, or
551 renter of the vehicle was the person who committed the violation. Such presumption shall be rebutted if the
552 owner, lessee, or renter of the vehicle (i) files an affidavit by regular mail with the clerk of the general district
553 court that he was not the operator of the vehicle at the time of the alleged violation or (ii) testifies in open
554 court under oath that he was not the operator of the vehicle at the time of the alleged violation. Such
555 presumption shall also be rebutted if a certified copy of a police report, showing that the vehicle had been
556 reported to the police as stolen prior to the time of the alleged violation of this section, is presented, prior to
557 the return date established on the summons issued pursuant to this section, to the court adjudicating the
558 alleged violation.

559 E. For purposes of this section, "owner" means the registered owner of such vehicle on record with the
560 Department of Motor Vehicles. For purposes of this section, "traffic light signal violation monitoring system"
561 means a vehicle sensor installed to work in conjunction with a traffic light that automatically produces two or
562 more photographs, two or more microphotographs, video, or other recorded images of each vehicle at the
563 time it is used or operated in violation of § 46.2-833, 46.2-835, or 46.2-836. For each such vehicle, at least
564 one recorded image shall be of the vehicle before it has illegally entered the intersection, and at least one
565 recorded image shall be of the same vehicle after it has illegally entered that intersection.

566 F. Imposition of a penalty pursuant to this section shall not be deemed a conviction as an operator and
567 shall not be made part of the operating record of the person upon whom such liability is imposed, nor shall it

568 be used for insurance purposes in the provision of motor vehicle insurance coverage. No monetary penalty
569 imposed under this section shall exceed \$50, nor shall it include court costs. Any finding in a district court
570 that an operator has violated an ordinance adopted as provided in this section shall be appealable to the circuit
571 court in a civil proceeding.

572 G. A summons for a violation of this section may be executed pursuant to § 19.2-76.2. Notwithstanding
573 the provisions of § 19.2-76, a summons for a violation of this section may be executed by mailing by first
574 class mail a copy thereof to the owner, lessee, or renter of the vehicle. In the case of a vehicle owner, the copy
575 shall be mailed to the address contained in the records of the Department of Motor Vehicles; in the case of a
576 vehicle lessee or renter, the copy shall be mailed to the address contained in the records of the lessor or renter.
577 Every such mailing shall include, in addition to the summons, a notice of (i) the summoned person's ability to
578 rebut the presumption that he was the operator of the vehicle at the time of the alleged violation through the
579 filing of an affidavit as provided in subsection D and (ii) instructions for filing such affidavit, including the
580 address to which the affidavit is to be sent. If the summoned person fails to appear on the date of return set
581 out in the summons mailed pursuant to this section, the summons shall be executed in the manner set out in
582 § 19.2-76.3. No proceedings for contempt or arrest of a person summoned by mailing shall be instituted for
583 failure to appear on the return date of the summons. Any summons executed for a violation of this section
584 shall provide to the person summoned at least 30 business days from the mailing of the summons to inspect
585 information collected by a traffic light signal violation monitoring system in connection with the violation.

586 H. Information collected by a traffic light signal violation monitoring system installed and operated
587 pursuant to subsection A shall be limited exclusively to that information that is necessary for the enforcement
588 of traffic light violations. On behalf of a locality, a private entity that operates a traffic light signal violation
589 monitoring system may enter into an agreement with the Department of Motor Vehicles, in accordance with
590 the provisions of subdivision B 21 of § 46.2-208, to obtain vehicle owner information regarding the
591 registered owners of vehicles that fail to comply with a traffic light signal. Information provided to the
592 operator of a traffic light signal violation monitoring system shall be protected in a database with security
593 comparable to that of the Department of Motor Vehicles' system, and used only for enforcement against
594 individuals who violate the provisions of this section. Notwithstanding any other provision of law, all
595 photographs, microphotographs, electronic images, or other personal information collected by a traffic light
596 signal violation monitoring system shall be used exclusively for enforcing traffic light violations and shall not
597 (i) be open to the public; (ii) be sold or used for sales, solicitation, or marketing purposes; (iii) be disclosed to
598 any other entity except as may be necessary for the enforcement of a traffic light violation or to a vehicle

599 owner or operator as part of a challenge to the violation; or (iv) be used in a court in a pending action or
600 proceeding unless the action or proceeding relates to a violation of § 46.2-833, 46.2-835, or 46.2-836 or
601 requested upon order from a court of competent jurisdiction. Information collected under this section
602 pertaining to a specific violation shall be purged and not retained later than 60 days after the collection of any
603 civil penalties. If a locality does not execute a summons for a violation of this section within 10 business
604 days, all information collected pertaining to that suspected violation shall be purged within two business
605 days. Any locality operating a traffic light signal violation monitoring system shall annually certify
606 compliance with this section and make all records pertaining to such system available for inspection and audit
607 by the Commissioner of Highways or the Commissioner of the Department of Motor Vehicles or his
608 designee. Any person who discloses personal information in violation of the provisions of this subsection
609 shall be subject to a civil penalty of \$1,000 per disclosure. Any unauthorized use or disclosure of such
610 personal information shall be grounds for termination of the agreement between the Department of Motor
611 Vehicles and the private entity.

612 I. A private entity may enter into an agreement with a locality to be compensated for providing the traffic
613 light signal violation monitoring system or equipment, and all related support services, to include consulting,
614 operations and administration. However, only a law-enforcement officer, *retired sworn law-enforcement*
615 *officer, as that term is defined in § 46.2-882.1, registered special conservator of the peace, or technician,*
616 *who has completed a training course developed and approved pursuant to subdivision 73 of § 9.1-102,*
617 employed by a locality may swear to or affirm the certificate required by subsection C. No locality shall enter
618 into an agreement for compensation based on the number of violations or monetary penalties imposed.

619 J. When selecting potential intersections for a traffic light signal violation monitoring system, a locality
620 shall consider factors such as (i) the accident rate for the intersection, (ii) the rate of red light violations
621 occurring at the intersection (number of violations per number of vehicles), (iii) the difficulty experienced by
622 law-enforcement officers in patrol cars or on foot in apprehending violators, and (iv) the ability of law-
623 enforcement officers to apprehend violators safely within a reasonable distance from the violation. Localities
624 may consider the risk to pedestrians as a factor, if applicable.

625 K. Before the implementation of a traffic light signal violation monitoring system at an intersection, the
626 locality shall complete an engineering safety analysis that addresses signal timing and other location-specific
627 safety features. The length of the yellow phase shall be established based on the recommended methodology
628 of the Institute of Transportation Engineers. No traffic light signal violation monitoring system shall be

629 implemented or utilized for a traffic signal having a yellow signal phase length of less than three seconds. All
630 traffic light signal violation monitoring systems shall provide a minimum 0.5-second grace period between
631 the time the signal turns red and the time the first violation is recorded. If recommended by the engineering
632 safety analysis, the locality shall make reasonable location-specific safety improvements, including signs and
633 pavement markings.

634 L. Any locality that uses a traffic light signal violation monitoring system shall evaluate the system on a
635 monthly basis to ensure all cameras and traffic signals are functioning properly. Evaluation results shall be
636 made available to the public.

637 M. Any locality that uses a traffic light signal violation monitoring system to enforce traffic light signals
638 shall place conspicuous signs within 500 feet of the intersection approach at which a traffic light signal
639 violation monitoring system is used. There shall be a rebuttable presumption that such signs were in place at
640 the time of the commission of the traffic light signal violation.

641 N. Prior to or coincident with the implementation or expansion of a traffic light signal violation
642 monitoring system, a locality shall conduct a public awareness program, advising the public that the locality
643 is implementing or expanding a traffic light signal violation monitoring system.

644 O. Notwithstanding any other provision of this section, if a vehicle depicted in images recorded by a
645 traffic light signal photo-monitoring system is owned, leased, or rented by a county, city, or town, then the
646 county, city, or town may access and use the recorded images and associated information for employee
647 disciplinary purposes.

648 **§ 19.2-13. Special conservators of the peace; authority; jurisdiction; registration; liability of**
649 **employers; penalty; report.**

650 A. Upon the submission of an application, which shall include the results of the background investigation
651 conducted pursuant to subsection C, from (i) any sheriff or chief of police of any county, city, or town; (ii)
652 any corporation authorized to do business in the Commonwealth; (iii) the owner, proprietor, or authorized
653 custodian of any place within the Commonwealth; or (iv) any museum owned and managed by the
654 Commonwealth, a circuit court judge of any county or city shall appoint special conservators of the peace
655 who shall serve as such for such length of time as the court may designate, but not exceeding four years under
656 any one appointment, during which time the court shall retain jurisdiction over the appointment order, upon a
657 showing by the applicant of a necessity for the security of property or the peace and presentation of evidence

658 that the person or persons to be appointed as a special conservator of the peace possess a valid registration
659 issued by the Department of Criminal Justice Services in accordance with the provisions of subsection C.
660 Upon an application made pursuant to clause (ii), (iii), or (iv), the court shall, prior to entering the order of
661 appointment, transmit a copy of the application to the local attorney for the Commonwealth and the local
662 sheriff or chief of police who may submit to the court a sworn, written statement indicating whether the order
663 of appointment should be granted. However, a judge may deny the appointment for good cause, and shall
664 state the specific reasons for the denial in writing in the order denying the appointment. A judge also may
665 revoke the appointment order for good cause shown, upon the filing of a sworn petition by the attorney for
666 the Commonwealth, sheriff, or chief of police for any locality in which the special conservator of the peace is
667 authorized to serve or by the Department of Criminal Justice Services. Prior to revocation, a hearing shall be
668 set and the special conservator of the peace shall be given notice and the opportunity to be heard. The judge
669 may temporarily suspend the appointment pending the hearing for good cause shown. A hearing on the
670 petition shall be heard by the court as soon as practicable. If the appointment order is suspended or revoked,
671 the clerk of court shall notify the Department of Criminal Justice Services, the Department of State Police,
672 the applicable local law-enforcement agencies in all cities and counties where the special conservator of the
673 peace is authorized to serve, and the employer of the special conservator of the peace.

674 The order of appointment shall provide that a special conservator of the peace may perform only the
675 duties for which he is qualified by training as established by the Criminal Justice Services Board. The order
676 of appointment shall provide that such duties shall be exercised only within geographical limitations specified
677 by the court, which shall be within the confines of the county, city or town that makes application or on the
678 real property where the corporate applicant is located, or any real property contiguous to such real property,
679 limited, except as provided in subsection F, to the city or county wherein application has been made, and only
680 when such special conservator of the peace is engaged in the performance of his duties as such; however, a
681 court may, in its discretion, specify in the order of appointment additional jurisdictions in which a special
682 conservator of the peace employed by the Shenandoah Valley Regional Airport Commission or the
683 Richmond Metropolitan Transportation Authority may exercise his duties. The order may provide that the
684 special conservator of the peace shall have the authority to make an arrest outside of such geographical
685 limitations if the arrest results from a close pursuit that was initiated when the special conservator of the
686 peace was within the confines of the area wherein he has been authorized to have the powers and authority of
687 a special conservator of the peace; the order shall further delineate a geographical limitation or distance

688 beyond which the special conservator of the peace may not effectuate such an arrest that follows from a close
689 pursuit. The order shall require the special conservator of the peace to comply with the provisions of the
690 United States Constitution and the Constitution of Virginia. The order shall not identify the special
691 conservator of the peace as a law-enforcement officer pursuant to § 9.1-101. The order may provide,
692 however, that the special conservator of the peace is a "law-enforcement officer" for the purposes of Article 4
693 (§ 37.2-808 et seq.) of Chapter 8 of Title 37.2 or Article 16 (§ 16.1-335 et seq.) of Chapter 11 of Title 16.1,
694 but such designation shall not qualify the special conservator of the peace as a "qualified law-enforcement
695 officer" or "qualified retired law-enforcement officer" within the meaning of the federal Law Enforcement
696 Officer Safety Act, 18 U.S.C. § 926(B) et seq., and the order of appointment shall specifically state this. The
697 order may also provide that a special conservator of the peace who has completed the minimum training
698 standards established by the Criminal Justice Services Board, has the authority to affect arrests, using up to
699 the same amount of force as would be allowed to a law-enforcement officer employed by the Commonwealth
700 or any of its political subdivisions when making a lawful arrest. The order shall prohibit blue flashing lights,
701 but upon request and for good cause shown may provide that the special conservator of the peace may use
702 flashing lights and sirens on any vehicle used by the special conservator of the peace when he is in the
703 performance of his duties. Prior to granting an application for appointment, the circuit court shall ensure that
704 the applicant has met the registration requirements established by the Criminal Justice Services Board.

705 B. All applications and orders for appointments of special conservators of the peace shall be submitted on
706 forms developed by the Office of the Executive Secretary of the Supreme Court of Virginia in consultation
707 with the Department of Criminal Justice Services and shall specify the duties for which the applicant is
708 qualified. The applications and orders shall specify the geographic limitations consistent with subsection A.

709 C. No person shall seek appointment as a special conservator of the peace from a circuit court judge
710 without possessing a valid registration issued by the Department of Criminal Justice Services, except as
711 provided in this section. Applicants for registration may submit an application on or after January 1, 2004. A
712 temporary registration may be issued in accordance with regulations established by the Criminal Justice
713 Services Board while awaiting the results of a state and national fingerprint search. However, no person shall
714 be issued a valid registration or temporary registration until he has (i) complied with, or been exempted from
715 the compulsory minimum training standards as set forth in this section; (ii) submitted his fingerprints on a
716 form provided by the Department to be used for the conduct of a national criminal records search and a
717 Virginia criminal history records search; (iii) submitted the results of a background investigation, performed
718 by any state or local law-enforcement agency, which may, at its discretion, charge a reasonable fee to the

719 applicant and which shall include a review of the applicant's criminal history records and may include a
720 review of the applicant's school records, employment records, or interviews with persons possessing general
721 knowledge of the applicant's character and fitness for such appointment; and (iv) met all other requirements
722 of this article and Board regulations. No person with a criminal conviction for a misdemeanor involving (a)
723 moral turpitude, (b) assault and battery, (c) damage to real or personal property, (d) controlled substances or
724 imitation controlled substances as defined in Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2, (e)
725 prohibited sexual behavior as described in Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2, or (f)
726 firearms, or any felony, or who is required to register with the Sex Offender and Crimes Against Minors
727 Registry pursuant to Chapter 9 (§ 9.1-900 et seq.) of Title 9.1, or who is prohibited from possessing,
728 transporting, or purchasing a firearm shall be eligible for registration or appointment as a special conservator
729 of the peace. A special conservator of the peace shall report if he is arrested for, charged with, or convicted of
730 any misdemeanor or felony offense or becomes ineligible for registration or appointment as a special
731 conservator of the peace pursuant to this subsection to the Department of Criminal Justice Services and the
732 chief law-enforcement officer of all localities in which he is authorized to serve within three days of such
733 arrest or of becoming ineligible for registration or appointment as a special conservator of the peace. Any
734 appointment for a special conservator of the peace shall be eligible for suspension and revocation after a
735 hearing pursuant to subsection A if the special conservator of the peace is convicted of any offense listed in
736 this subsection or becomes ineligible for registration or appointment as a special conservator of the peace
737 pursuant to this subsection. All appointments for special conservators of the peace shall become void on
738 September 15, 2004, unless they have obtained a valid registration issued by the Department of Criminal
739 Justice Services.

740 D. Each person registered as or seeking registration as a special conservator of the peace shall be covered
741 by evidence of a policy of (i) personal injury liability insurance, as defined in § 38.2-117; (ii) property
742 damage liability insurance, as defined in § 38.2-118; and (iii) miscellaneous casualty insurance, as defined in
743 subsection B of § 38.2-111, which includes professional liability insurance that provides coverage for any
744 activity within the scope of the duties of a special conservator of the peace as set forth in this section, in an
745 amount and with coverage for each as fixed by the Board, or self-insurance in an amount and with coverage
746 as fixed by the Board. Any person who is aggrieved by the misconduct of any person registered as a special
747 conservator of the peace and recovers a judgment against the registrant, which is unsatisfied in whole or in
748 part, may bring an action in his own name against the insurance policy of the registrant.

749 E. Effective July 1, 2015, all persons currently appointed or seeking appointment or reappointment as a

750 special conservator of the peace are required to register with the Department of Criminal Justice Services,
751 regardless of any other standing the person may have as a law-enforcement officer or other position requiring
752 registration or licensure by the Department. The employer of any special conservator of the peace shall notify
753 the circuit court, the Department of Criminal Justice Services, the Department of State Police, and the chief
754 law-enforcement officer of all localities in which the special conservator of the peace is authorized to serve
755 within 30 days after the date such individual has left employment and all powers of the special conservator of
756 the peace shall be void. Failure to provide such notification shall be punishable by a fine of \$250 plus an
757 additional \$50 per day for each day such notice is not provided.

758 F. When the application is made by any sheriff or chief of police, the circuit court shall specify in the
759 order of appointment the name of the applicant authorized under subsection A and the geographic jurisdiction
760 of the special conservator of the peace. Such appointments shall be limited to the city or county wherein
761 application has been made. When the application is made by any corporation authorized to do business in the
762 Commonwealth, any owner, proprietor, or authorized custodian of any place within the Commonwealth, or
763 any museum owned and managed by the Commonwealth, the circuit court shall specify in the order of
764 appointment the name of the applicant authorized under subsection A and the specific real property where the
765 special conservator of the peace is authorized to serve. Such appointments shall be limited to the specific real
766 property within the county, city, or town wherein application has been made. In the case of a corporation or
767 other business, the court appointment may also include, for good cause shown, any real property owned or
768 leased by the corporation or business, including any subsidiaries, in other specifically named cities and
769 counties, but shall provide that the powers of the special conservator of the peace do not extend beyond the
770 boundaries of such real property. The clerk of the appointing circuit court shall transmit to the Department of
771 State Police, the clerk of the circuit court of each locality where the special conservator of the peace is
772 authorized to serve, and the sheriff or chief of police of each such locality a copy of the order of appointment
773 that shall specify the following information: the person's complete name, address, date of birth, social
774 security number, gender, race, height, weight, color of hair, color of eyes, firearm authority or limitation as
775 set forth in subsection G, date of the order, and other information as may be required by the Department of
776 State Police. The Department of State Police shall enter the person's name and other information into the
777 Virginia Criminal Information Network established and maintained by the Department pursuant to Chapter 2
778 (§ 52-12 et seq.) of Title 52. The Department of State Police may charge a fee not to exceed \$10 to cover its
779 costs associated with processing these orders. Each special conservator of the peace so appointed on
780 application shall present his credentials to the chief of police or sheriff or his designee of all jurisdictions

781 where he has conservator powers. If his powers are limited to certain areas of real property owned or leased
782 by a corporation or business, he shall also provide notice of the exact physical addresses of those areas. Each
783 special conservator shall provide to the circuit court a temporary registration letter issued by the Department
784 of Criminal Justice Services to include the results of the background check prior to seeking an appointment
785 by the circuit court. Once the applicant receives the appointment from the circuit court the applicant shall file
786 the appointment order and a copy of the application with the Department of Criminal Justice Services in order
787 to receive his special conservator of the peace registration document. If the court appointment includes any
788 real property owned or leased by the corporation or business in other specifically named cities and counties
789 not within the city or county wherein application has been made, the clerk of the appointing court shall
790 transmit a copy of the order of appointment to (i) the clerk of the circuit court for each jurisdiction where the
791 special conservator of the peace is authorized to serve and (ii) the sheriff or chief of police of each
792 jurisdiction where the special conservator of the peace is authorized to serve.

793 If any such special conservator of the peace is the employee, agent or servant of another, his appointment
794 as special conservator of the peace shall not relieve his employer, principal or master from civil liability to
795 another arising out of any wrongful action or conduct committed by such special conservator of the peace
796 while within the scope of his employment.

797 Effective July 1, 2002, no person employed by a local school board as a school security officer, as defined
798 in § 9.1-101, shall be eligible for appointment as a conservator for purposes of maintaining safety in a public
799 school in the Commonwealth. All appointments of special conservators of the peace granted to school
800 security officers as defined in § 9.1-101 prior to July 1, 2002 are void.

801 G. The court may limit or prohibit the carrying of weapons by any special conservator of the peace
802 initially appointed on or after July 1, 1996, while the appointee is within the scope of his employment as
803 such.

804 H. The governing body of any locality or the sheriff of a county where no police department has been
805 established may enter into mutual aid agreements with any entity employing special conservators of the peace
806 that is located in such locality for the use of their joint forces and their equipment and materials to maintain
807 peace and good order. Any law-enforcement officer or special conservator of the peace, while performing his
808 duty under any such agreement, shall have the same authority as lawfully conferred on him within his own
809 jurisdiction.

810 I. No special conservator of the peace shall display or use the word "police" on any uniform, badge,

811 credential, or vehicle in the performance of his duties as a special conservator of the peace. Other than special
812 conservators of the peace employed by a state agency, no special conservator of the peace shall use the seal of
813 the Commonwealth on any uniform, badge, credential, or vehicle in the performance of his duties. However,
814 upon request and for good cause shown, the order of appointment may provide that a special conservator of
815 the peace who (i) meets all requirements, including the minimum compulsory training requirements, for
816 law-enforcement officers set forth in Chapter 1 (§ 9.1-100 et seq.) of Title 9.1 and (ii) is employed by the
817 Shenandoah Valley Regional Airport Commission or the Richmond Metropolitan Transportation Authority
818 may use the word "police" on any badge, uniform, or vehicle in the performance of his duties or the seal of
819 the Commonwealth on any badge or credential in the performance of his duties.

820 J. A special conservator of the peace may possess simultaneous registration with the Department of
821 Criminal Justice Services as an armed security officer pursuant to Article 4 (§ 9.1-138 et seq.) of Chapter 1 of
822 Title 9.1 and shall maintain the rights, requirements, and restrictions contained therein.

823 *K. A special conservator of the peace who has completed a training course developed and approved by*
824 *the Department of Criminal Justice Services pursuant to subdivision 73 of § 9.1-102 may swear to or affirm a*
825 *certificate for the purposes of enforcement of violations recorded by traffic light signal violation monitoring*
826 *systems or traffic control device violation monitoring systems pursuant to § 15.2-968.1 or photo speed*
827 *monitoring devices pursuant to § 46.2-882.1.*

828 **§ 46.2-882.1. Use of photo speed monitoring devices in highway work zones, school crossing zones,**
829 **and high-risk intersection segments; civil penalty.**

830 A. For the purposes of this section:

831 "High-risk intersection segment" means any highway or portion thereof located not more than 1,000 feet
832 from the limits of the property of a school that is part of or adjacent to an intersection containing a marked
833 crosswalk that is identified in the manner provided in this section as one in which a traffic fatality has
834 occurred since January 1, 2014.

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

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

838 "Retired sworn law-enforcement officer" means any officer of the United States, or of a state or political
839 subdivision thereof, who was empowered by law to conduct investigations and make arrests and any attorney
840 authorized by law to prosecute or participate in the prosecution of such offenses, who at the time of

841 retirement kept an up-to-date certification and retired honorably in good standing. A retired sworn law-
842 enforcement officer shall not be required to keep an up-to-date certification after the date of his retirement.

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

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

846 B. A state or local law-enforcement agency may place and operate a photo speed monitoring device in
847 school crossing zones for the purposes of recording violations of § 46.2-873 and in highway work zones for
848 the purposes of recording violations of § 46.2-878.1.

849 A state or local law-enforcement agency may place and operate a photo speed monitoring device at a
850 high-risk intersection segment located within the locality for the purpose of recording vehicle speed
851 violations, provided that such law-enforcement agency certifies that a traffic fatality has occurred since
852 January 1, 2014, in such segment.

853 C. The operator of a vehicle shall be liable for a monetary civil penalty imposed pursuant to this section if
854 such vehicle is found, as evidenced by information obtained from a photo speed monitoring device, to be
855 traveling at speeds of at least 10 miles per hour above the posted speed limit in the zone monitored by the
856 photo speed monitoring device. Such civil penalty shall not exceed \$100, and any prosecution shall be
857 instituted and conducted in the same manner as prosecution for traffic infractions. Civil penalties collected
858 under this section resulting from a summons issued by a local law-enforcement officer or retired sworn
859 law-enforcement officer employed by a locality shall be paid to the locality in which such violation occurred.
860 Civil penalties collected under this section resulting from a summons issued by a law-enforcement officer or
861 retired sworn law-enforcement officer employed by the Department of State Police shall be paid into the
862 Literary Fund. However, all civil penalties collected under this section resulting from a summons issued
863 based on evidence obtained from a photo speed monitoring device placed and operated at a high-risk
864 intersection segment shall be paid to the Commonwealth Transportation Board to be used for the Virginia
865 Highway Safety Improvement Program established pursuant to § 33.2-373.

866 D. If a photo speed monitoring device is used, proof of a vehicle speed violation shall be evidenced by
867 information obtained from such device. A certificate, or a facsimile thereof, sworn to or affirmed by a
868 law-enforcement officer ~~or a~~ retired sworn law-enforcement officer, *registered special conservator of the*
869 *peace, or technician, who has completed a training course developed and approved pursuant to subdivision*
870 *73 of § 9.1-102, employed by a locality based upon inspection of photographs, microphotographs, videotapes,*
871 or other recorded images produced by a photo speed monitoring device, shall be prima facie evidence of the

872 facts contained therein. However, for any photo speed monitoring device placed in a school crossing zone,
873 such sworn certificate or facsimile thereof shall not be prima facie evidence of the facts contained therein
874 unless such photographs, microphotographs, videotapes, or other recorded images, or documentation, depict
875 or confirm a portable sign or tilt-over sign that is in position or blinking sign that is activated, indicating the
876 school crossing zone pursuant to § 46.2-873, at the time of such vehicle speed violation. Any photographs,
877 microphotographs, videotapes, or other recorded images evidencing such a violation shall be available for
878 inspection in any proceeding to adjudicate the liability for such vehicle speed violation.

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

893 F. Imposition of a penalty pursuant to this section by mailing a summons shall not be deemed a conviction
894 as an operator and shall not be made part of the operating record of the person upon whom such liability is
895 imposed, nor shall it be used for insurance purposes in the provision of motor vehicle insurance coverage.
896 However, if a law-enforcement officer uses a photo speed monitoring device to record a vehicle speed
897 violation and personally issues a summons at the time of the violation, the conviction that results shall be
898 made a part of such driver's driving record and used for insurance purposes in the provision of motor vehicle
899 insurance coverage.

900 G. A summons for a vehicle speed violation issued by mail pursuant to this section may be executed
901 pursuant to § 19.2-76.2. Notwithstanding the provisions of § 19.2-76, a summons issued by mail pursuant to

902 this section may be executed by mailing by first-class mail a copy thereof to the owner, lessee, or renter of
903 the vehicle. In the case of a vehicle owner, the copy shall be mailed to the address contained in the records of
904 or accessible to the Department. In the case of a vehicle lessee or renter, the copy shall be mailed to the
905 address contained in the records of the lessor or renter. Every such mailing shall include, in addition to the
906 summons, a notice of (i) the summoned person's ability to rebut the presumption that he was the operator of
907 the vehicle at the time of the alleged violation through the filing of an affidavit as provided in subsection E
908 and (ii) instructions for filing such affidavit, including the address to which the affidavit is to be sent. If the
909 summoned person fails to appear on the date of return set out in the summons mailed pursuant to this section,
910 the summons shall be executed in the manner set out in § 19.2-76.3. No proceedings for contempt or arrest of
911 a person summoned by mailing shall be instituted for failure to appear on the return date of the summons. If
912 the summons is issued to an owner, lessee, or renter of a vehicle with a registration outside the
913 Commonwealth and such person fails to appear on the date of return set out in the summons mailed pursuant
914 to this section, the summons will be eligible for all legal collections activities. Any summons executed for a
915 vehicle speed violation issued pursuant to this section shall provide to the person summoned at least 30 days
916 from the mailing of the summons to inspect information collected by a photo speed monitoring device in
917 connection with the violation. If the law-enforcement agency that was operating the photo speed monitoring
918 device does not execute a summons for a vehicle speed violation issued pursuant to this section within 30
919 days from the date of the violation, all information collected pertaining to that suspected violation shall be
920 purged within 60 days from the date of the violation.

921 H. A private vendor may enter into an agreement with a law-enforcement agency to be compensated for
922 providing a photo speed monitoring device and all related support services, including consulting, operations,
923 and administration. However, only a law-enforcement officer ~~or~~, retired sworn law-enforcement officer,
924 *registered special conservator of the peace, or technician, who has completed a training course developed*
925 *and approved pursuant to subdivision 73 of § 9.1-102, employed by a locality* may swear to or affirm the
926 certificate required by this section. Any such agreement for compensation shall be based on the value of the
927 goods and services provided, not on the number of violations paid or monetary penalties imposed. Any
928 private vendor contracting with a law-enforcement agency pursuant to this section may enter into an
929 agreement with the Department, in accordance with the provisions of subdivision B 31 of § 46.2-208, to
930 obtain vehicle owner information regarding the registered owners of vehicles that committed a vehicle speed
931 violation. Any such information provided to such private vendor shall be protected in a database.

932 I. Information collected by a photo speed monitoring device operated pursuant to this section shall be

933 limited exclusively to that information that is necessary for the enforcement of vehicle speed violations.
934 Information provided to the operator of a photo speed monitoring device shall be protected in a database and
935 used only for enforcement of vehicle speed violations and enforcement against individuals who violate the
936 provisions of this section. Notwithstanding any other provision of law, all photographs, microphotographs,
937 videotapes, or other recorded images collected by a photo speed monitoring device shall be used exclusively
938 for enforcing vehicle speed violations and shall not be (i) open to the public; (ii) sold or used for sales,
939 solicitation, or marketing purposes; (iii) disclosed to any other entity except as may be necessary for the
940 enforcement of a vehicle speed violation or to a vehicle owner or operator as part of a challenge to the
941 violation; or (iv) used in a court in a pending action or proceeding unless the action or proceeding relates to a
942 vehicle speed violation or a violation of this section, or such information is requested upon order from a court
943 of competent jurisdiction. Information collected under this section pertaining to a specific violation shall be
944 purged and not retained later than 60 days after the collection of any civil penalties. Any law-enforcement
945 agency using photo speed monitoring devices shall annually certify compliance with this section and make all
946 records pertaining to such system available for inspection and audit by the Commissioner of Highways or the
947 Commissioner of the Department of Motor Vehicles or his designee. Any person who discloses personal
948 information in violation of the provisions of this subsection shall be subject to a civil penalty of \$1,000 per
949 disclosure.

950 J. A conspicuous sign shall be placed within 1,000 feet of any school crossing zone, highway work zone,
951 or high-risk intersection segment at which a photo speed monitoring device is used, indicating the use of the
952 device. There shall be a rebuttable presumption that such sign was in place at the time of the commission of
953 the speed limit violation.

954 K. Any state or local law-enforcement agency that places and operates a photo speed monitoring device
955 pursuant to the provisions of this section shall report to the Department of State Police, in a format to be
956 determined by the Department of State Police, by January 15 of each year on the number of traffic violations
957 prosecuted, the number of successful prosecutions, and the total amount of monetary civil penalties collected.
958 The Department of State Police shall aggregate such information and report it to the General Assembly by
959 February 15 of each year.

960 **2. That the provisions of the first enactment of this act shall become effective on July 1, 2027.**

961 **3. That the Department of Criminal Justice Services shall develop and approve the training course**

962 required pursuant to subdivision 73 of § 9.1-102 of the Code of Virginia, as amended by this act, no
963 later than January 1, 2027, and shall promulgate any regulations necessary for the completion and
964 administration of the development and approval of such course.