

**Department of Planning and Budget**  
**2026 General Assembly Session**  
**State Fiscal Impact Statement**

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**ORIGINAL**

**Bill Number:** SB436ER

**Patron:** Bagby

**Bill Title:** Photo speed monitoring devices; highway work zones; workers present.

**Bill Summary:** The bill limits the use of photo speed monitoring devices in highway work zones to when workers are present, as defined in the bill. The bill provides that a certificate sworn to or affirmed by a law-enforcement officer or a retired sworn law-enforcement officer is not prima facie evidence of the facts contained therein for a photo speed monitoring device placed in a highway work zone unless the operator of the photo speed monitoring device provides a sworn certification verifying, that workers were present at the time of the vehicle speed violation.

**Budget Amendment Necessary:** Indeterminate      **Items Impacted:** None

**Explanation:** See below.

**Fiscal Summary:** The fiscal impact of this proposal is indeterminate.

**Fiscal Analysis:** The bill adds additional requirements regarding proof of workers' presence in work zones, which may increase program costs. As the Virginia Department of Transportation (VDOT) is currently funding a pilot photo speed monitoring program at five Interstate work zones with the Department of State Police (VSP), these costs could impact VDOT. However, the impact is indeterminate. It should be noted that all civil penalties collected resulting from a summons issued based on evidence obtained from a photo speed monitoring device placed and operated at a high-risk intersection segment shall be paid to the Commonwealth Transportation Board to be used for the Virginia Highway Safety Improvement Program.

VSP does not anticipate a fiscal impact as a result of this proposal.

**Other:** None.