



2025 ANNUAL REPORT



VIRGINIA STATE CRIME COMMISSION



Delegate Charniele L. Herring, Chair • Senator Scott S. Surovell, Vice-Chair
Kristen J. Howard, Executive Director

June 30, 2026

TO: The Honorable Abigail Spanberger, Governor of Virginia
The Honorable Members of the General Assembly of Virginia

Pursuant to the provisions of the Code of Virginia §§ 30-156 through 30-164 establishing the Virginia State Crime Commission and setting forth its purpose, I have the honor of submitting the Commission's 2025 Annual Report.

Very truly yours,

A handwritten signature in dark ink that reads "Charniele L. Herring". The signature is written in a cursive style with a large, stylized "C" and "H".

Delegate Charniele L. Herring



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AUTHORITY OF THE CRIME COMMISSION

The Virginia State Crime Commission (“Crime Commission”) was established as a legislative agency in 1966. The Crime Commission is a criminal justice agency in accordance with Virginia Code § 9.1-101. The purpose of the Crime Commission is to study, report, and make recommendations on all areas of public safety and protection (Virginia Code § 30-156 *et seq.*). In doing so, the Crime Commission endeavors to:

- Ascertain the causes of crime and recommend ways to reduce and prevent it;
- Explore and recommend methods of rehabilitating convicted individuals;
- Study compensation of persons in law enforcement and related fields; and,
- Study other related matters, including apprehension, trial, and punishment of criminal offenders.

The Crime Commission makes recommendations and assists other commissions, agencies, and legislators on matters related to Virginia’s criminal justice system. The Crime Commission cooperates with the executive branch of state government, the Office of the Attorney General, and the judiciary, who are in turn encouraged to cooperate with the Crime Commission. The Crime Commission also consults with other states and the federal government on matters related to law enforcement.

The Crime Commission consists of thirteen members – six members of the House of Delegates, three members of the Senate, three non-legislative citizen members appointed by the Governor, and the Attorney General or his designee. Delegates are appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates. Senators are appointed by the Senate Committee on Rules.

MEMBERS OF THE CRIME COMMISSION

HOUSE OF DELEGATES APPOINTEES

The Honorable Charniele L. Herring, *Chair*
The Honorable Karrie K. Delaney
The Honorable C. Todd Gilbert*
The Honorable Patrick A. Hope
The Honorable Don L. Scott, Jr., *Speaker of the House*
The Honorable Wren M. Williams

SENATE APPOINTEES

The Honorable Scott A. Surovell, *Vice-Chair*
The Honorable L. Louise Lucas
The Honorable Mark J. Peake

ATTORNEY GENERAL

Theo Stamos, *Deputy Attorney General, Office of the Attorney General,*
Designee for Attorney General Jason S. Miyares

GUBERNATORIAL APPOINTEES

Marsha L. Garst, *Commonwealth's Attorney for Rockingham County*
Colin Stolle, *Commonwealth's Attorney for the City of Virginia Beach*
Nicole Wittmann, *Chief Deputy Commonwealth's Attorney for Loudoun County*

CRIME COMMISSION STAFF

Kristen J. Howard, *Executive Director*
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*Resigned from the General Assembly in July 2025.

EXECUTIVE SUMMARY

The Virginia State Crime Commission (“Crime Commission”) was established within the legislative branch of government in 1966. The Crime Commission is a criminal justice agency (Va. Code § 9.1-101) that is authorized to study, report, and make recommendations on all areas of public safety and protection (Va. Code § 30-156 *et seq.*). The Crime Commission consists of thirteen members – six members of the House of Delegates, three members of the Senate, three non-legislative citizen members appointed by the Governor, and the Attorney General or his designee.

During 2025, staff continued work on 2024 [budget language](#) directing the Crime Commission to identify cases at the Virginia Department of Forensic Science (DFS) where Mary Jane Burton performed forensic testing or analysis. In addition, the Crime Commission began work on 2025 legislation ([HB 2730/SB 1465](#)) establishing a review panel for certain cases where Ms. Burton was the forensic examiner, including cases of individuals who are currently incarcerated, were executed, or were exonerated, as well as cases where Ms. Burton testified, regardless of the final disposition.

The Crime Commission also undertook new studies in 2025, including (i) electronic records, (ii) firearm purchaser licenses, and (iii) photo speed monitoring devices. Further, staff continued work on prior studies, including (i) sealing of criminal records, (ii) use of surveillance technology by law enforcement, (iii) use of artificial intelligence by law enforcement, and (iv) use of automatic license plate recognition by law enforcement. Finally, staff continued to consult with the Virginia Department of Criminal Justice Services (DCJS) on a sex trafficked youth pilot [program](#) and participated as a member of the Virginia Pretrial Advancement Team that was formed as part of the DCJS pilot of the Public Safety Assessment.

The Crime Commission held meetings on August 19th, November 19th, and December 2nd. At the August meeting, members received guest presentations on photo speed monitoring devices, impaired driving, and the implementation of the sealing of criminal records and Rap Back Service. At the November meeting, members heard a staff presentation on firearm purchaser licenses and guest presentations on firearm-related deaths and injuries, Virginia’s Firearms Transaction Center, and Ceasefire Virginia.

At the December meeting, staff presented on photo speed monitoring devices and provided an update on the 2024 budget language and 2025 legislation related to Mary Jane Burton. In addition, DCJS presented findings from its 2025 Surveillance Technology Equipment Reporting Survey and the Virginia State Police updated members on the implementation of the sealing of criminal records.

The Executive Director serves as the designee of the Chair of the Crime Commission on the Forensic Science Board, Indigent Defense Commission, and Advisory Committee on Sexual and Domestic Violence. The Executive Director also serves as an ad hoc member of the State Child Fatality Review Team and as an advisory board member of the Virginia State Police Witness Protection Program. Additional information about the Crime Commission is available at vscc.virginia.gov.



ELECTRONIC RECORDS

ELECTRONIC RECORDS (SB 1412)

EXECUTIVE SUMMARY

Senate Bill 1412 was enacted during the 2025 Regular Session of the General Assembly to address challenges faced by both criminal and civil stakeholders in obtaining out-of-state electronic records for use in Virginia proceedings. In addition to addressing these challenges, this bill also required the Crime Commission and the Joint Commission on Technology and Science to conduct a study related to Virginia's laws on electronic records. This study found that:

- Senate Bill 1412 addressed concerns with obtaining electronic records being stored out-of-state by businesses operating in Virginia;
- Electronic records can be stored anywhere in the world;
- Virginia has the same definition for “electronic record” as used in 48 other states;
- Virginia has enacted state law equivalents of certain federal statutes that allow the government to obtain out-of-state electronic records;
- Some companies have established portals for receiving requests for electronic records from law enforcement;
- Sharing electronic records with criminal defense counsel poses various challenges; and,
- Evolutions in technology, such as encrypted records and cryptocurrency, present challenges to obtaining electronic records.

Further study could be conducted on how to address evolving challenges, such as encrypted records and cryptocurrency.

BACKGROUND & METHODOLOGY

Senate Bill 1412 was enacted during the 2025 Regular Session of the General Assembly and took effect July 1, 2025.¹ The bill made the following changes to how out-of-state electronic records can be obtained for use in Virginia proceedings:

- **Criminal proceedings:** amended Virginia's search warrant statutes to explicitly authorize the issuance of search warrants for electronic records of any commercial enterprise transacting business in Virginia, regardless of where such records are stored.²
- **Civil proceedings:** added a provision in the Virginia Code that any foreign corporation transacting business in Virginia that has a registered agent in the Commonwealth is deemed to have consented to service of a subpoena.³

¹ Senate Bill 1412, 2025 Regular Session of the General Assembly (Sen. Ryan T. McDougle). <https://lis.virginia.gov/bill-details/20251/SB1412>.

² *Id.* The bill specifically amended Va. Code §§ 19.2-53 and 19.2-56 (2025).

³ *Id.* The bill specifically amended Va. Code § 8.01-301 (2025).

In addition, SB 1412 included an enactment clause that directed the Crime Commission and the Joint Commission on Technology and Science (JCOTS) to:

1. Review existing statutes on service of process and subpoenas related to electronic records; and,
2. Provide recommendations to update such statutes relating to the use of technology in the criminal justice system by November 15, 2025.⁴

Crime Commission and JCOTS staff worked in coordination to complete this study. Staff engaged in the following activities as part of the study:

- Identified federal and state statutes on electronic records;
- Reviewed federal and state case law relating to electronic records;
- Consulted with stakeholders to discuss the impact of SB 1412 and any potential issues related to electronic records and technology;⁵
- Met with representatives from companies offering electronic data storage services, including Amazon, Google, and Microsoft;
- Reviewed state statutes regulating cryptocurrency kiosks;⁶ and,
- Monitored discussions on blockchain technology and cryptocurrency from the JCOTS Blockchain Subcommittee.

STUDY FINDINGS

After reviewing the amendments to the Virginia Code made by SB 1412 and consulting with stakeholders, staff found that this legislation addressed the concerns of both criminal and civil stakeholders related to obtaining out-of-state electronic records from businesses operating in Virginia. For criminal stakeholders, the bill resolved an ambiguity in the Virginia Code as to whether search warrants can be issued by Virginia judicial officers for electronic records located outside of Virginia. Senate Bill 1412 resolved this ambiguity by amending Virginia Code §§ 19.2-53 and 19.2-56 to explicitly authorize the issuance of search warrants for electronic records of any commercial enterprise transacting business in Virginia, regardless of whether the electronic records are located in Virginia.⁷ The ambiguity arose because of the 2016 decision by U.S. Court of Appeals for the Second Circuit in *Microsoft Corp. v. United States*, where the court found that the federal district court lacked the authority to enforce a warrant compelling the production of electronic documents held outside the United States.⁸ The U.S. Supreme Court granted certiorari to review this *Microsoft* decision; however,

⁴ *Id.*

⁵ Staff met with the representatives from the Office of the Executive Secretary of the Supreme Court (which included representatives from Magistrate Services), the Policing Project at NYU School of Law, the Virginia Association of Commonwealth's Attorneys, the Virginia Indigent Defense Commission, and the Virginia Trial Lawyers Association.

⁶ A cryptocurrency kiosk or a Bitcoin ATM are similar to bank ATMs, except instead of providing cash from a bank account, they provide users with Bitcoin or some other cryptocurrency in exchange for cash. See "Bitcoin ATMs: how to use them and how do they work?" *Coinbase*, last viewed on Oct. 22, 2025, available at <https://www.coinbase.com/learn/tips-and-tutorials/bitcoin-atms-how-to-use-them-and-how-do-they-work>.

⁷ See *supra* note 1.

⁸ *Microsoft Corp. v. United States (In the Matter of a Warrant to Search a Certain E-Mail Account Controlled and Maintained by Microsoft Corporation)*, 829 F.3d 197 (2nd Cir., July 14, 2016).

the issue in dispute became moot because the federal Clarifying Lawful Overseas Use of Data Act (CLOUD)⁹ was enacted before the U.S. Supreme Court could render a decision.¹⁰ Because the U.S. Supreme Court never ruled on the merits of the U.S. Court of Appeals decision in *Microsoft*, the reasoning set forth in that decision was being applied by some judicial officers in Virginia to deny the issuance of search warrants for electronic records stored outside of Virginia.

For civil stakeholders, the bill explicitly authorized the service of subpoenas on foreign corporations transacting business in Virginia.¹¹ The bill overturned the Virginia Supreme Court's 2015 decision in *Yelp v. Hadeed Carpet Cleaning*,¹² which held that Virginia courts were not authorized to enforce a non-party subpoena duces tecum against a foreign corporation.¹³ Furthermore, this amended language aligns the Virginia Code with the 2023 U.S. Supreme Court decision in *Mallory v. Norfolk Southern Ry.*, which found that an out-of-state corporation that has consented to in-state suits in order to do business in the forum is susceptible to suit there.¹⁴

Electronic records can be stored anywhere in the world.

Unlike physical records, electronic records can be stored anywhere in the world, or in multiple locations, and can be moved to another location in a matter of seconds. The location where these electronic records are stored is referred to as their data residency, or “the physical place where the data centers, servers or other systems that store or handle the data are located.”¹⁵ In consulting with representatives from Amazon Web Services, Google, and Microsoft, electronic records, especially records stored on cloud-computing services,¹⁶ do not tend to have fixed data residency, but instead can be moved across national or international borders.¹⁷ Additionally, with large storage companies like Amazon Web Services, Google, or Microsoft, there is no centralized database where all data is stored. Instead, data storage is based on a variety of factors, such as the needs of the customer and the type of data being stored.

⁹ The CLOUD Act was enacted into law under the Consolidated Appropriations Act of 2018. Consolidated Appropriations Act of 2018, H.R. 1625, 115th Cong. (2018) (Rep. Edward R. Royce). <https://www.congress.gov/bill/115th-congress/house-bill/1625>.

¹⁰ *United States v. Microsoft Corp.*, 584 U.S. 236 (Apr. 17, 2018). The CLOUD Act amended the Stored Communications Act (18 USC § 2701 et seq.), and the amendment authorized the issuance of warrants for electronic records held by companies operating in the United States regardless of the location of the electronic records.

¹¹ See *supra* note 1.

¹² *Yelp v. Hadeed Carpet Cleaning*, 289 Va. 426 (Va. Sup. Ct., Apr. 16, 2015).

¹³ *Yelp* at 437.

¹⁴ *Mallory v. Norfolk Southern Ry.*, 600 U.S. 122 (June 27, 2023).

¹⁵ Kosinski, Matthew. “Data sovereignty versus data residency: What’s the difference?” *IBM Think*. Last viewed Oct. 20, 2025, available at <https://www.ibm.com/think/topics/data-sovereignty-vs-data-residency>.

¹⁶ “Cloud computing is the delivery of computing services—including servers, storage, databases, networking, software, analytics, and intelligence—over the internet (“the cloud”) to offer faster innovation, flexible resources, and economies of scale.” Microsoft. “What is cloud computing?” Last viewed on Oct. 20, 2025. Available at <https://azure.microsoft.com/en-us/resources/cloud-computing-dictionary/what-is-cloud-computing#:~:text=Cloud%20computing%20defined,resources%2C%20and%20economies%20of%20scale>.

¹⁷ See *supra* note 14 (“As data moves through an organization's cloud-connected IT infrastructure, it can cross many borders.”).

Virginia has the same definition for “electronic record” as used in 48 other states.

Virginia, along with 48 other states, has enacted the Uniform Electronic Transactions Act, or UETA.¹⁸ This act, which has been adopted as part of the Virginia Code, defines “electronic record” as “...a record created, generated, sent, communicated, received, or stored by electronic means.”¹⁹ While the term “electronic record” is not explicitly defined in the Virginia Code search warrant statutes that were amended by SB 1412 (Va. Code §§ 19.2-53 & 19.2-56),²⁰ the Code cross-references the UETA definition in two other search warrant statutes (Va. Code §§ 19.2-54 & 19.2-56.2), as well as in a statute that describes the records of the circuit court clerks (Va. Code § 17.1-258.1). The Virginia Code also contains six additional definitions for “record” or “electronic record,”²¹ as well as two definitions for “electronic document,”²² which are similar to the definition in the UETA. The phrase “electronic record” could be defined in Virginia’s search warrant statutes (Va. Code §§ 19.2-53 & 19.2-56) to provide clarity and uniformity on what constitutes such a record.²³

Virginia has enacted state law equivalents of certain federal statutes that allow the government to obtain out-of-state electronic records.

Even before the passage of SB 1412, Virginia had enacted several statutes modeled after federal laws to allow the government to obtain out-of-state electronic records. The Stored Communications Act (SCA),²⁴ which provides the process by which the federal government can access the contents of electronic records held by remote computing or electronic communication services, is codified under Virginia Code § 19.2-70.3. Additionally, the Wiretap Act²⁵ and the Pen Register Act,²⁶ which generally provide the processes by which the federal government can track or intercept electronic communications, are codified under Virginia Code §§ 19.2-62 to 19.2-70 and Virginia Code §§ 19.2-70.1 and 19.2-70.2, respectively.

¹⁸ Uniform Law Commission. “Electronic Transactions Act.” Last viewed on Oct. 20, 2025. Available at

<https://www.uniformlaws.org/committees/community-home?CommunityKey=2c04b76c-2b7d-4399-977e-d5876ba7e034>. New York is the only state that has not enacted the UETA; however, the New York definition of “electronic record” is similar to what is used in the UETA. See New York State Technology Law § 302(2) (“‘Electronic record’ shall mean information, evidencing any act, transaction, occurrence, event, or other activity, produced or stored by electronic means and capable of being accurately reproduced in forms perceptible by human sensory capabilities.”).

¹⁹ Va. Code § 59.1-480(7) (2025).

²⁰ See *supra* note 1.

²¹ Va. Code §§ 8.1A-201(31) (“‘Record’ means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.”), 8.9-102(70) (“‘Record,’ except as used in ‘for record,’ ‘of record,’ ‘record or legal title,’ and ‘record owner,’ means information that is inscribed on a tangible medium or which is stored in an electronic or other medium and is retrievable in perceivable form.”), 13.1-603 (“‘Electronic record’ means information that is stored in an electronic or other nontangible medium and is retrievable in paper form through an automated process used in conventional commercial practice, unless otherwise authorized in accordance with subdivision A 10 of § 13.1-610.”), 13.1-803 (“‘Electronic record’ means information that is stored in an electronic or other medium and is retrievable in paper form through an automated process used in conventional commercial practice, unless otherwise authorized in accordance with subsection J of § 13.1-810.”), 42.1-77 (“‘Electronic record’ means a public record whose creation, storage, and access require the use of an automated system or device. Ownership of the hardware, software, or media used to create, store, or access the electronic record has no bearing on a determination of whether such record is a public record.”), and 64.1-116 (“‘Record’ means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.”).

²² Va. Code §§ 47.1-2 (“‘Electronic document’ means information that is created, generated, sent, communicated, received, or stored by electronic means.”) and 55.1-661 (“‘Electronic document’ means a document received by the clerk in electronic form.”).

²³ See Va. Code § 59.1-480(7) (2025) for the definition of electronic record in the UETA.

²⁴ 18 U.S.C. § 2701 *et seq.* (2025).

²⁵ 18 U.S.C. § 2510 *et seq.* (2025).

²⁶ 18 U.S.C. § 3121 *et seq.* (2025).

Some companies have established portals for receiving requests for electronic records from law enforcement.

Companies such as Amazon Web Services,²⁷ Google,²⁸ and Microsoft,²⁹ have created online portals through which law enforcement can submit requests for electronic records. Additionally, some companies publish reports on the number of law enforcement requests they receive and what kind of data they are providing to law enforcement.³⁰ However, it is not known how many companies offer such a portal, as practices can vary by company. Furthermore, it is unclear whether attorneys can use these portals to serve legal process, or if such process must be served by a separate means.³¹

Sharing electronics records with criminal defense counsel poses various challenges.

While law enforcement and Commonwealth's Attorneys informed staff that they generally do not experience issues receiving electronic records pursuant to a search warrant or court order, staff found that various challenges exist as it relates to the Commonwealth sharing electronic records with criminal defense counsel. Such challenges include needing specific programs to review electronic records, ensuring that defense counsel has access to the same data as the Commonwealth, and creating secure processes to protect sensitive information.³² The solutions to such challenges may vary on a case-by-case basis, as programs needed to review electronic records vary by company and the sensitivity of the data and protections needed will depend on the nature of the records.

Evolutions in technology, such as encrypted records and cryptocurrency, present challenges to obtaining electronic records.

Staff discovered that some companies are encrypting electronic records in a manner such that the company itself cannot view the contents. For example, some messaging apps, such as Telegram, encrypt messages sent using the app so that only the sender and recipient can see the contents of the messages.³³ Hence, if law enforcement sends a search warrant to a company like Telegram that

²⁷ Law Enforcement Request Tracker, *Amazon*, last viewed on Oct. 21, 2025, available at <https://ler.amazon.com/us>.

²⁸ Law Enforcement Request System, *Google*, last viewed on Oct. 21, 2025, available at https://lers.google.com/signup_v2/landing.

²⁹ Law Enforcement Request Portal, *Microsoft*, last viewed on Oct. 21, 2025, available at <https://leportal.microsoft.com/home>.

³⁰ See e.g., Law Enforcement Information Requests, *Amazon*, last viewed on Oct. 21, 2025, available at <https://www.amazon.com/gp/help/customer/display.html?nodeId=GYSDRGWQ2C2CRYEE>; Government Requests for Customer Data Report, *Microsoft*, last viewed on Oct. 21, 2025, available at <https://www.microsoft.com/en-us/corporate-responsibility/reports/government-requests/customer-data>. See also Transparency Report, *AT&T*, last viewed on Oct. 22, 2025, available at <https://sustainability.att.com/reports/transparency-report>.

³¹ See Serving Requests for User Data on Behalf of Defendants in Criminal Proceedings in the U.S. on Google, *Google Help*, last viewed on Oct. 21, 2025, available at https://support.google.com/faqs/answer/7269563?hl=en&ref_topic=6151009&sjid=11137679729649503564-NA (directs attorneys in criminal cases to serve legal processes on Google's registered service agent, the Corporation Service Company); but see Welcome to VSAT Intake, *Verizon*, last viewed on Oct. 21, 2025, available at <https://legalintake.verizon.com/> (Verizon's online portal allows "[a]uthorized government agencies, law enforcement, and law firms" to "submit legal process").

³² Staff was made aware of these issues when meeting with representatives from the Virginia Indigent Defense Commission on May 21, 2025.

³³ Telegram Privacy Policy, *Telegram*, last viewed on Oct. 22, 2025, available at <https://telegram.org/privacy?setln=uz#9-your-rights-regarding-the-personal-data-you-provide-to-us> ("4.2. End-to-End Encrypted Data[.] Your messages, media and files from secret chats ..., as well as the contents of your calls and the data you store in your Telegram Passport are processed only on your device and on the device of your recipient. Before this data reaches our servers, it is encrypted with a key known only to you and the recipient. While Telegram servers will handle this end-to-end encrypted data to deliver it to the recipient – or store it in the case of Telegram Passport data, we have no ways of deciphering the actual information. In this case, we neither store nor process your personal data, rather we store and process random sequences of symbols that have no meaning without the keys which we don't have.")

encrypts electronic records in such a manner, the company will be unable to provide the electronic records due to the encryption.³⁴ Federal Rule of Criminal Procedure 41(b)(6)³⁵ was adopted at the federal level to allow law enforcement to use remote access to obtain these records; however, this process differs from a traditional search warrant, as a search warrant issued under this rule authorizes the copying of information directly from a device, instead of obtaining the information through a company or other record holder. However, even with this Rule 41 authorization, accessing a device itself to obtain encrypted data can be difficult.³⁶

Finally, staff identified concerns related to the growing use of blockchain.³⁷ These concerns specifically focus on cryptocurrency, which is a digital currency purchased and sold using a blockchain,³⁸ that can be used in various fraudulent and ransomware schemes. The scope of the fraud can be significant; “Americans, often retirees, lost around \$240 million to crypto ATM³⁹ scams in the first six months of this year, according to the FBI.”⁴⁰ Most states have introduced or have pending legislation regarding cryptocurrency, and at least 16 states have enacted legislation regulating some aspect of cryptocurrency.⁴¹ However, state regulation of cryptocurrency is a much broader measure that extends beyond access to electronic records.

CONCLUSION

Senate Bill 1412 addressed the concerns of criminal and civil stakeholders in regard to obtaining out-of-state electronic records for use in Virginia proceedings.⁴² Electronic records can be stored anywhere in the world. Virginia has adopted a definition of “electronic record” that is identical to 48 other states, and has enacted various statutes that are consistent with federal laws to allow government access to

³⁴ See e.g. *Id.* (“8.3. Law Enforcement Authorities[.] If Telegram receives a valid order from the relevant judicial authorities that confirms you're a suspect in a case involving criminal activities that violate the Telegram Terms of Service, we will perform a legal analysis of the request and may disclose your IP address and phone number to the relevant authorities. If any data is shared, we will include such occurrences in a quarterly transparency report published at: <https://t.me/transparency>.”)

³⁵ Fed. R. Crim. P. 41(b)(6) (2025).

³⁶ See Finklea, Kristin (Jan. 6, 2025). “Law Enforcement and Technology: The ‘Lawful Access’ Debate.” *Congress.Gov*, available at <https://www.congress.gov/crs-product/IF11769> (“With respect to devices, access to devices and the content on them may be locked and encrypted. Various factors can affect law enforcement's efforts to gain access to a device and its contents. For instance, law enforcement attempting to unlock a device with brute force would likely use software to try every possible combination of keys in an attempt to unlock the device. The success of this method may depend, among other things, on the amount of time available to try and unlock a device, device limits on passcode attempts, and the number of keys used in the passcode.”)

³⁷ A blockchain is “a decentralized, immutable, and public ledger.” Dr. Haj Hasan, Waleed Y.W. (May 7, 2025). “Innovative Disruption: State-Specific Considerations for Cryptocurrencies and Blockchain Technology.” *Presentation for Virginia's Joint Commission on Technology and Science, Blockchain Subcommittee*, slide 2, available at https://studiesvirginiageneralassembly.s3.amazonaws.com/meeting_docs/documents/000/002/592/original/Blockchain_MeetingMaterials.pdf?1746713796.

³⁸ See Peterson, Nathan (May 6, 2025). “What is Cryptocurrency and How Does It Work?” *Charles Schwab*, available at <https://www.schwab.com/learn/story/cryptocurrencies-what-are-they>.

³⁹ See *supra* note 6.

⁴⁰ Devine, Curt; Kamp, Majlie de Puy; Abou-Ghazala, Yahya; Tolan, Casey; Lah, Kyung; O’Kruk, Amy; Manley, Byron; and Stubbs, Eleanor (Oct. 14, 2025). “Crypto crime scene: How the companies behind crypto ATMs profit as Americans lose millions to scams.” *CNN*, available at <https://www.cnn.com/interactive/2025/10/us/crypto-atm-scams-companies-profit-invs-vis/>.

⁴¹ See “Cryptocurrency, Digital or Virtual Currency and Digital Assets 2025 Legislation.” *NCSL*, updated Sept. 11, 2025, available at <https://www.ncsl.org/financial-services/cryptocurrency-digital-or-virtual-currency-and-digital-assets-2025-legislation> (as of September 11, 2025, Arizona, Arkansas, Connecticut, Georgia, Iowa, Kentucky, Maryland, Montana, Nebraska, North Dakota, Oregon, South Dakota, Utah, Vermont, Washington, and Wyoming have enacted legislation regulating some aspect of cryptocurrency).

⁴² See *supra* note 1.

electronic records. Some companies have created online portals for law enforcement to request electronic records; however, it is unknown how many of these portals exist and what processes companies have in place for attorneys to serve other legal process.

Further study could be conducted on how to address evolving challenges, such as encrypted records and cryptocurrency.

ACKNOWLEDGEMENTS

The Crime Commission and the Joint Commission on Technology and Science wish to thank the following for their assistance with this study:

Amazon Web Services

Google

Microsoft

Office of the Executive Secretary of the Supreme Court

Virginia Association of Commonwealth's Attorneys

Virginia Commonwealth's Attorneys' Services Council

Virginia Indigent Defense Commission

Virginia Judicial System – Magistrate Services

Virginia Trial Lawyers Association



FIREARM PURCHASER LICENSES

FIREARM PURCHASER LICENSES

EXECUTIVE SUMMARY

A firearm purchaser license is a government-issued credential that a person must obtain before they can legally purchase or otherwise take possession of a firearm. The purpose of such license is to enhance the background check process; reduce firearm-related homicides, suicides, and injuries; limit firearm trafficking; and, promote firearm safety and training. However, concerns have been raised that firearm purchaser licenses may infringe on Second Amendment rights, place additional burdens on lawful firearm purchasers, lead to the creation of a centralized firearm owner database, and have limited impact on individuals who acquire firearms through illegal transactions.

Virginia does not require a firearm purchaser license as a prerequisite to purchasing or taking possession of a firearm. As of November 2025, 14 states and Washington, D.C., have enacted such requirements and these laws vary significantly. In August 2024, the United States Court of Appeals for the Fourth Circuit upheld Maryland's firearm purchaser license law against a Second Amendment challenge, and the United States Supreme Court later declined to review that decision.

Research on whether firearm purchaser license laws reduce firearm-related homicides and suicides is mixed. Furthermore, data on firearm use in homicides and suicides varies across states that have implemented such laws. However, research suggests that firearm purchaser license laws may reduce firearm trafficking.

Implementing and administering a firearm purchaser license program requires significant resources. Such resources depend on the components of the law, but may include funding for staffing, technology systems, application and monitoring processes, curriculum development and certification of instructors for a firearm safety course, and litigation of license denials and revocations.

Ultimately, enacting a firearm purchaser license law is a policy decision. Virginia could enact such a law or, if resource challenges or other logistical concerns exist, could enact certain components of a license, such as a firearm safety course prior to a purchase, a waiting period to take possession of a firearm, or fingerprinting as part of the background check process for a firearm transaction.

BACKGROUND & METHODOLOGY

During the 2024 Regular Session of the General Assembly, legislation to create a firearm purchaser license in Virginia (House Bill 1424) was referred to the Virginia State Crime Commission ("Crime Commission") by the House Committee on Public Safety.⁴³ Identical legislation (Senate Bill 1109) was also referred to the Crime Commission during the 2025 Regular Session by the Senate Courts of Justice

⁴³ House Bill 1424 (2024 Regular Session). <https://legacylis.virginia.gov/cgi-bin/legp604.exe?ses=241&typ=bil&val=hb1424>.

Committee.⁴⁴ The Executive Committee of the Crime Commission directed staff to conduct a comprehensive study of firearm purchaser licenses, including their use, components, and effectiveness, as well as the feasibility of implementing such a license in Virginia. Crime Commission staff engaged in the following activities as part of this study:

- Reviewed relevant literature on the use and effectiveness of firearm purchaser licenses;
- Collected and analyzed data on firearm-related homicides and suicides;
- Examined firearm purchaser license laws in other states and Washington, D.C.;
- Identified relevant Second Amendment case law on firearm purchaser licensing;
- Met with officials from Maryland and Massachusetts regarding their firearm purchaser licensing processes;
- Gathered information on the potential costs associated with implementing and administering a firearm purchaser license program;
- Consulted with practitioners, stakeholders, and advocates;⁴⁵
- Attended a *Congressional Briefing on Preventing Gun Violence* presented by the George Mason University Center for Evidence-Based Crime Policy;⁴⁶ and,
- Requested other agencies to provide presentations on firearm-related deaths, transactions, and violence prevention measures at the November Crime Commission meeting.⁴⁷

FREQUENTLY ASKED QUESTIONS ABOUT FIREARM PURCHASER LICENSES

Answers to common questions about firearm purchaser licenses are organized into four sections. The first provides an overview of firearm purchaser licenses and their purpose. The second provides a legal overview of firearm purchaser license laws and their components in other states and Washington, D.C. The third synthesizes research examining the effect of firearm purchaser license laws on firearm-related violence. The fourth addresses resource and policy considerations associated with implementing and administering a firearm purchaser license program in Virginia.

⁴⁴ Senate Bill 1109 (2025 Regular Session). <https://lis.virginia.gov/bill-details/20251/SB1109>.

⁴⁵ Staff consulted with Everytown for Gun Safety, Giffords, Johns Hopkins Center for Gun Violence Solutions, National Shooting Sports Foundation, Office of the Attorney General of Virginia, Virginia Center for Public Safety, Virginia Citizens Defense League, Virginia Department of Criminal Justice Services, Virginia Joint Legislative Audit and Review Commission, Virginia Office of the Chief Medical Examiner, and Virginia State Police.

⁴⁶ Duran, P. George Mason University. (2025, April 21). *Center for Evidence-Based Crime Policy shares gun violence research at Congressional briefing*. <https://content.sitemasonry.gmu.edu/news/2025-04/center-evidence-based-crime-policy-shares-gun-violence-research-congressional-briefing>.

⁴⁷ Yerkes, L. Virginia Department of Health. (2025, November 19). *At a glance: Data on firearm injuries among Virginians*. <https://vscc.virginia.gov/2025/Nov19VSCCMtg/At%20a%20Glance%20-%20Data%20on%20Firearms%20Injuries%20among%20Virginians%20-%20VSCC%20Mtg%2011-19-25.pdf>. Hobron, R. Virginia Department of Health. (2025, November 19). *Gun-related deaths in Virginia*. <https://vscc.virginia.gov/2025/Nov19VSCCMtg/Gun%20Related%20Deaths%20in%20Virginia%20-%20VSCC%20Mtg%2011-19-25.pdf>. Virginia State Police. (2025, November 19). *Firearms Transaction Center*. <https://vscc.virginia.gov/2025/Nov19VSCCMtg/Firearms%20Transaction%20Center%20-%20VSCC%20Mtg%2011-19-25.pdf>. Office of the Attorney General. (2025, November 19). *Operation Ceasefire*. <https://vscc.virginia.gov/2025/Nov19VSCCMtg/Operation%20Ceasefire%20-%20VSCC%20Mtg%2011-19-25.pdf>.

Overview of Firearm Purchaser Licenses

What is a firearm purchaser license?

A firearm purchaser license is a government-issued credential that a person must obtain before they can legally purchase or otherwise take possession of a firearm.⁴⁸

What is the purpose of a firearm purchaser license?

The purpose of a firearm purchaser license is to enhance the background check process; reduce firearm-related homicides, suicides, and injuries; limit firearm trafficking; and, promote firearm safety and training.⁴⁹

Is a firearm purchaser license the same as a concealed carry permit?

No. A firearm purchaser license is distinct from a concealed carry permit.⁵⁰ A concealed carry permit authorizes an individual to carry a concealed weapon in public; whereas, a firearm purchaser license authorizes an individual to lawfully purchase or take possession of a firearm.⁵¹ Some states that have implemented a firearm purchaser license program allow concealed carry permit holders to purchase firearms using their concealed carry permit in lieu of a firearm purchaser license, or to use their active concealed carry permit if their firearm purchaser license is expired.⁵²

What concerns exist about requiring a firearm purchaser license?

Concerns have been raised that requiring a firearm purchaser license may infringe on Second Amendment rights, place additional burdens on lawful firearm purchasers, lead to the creation of a centralized database of firearm owners, and have limited impact on individuals who acquire firearms through illegal transactions.⁵³

In addition, some components of a firearm purchaser license law could run counter to measures Virginia recently enacted to reduce the disproportionate impacts of such laws on certain communities. For example, legislation was enacted to address the burden of court fines and costs on individuals who may struggle to afford such payments;⁵⁴ whereas, a firearm purchaser license may impose additional expenses on persons seeking to lawfully purchase a firearm (e.g., application fees, fingerprinting, and

⁴⁸ See Villareal, S., Crifasi, C., Swanson, J., Barnhorst, A., Frattaroli, S., Washington, S.C., Bonnie, R., Roskam, K., Horwitz, J., & Chavis, K. (2025). *Firearm purchaser licensing: Research evidence to inform state policy*. <https://publichealth.jhu.edu/sites/default/files/2025-03/FPL-research-evidence-to-inform-state-policy.pdf>. See also Giffords Law Center. *Licensing*. <https://giffords.org/lawcenter/gun-laws/policy-areas/owner-responsibilities/licensing/>. See also Everytown for Gun Safety. (2026). *Which states require background checks and/or permits to purchase handguns?* <https://everytownresearch.org/rankings/law/background-check-and-or-purchase-permit/>.

⁴⁹ *Id.*

⁵⁰ See Va. Code Ann. § 18.2-308.02 et seq. (2025).

⁵¹ See Villareal, S., Crifasi, C., Swanson, J., Barnhorst, A., Frattaroli, S., Washington, S.C., Bonnie, R., Roskam, K., Horwitz, J., & Chavis, K. (2025). *Firearm purchaser licensing: Research evidence to inform state policy*. <https://publichealth.jhu.edu/sites/default/files/2025-03/FPL-research-evidence-to-inform-state-policy.pdf>.

⁵² See Appendix B.

⁵³ Virginia Citizens Defense League, personal communication, July 14, 2025. See also NRA – Institute for Legislative Action. *Why gun control doesn't work*. <https://www.nra.org/why-gun-control-doesn-t-work/>. (Retrieved 2026, March 26).

⁵⁴ See 2021 Va. Acts ch. 336, Sp. Sess. I. (Issuance of a restricted drivers permit). Senate Bill 1262. <https://legacylis.virginia.gov/cgi-bin/legp604.exe?212+sum+SB1262>. See also 2021 Va. Acts ch. 388, Sp. Sess. I. (Accrual of interest on fines and costs; deferral or installment payment agreements). House Bill 1895. <https://legacylis.virginia.gov/cgi-bin/legp604.exe?212+sum+HB1895>.

firearms safety course). Similarly, legislation was enacted to limit law enforcement contact with members of historically over-policed communities;⁵⁵ however, such individuals could be required to have in-person contact with law enforcement as part of the application process to obtain a firearm purchaser license.

How are background checks for firearm transactions conducted in Virginia?

Virginia is a point of contact state for all firearm transactions, meaning federally licensed firearms dealers contact the Virginia State Police, rather than the Federal Bureau of Investigation, to conduct background checks using both state and federal databases.⁵⁶ If a person passes the Virginia State Police background check, the person may immediately take possession of the firearm.

Does a firearm purchaser license replace a background check at the point of sale?

This practice varies among states with firearm purchaser licenses. Depending on the structure of the licensing system, a firearm purchaser license may supplement or replace a background check at the point of sale or transfer. In some states, both a firearm purchaser license and a background check are required at the point of sale or transfer, while in others, a firearm purchaser license may satisfy federal background check requirements.⁵⁷

Legal Review of Firearm Purchaser License Laws in the United States

How many states currently have firearm purchaser license laws?

As shown in Map 1, 14 states and Washington, D.C., have laws requiring a firearm purchaser license (as of November 2025).⁵⁸ Of these, 11 states and Washington, D.C., have active firearm purchaser license laws; whereas, the remaining 3 states enacted firearm purchaser license legislation which has not yet taken effect.⁵⁹ See Appendix A for a table of state firearm purchaser license laws.⁶⁰

⁵⁵ See 2021 Va. Acts ch. 45 and 51, Sp. Sess. I. (Limiting traffic stops for certain infractions and prohibiting searches solely based on the odor of marijuana). House Bill 5058. <https://legacylis.virginia.gov/cgi-bin/legp604.exe?202+sum+HB5058>. Senate Bill 5029. <https://legacylis.virginia.gov/cgi-bin/legp604.exe?202+sum+SB5029>.

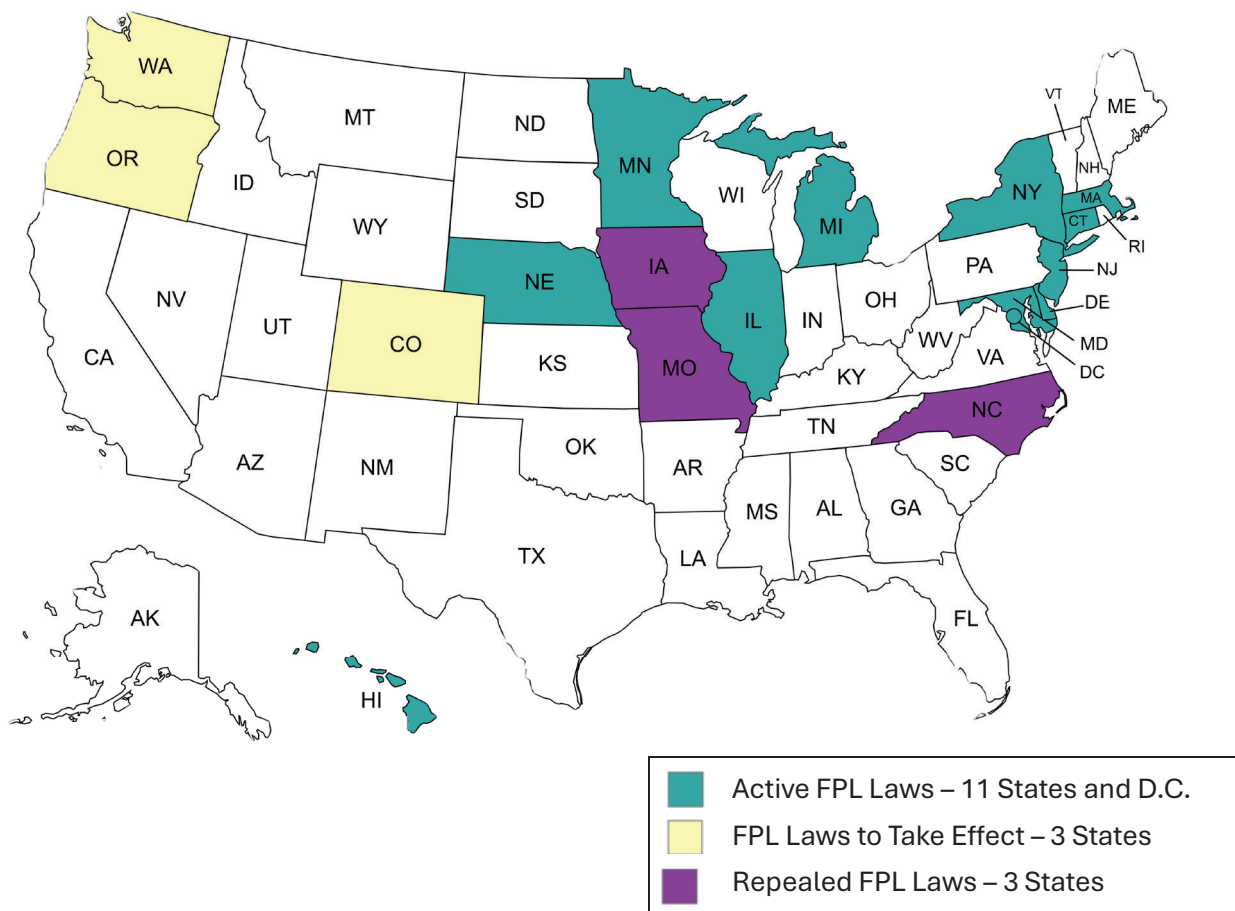
⁵⁶ See Virginia State Police. *Virginia Firearms Transaction Program*. <https://vsp.virginia.gov/services/firearms/virginia-firearms-transaction-program/>. See also Bureau of Alcohol, Tobacco, Firearms, and Explosives. *Brady state lists*. <https://www.atf.gov/rules-and-regulations/laws-alcohol-tobacco-firearms-and-explosives/gun-control-act/brady-law/brady-state-lists>.

⁵⁷ See 18 U.S.C. § 922(t)(3)(A) (2025). See also Bureau of Alcohol, Tobacco, Firearms, and Explosives. *Brady permit chart*. <https://www.atf.gov/rules-and-regulations/laws-alcohol-tobacco-firearms-and-explosives/gun-control-act/brady-law/brady-permit-chart>.

⁵⁸ See Appendix A.

⁵⁹ *Id.*

⁶⁰ *Id.*

Map 1: Firearm Purchaser License (FPL) Laws in the United States

Source: Map prepared by Crime Commission staff based on legal analysis as of November 2025.

Are firearm purchaser license laws similar across states?

No. The components of firearm purchaser license laws vary significantly across states, such as:

- Type of firearm (e.g., handgun, assault rifle, all firearms);
- Issuing agency (e.g., state or local agency);
- Application fee (e.g., ranges from no fee up to \$100, fee determined by issuing agency);
- Whether fingerprints and/or a photograph are required as part of the application process;
- Whether an applicant must appear in-person before law enforcement at some point during the application process;
- Whether completion of a firearm safety course is required prior to issuance, as well as whether that course must include live fire instruction;
- Time frame within which an agency must issue or deny a license application (e.g., 3 days to 180 days, or no specified time period);
- Whether subjective risk factors are considered in addition to objective disqualifying criteria when determining whether to issue a license (e.g., the applicant generally being a danger to

themselves or the community versus specific conviction(s) for disqualifying criminal offenses or mental health commitments);

- Duration for which a license remains valid once issued (e.g., 30 days to 10 years);
- Appeal process following the denial or revocation of a license; and,
- Whether a law enforcement agency is required to take steps to remove firearms from a person's possession following revocation of their license.

Appendix B provides a more comprehensive breakdown of variations in firearm purchaser license components across states (as of November 2025).

Have any courts with jurisdiction in Virginia ruled on whether a firearm purchaser license law violates the Second Amendment?

Yes. The United States Court of Appeals for the Fourth Circuit, which includes Maryland, North Carolina, South Carolina, Virginia, and West Virginia, recently upheld Maryland's firearm purchaser license law against a Second Amendment challenge. In its August 2024 decision of *Maryland Shall Issue, Inc. v. Moore*, 116 F.4th 211, the Court of Appeals found that the plaintiffs had not rebutted the presumed constitutionality of Maryland's "shall issue" firearm purchaser license law. The United States Supreme Court declined to hear an appeal of this decision in January 2025.⁶¹

Accordingly, a firearm purchaser license law in Virginia would not likely violate the Second Amendment under current federal case law, so long as the Virginia legislation is structured similarly to the Maryland statute.

Effect of Firearm Purchaser License Laws on Firearm-Related Violence

What effect do firearm purchaser license laws have on firearm-related violence?

Research examining firearm purchaser license laws has primarily focused on whether such laws have an impact in (i) reducing firearm-related homicide rates, (ii) reducing firearm-related suicide rates, or (iii) reducing the trafficking of firearms within and across states lines. In sum, research on whether firearm purchaser license laws reduce firearm-related homicides and suicides is mixed. Furthermore, data on firearm use in homicides and suicides varies across states that have implemented such laws.⁶² However, research suggests that firearm purchaser license laws may reduce firearm trafficking.

Research examining the impact of firearm purchaser license laws on firearm-related violence is mixed. Research consistently acknowledges the difficulty of isolating the specific effects of these laws on reductions in firearm violence.⁶³ There are a number of other factors that must be considered alongside

⁶¹ *Maryland Shall Issue, Inc. v. Moore*, 145 S.Ct. 1049 (Jan. 13, 2025).

⁶² See Appendices C and D.

⁶³ See, e.g., Chien, L. C., Holloway, A., Gakh, M., & Coughenour, C. (2022). A novel gun law strength index and influential state gun laws for firearm homicide in the United States, 1999-2018. *Public Health*, 210, 91-98; Siegel, M., Pahn, M., Xuan, Z., Fleeger, E., & Hemenway, D. (2021). The impact of state firearm laws on homicide and suicide deaths in the USA, 1991-2016: A panel study. *Journal of General Internal Medicine*, 34(10), 2021-2028.

implementation, including the specific law(s) examined, study length, and data analysis methods.⁶⁴ In addition, it is difficult to accurately isolate the impact of firearm purchaser license laws because such laws often operate in conjunction with other laws that may have been enacted before, after, or coinciding with the implementation of the firearm purchaser license law. For example, Missouri repealed its firearm purchaser license law while also implementing a “Stand Your Ground” law,⁶⁵ and Connecticut implemented a firearm purchaser license law while simultaneously raising the minimum age to purchase a handgun and imposing an eight-hour gun safety training requirement.⁶⁶

Legal changes also interact with pre-existing, existing, or changing societal factors, such as demographics, population density, educational attainment, incarceration rates, healthcare access, and poverty rates, amongst other factors.⁶⁷ In addition, components of firearm purchaser license laws vary across the states, such as the type of firearm for which a license is required, issuing agencies, fingerprinting requirements, and safety course requirements. Research findings may also differ based on methodological factors, such as sample size (number of states examined), study timeframes, potential selection bias, control and/or confounding variables, and specific outcome measures (e.g., homicide, suicide, etc.).⁶⁸

⁶⁴ See, e.g., Chien, L. C., Holloway, A., Gakh, M., & Coughenour, C. (2022). A novel gun law strength index and influential state gun laws for firearm homicide in the United States, 1999-2018. *Public Health*, 210, 91-98; Santaella-Tenorio, J., Cerdá, M., Villaveces, A., & Galea, S. (2016). What do we know about the association between firearm legislation and firearm-related injuries. *Epidemiologic Reviews*, 38(1), 140-157.

⁶⁵ Crifasi, C.K. Meyers, J. S., Vernick, J. S., & Webster, D. W. (2015). Effects of changes in permit-to-purchase handgun laws in Connecticut and Missouri on suicide rates. *Preventive Medicine*, 79, 43-49; Webster, D., Crifasi, C. K., & Vernick, J. S. (2014). Effects of the repeal of Missouri’s handgun purchaser license laws on homicides. *Journal of Urban Health: Bulletin of the New York Academy of Medicine*, 91(2), 293-302; Webster, D., Crifasi, C. K., & Vernick, J. S. (2014). Erratum to: Effects of the repeal of Missouri’s handgun purchaser license law on homicides. *Journal of Urban Health*, 91(3), 598-601.

⁶⁶ RAND. (2024). *The effects of license and permitting requirements*.

<https://www.rand.org/research/gun-policy/analysis/license-to-own.html#summary-of-evidence-for-how-li->

⁶⁷ See, e.g., Flegler, E.W., Lee, L.K., Monuteaux, M. C., Hemenway, D., & Mannix, R. (2013). Firearm legislation and firearm-related fatalities in the United States. *JAMA Internal Medicine*, 173, 732-740; Knopov, A., Siegel, M., Ziming, X., Rothman, E. F., Cronin, S. W., Hemenway, D. (2019). The impact of state firearm laws on homicide rates among Black and White populations in the United States, 1991-2016. *Health and Social Work*, 44(4), 232-240; Sumner, S. A., Layde, P. M., & Guse, C. E. (2008). Firearm death rates and association with level of firearm purchase background check. *American Journal of Preventive Medicine*, 35, 1-6.

⁶⁸ See, e.g., Bhatt, A., Wang, X., Cheng, A., Morris, K., Beyer, L., Chestnut, A., Steigerwalt, K., & Metzner, J. (2020). Association of changes in Missouri firearm laws with adolescent and young adult suicides by firearms. *JAMA Network Open*, 3(11), e2024303; Crifasi, C. K., Merrill-Francis, M., McCourt, A., Vernick, J. S., Wintemute, G. K., & Webster, D. W. (2018). Correction to: Association between firearm laws and homicide in urban counties. *Journal of Urban Health*, 95, 773-776; Crifasi, C.K. Meyers, J. S., Vernick, J. S., & Webster, D. W. (2015). Effects of changes in permit-to-purchase handgun laws in Connecticut and Missouri on suicide rates. *Preventive Medicine*, 79, 43-49; Crifasi, C. K., Merrill-Francis, M., McCourt, A., Vernick, J. S., Wintemute, G. K., & Webster, D. W. (2018). Association between firearm laws and homicide in urban counties. *Journal of Urban Health*, 95, 383-390; Guis, M. (2017). Effects of permit-to-purchase laws on state-level firearm murder rates. *Atlantic Economic Journal*, 45, 73-80; Knopov, A., Siegel, M., Ziming, X., Rothman, E. F., Cronin, S. W., Hemenway, D. (2019). The impact of state firearm laws on homicide rates among Black and White populations in the United States, 1991-2016. *Health and Social Work*, 44(4), 232-240; Liu, Y., Siegel, M., & Sen, B. (2022). Association of state-level firearm-related deaths with firearm laws in neighboring states. *JAMA Network Open*, 5(11), e2240750; McCourt, A., Crifasi, C. K., Vernick, J. S., Kagawa, R., Wintemute, G., & Webster, D. W. (2020). Purchaser license, point-of-sale background check laws, and firearm homicide and suicide in 4 US states, 1985-2017. *American Journal of Public Health*, 110 (11), 1546-1552; RAND. (2024). *The effects of license and permitting requirements*.

<https://www.rand.org/research/gun-policy/analysis/license-to-own.html#summary-of-evidence-for-how-li->; Rudolph, K. E., Stuart, E. A., Vernick, J. S & Webster, D. W. (2015). Association between Connecticut’s permit-to-purchase handgun law and homicides. *American Journal of Public Health*, 105(8), e49-e54; Webster, D., Crifasi, C. K., & Vernick, J. S. (2014). Effects of the repeal of Missouri’s handgun purchaser license laws on homicides. *Journal of Urban Health: Bulletin of the New York Academy of Medicine*, 91(2), 293-302; Webster, D., Crifasi, C. K., & Vernick, J. S. (2014). Erratum to: Effects of the repeal of Missouri’s handgun purchaser license law on homicides. *Journal of Urban Health*, 91(3), 598-601; Webster, D. W., Vernick, J.S., Zeoli, A. M., & Manganello, J. A. (2004). Association between youth-focused firearm laws and youth suicides. *JAMA*, 292(5), 594-601.

Firearm-Related Homicide Rates

Research on the impact of firearm purchaser licenses on reducing firearm-related homicides is mixed.⁶⁹ For example, one study found an 11% reduction in firearm homicides in urban counties following the implementation of firearm purchaser license laws,⁷⁰ while another study reported that the 2007 repeal of Missouri's firearm purchaser license law was associated with a 25% increase in the state's annual homicide rate.⁷¹ However, not all findings support a significant effect. One study found that the implementation of firearm purchaser license laws had no statistically significant effect on state-level firearm homicide rates.⁷²

Generally, the number and rate of firearm-related homicides varied widely across states, including those that have implemented firearm purchaser license laws.⁷³ For example, as seen in Appendix C, both the number and rate of firearm-related homicides varied significantly between 2017 and 2023 across states with active firearm purchaser license programs. Notably, Virginia had lower firearm-related homicide rates compared to neighboring jurisdictions with firearm purchaser license laws, such as Maryland, North Carolina, and Washington, D.C.⁷⁴

⁶⁹ See, e.g., Crifasi, C. K., Merrill-Francis, M., McCourt, A., Vernick, J. S., Wintemute, G. K., & Webster, D. W. (2018). Association between firearm laws and homicide in urban counties. *Journal of Urban Health*, 95, 383-390; Crifasi, C. K., Merrill-Francis, M., McCourt, A., Vernick, J. S., Wintemute, G. K., & Webster, D. W. (2018). Correction to: Association between firearm laws and homicide in urban counties. *Journal of Urban Health*, 95, 773-776; Guis, M. (2017). Effects of permit-to-purchase laws on state-level firearm murder rates. *Atlantic Economic Journal*, 45, 73-80; Hasegawa, R. B., Webster, D. W., & Small, D. S. (2019). Evaluating Missouri's handgun purchaser law: A bracketing method for addressing concerns about history interacting with group. *Epidemiology*, 30(3), 371-379; Knopov, A., Siegel, M., Ziming, X., Rothman, E. F., Cronin, S. W., Hemenway, D. (2019). The impact of state firearm laws on homicide rates among Black and White populations in the United States, 1991-2016. *Health and Social Work*, 44(4), 232-240; Liu, Y., Siegel, M., & Sen, B. (2022). Association of state-level firearm-related deaths with firearm laws in neighboring states. *JAMA Network Open*, 5(11), e2240750; Luca, M., Malhotra, D., & Poliquin, C. (2017). Handgun waiting periods reduce gun deaths. *PNAS*, 114(46), 12162-12165; McCourt, A., Crifasi, C. K., Vernick, J. S., Kagawa, R., Wintemute, G., & Webster, D. W. (2020). Purchaser licensing, point-of-sale background check laws, and firearm homicide and suicide in 4 US states, 1985-2017. *American Journal of Public Health*, 110 (11), 1546-1552; Rudolph, K. E., Stuart, E. A., Vernick, J. S. & Webster, D. W. (2015). Association between Connecticut's permit-to-purchase handgun law and homicides. *American Journal of Public Health*, 105(8), e49-e54; Siegel, M. (2020). The impact of state-level firearms laws on homicide rates by race/ethnicity. U.S. Department of Justice. <https://www.ojp.gov/pdffiles1/nij/grants/254669.pdf>; Siegel, M., Solomon, B., Knopov, A., Rothman, E. F., Cronin, S. W., Xuan, Z., & Hemenway, D. (2020). The impact of state firearm laws on homicide rates in suburban and rural areas compared to large cities in the United States, 1991-2016. *Journal of Rural Health*, 36(2), 255-265; Webster, D., Crifasi, C. K., & Vernick, J. S. (2014). Effects of the repeal of Missouri's handgun purchaser license laws on homicides. *Journal of Urban Health: Bulletin of the New York Academy of Medicine*, 91(2), 293-302; Webster, D., Crifasi, C. K., & Vernick, J. S. (2014). Erratum to: Effects of the repeal of Missouri's handgun purchaser license law on homicides. *Journal of Urban Health*, 91(3), 598-601.

⁷⁰ Crifasi, C. K., Merrill-Francis, M., McCourt, A., Vernick, J. S., Wintemute, G. K., & Webster, D. W. (2018). Association between firearm laws and homicide in urban counties. *Journal of Urban Health*, 95, 383-390, note at p. 389: "As with all observational studies, there is a risk of selection bias as states choose whether to pass a policy or not."; Crifasi, C. K., Merrill-Francis, M., McCourt, A., Vernick, J. S., Wintemute, G. K., & Webster, D. W. (2018). Correction to: Association between firearm laws and homicide in urban counties. *Journal of Urban Health*, 95, 773-776.

⁷¹ Webster, D., Crifasi, C. K., & Vernick, J. S. (2014). Effects of the repeal of Missouri's handgun purchaser license laws on homicides. *Journal of Urban Health: Bulletin of the New York Academy of Medicine*, 91(2), 293-302, note at pp. 299-300: "Critics could question the use of a relatively short pre-repeal baseline period used for this study. Using more longitudinal observations can potentially produce more accurate forecasts of the counterfactual in interrupted time-series impact studies. The generalizability of our findings to other states with [permit-to-purchase] handgun laws is unknown."; Webster, D., Crifasi, C. K., & Vernick, J. S. (2014). Erratum to: Effects of the repeal of Missouri's handgun purchaser license law on homicides. *Journal of Urban Health*, 91(3), 598-601.

⁷² Guis, M. (2017). Effects of permit-to-purchase laws on state-level firearm murder rates. *Atlantic Economic Journal*, 45, 73-80, note at p. 79: "Unfortunately, very little research has been conducted on [permit-to-purchase (PTP)] laws. Future research should focus on the use of more recent data, an examination of some of the more recently enacted PTP laws, and the use of more sophisticated statistical models so that the true relationship between PTP laws and crime can be ascertained. In addition, future research should examine the relationship between PTP laws and all types of gun-related violent crimes."

⁷³ FBI, Uniform Crime Reporting (UCR) Program, 2017-2024; Centers for Disease Control and Prevention, National Center for Injury Prevention and Control. Web-based Injury Statistics Query and Reporting System (WISQARS), 2017-2023.

⁷⁴ North Carolina repealed its firearm purchaser license law in March 2023.

Firearm-Related Suicide Rates

Research on the effects of firearm purchaser licenses on suicide rates is also mixed.⁷⁵ For example, one study found that the 2007 repeal of Missouri's firearm purchaser license law was associated with a 22% increase in firearm suicide rates among young adults aged 19-24,⁷⁶ while another study found a 16% increase in the overall firearm suicide rate after the repeal.⁷⁷ However, another study found that the implementation of firearm purchaser license laws was associated with an approximate 18% increase in suicide rates among youth aged 18-20 in the three states examined.⁷⁸

Generally, the number and rate of firearm-related suicides varied widely across states, including those with active firearm purchaser license laws.⁷⁹ As shown in Appendix D, both the number and rate of firearm suicides varied significantly between 2017 and 2023 across states with active firearm purchaser license laws. When comparing neighboring states, Virginia consistently had higher firearm-related suicide rates than Maryland, but lower rates than North Carolina.⁸⁰

Firearm Trafficking

Research generally supports the role of firearm purchaser licenses in reducing firearm trafficking both within and across state lines.⁸¹ Specifically, research has found that a significant number of firearms

⁷⁵ See, e.g., Andrés, A. R., & Hempstead, K. (2011). Gun control and suicide: The impact of state firearm regulations in the United States, 1995–2004. *Health Policy*, 101(1), 95-103; Bhatt, A., Wang, X., Cheng, A., Morris, K., Beyer, L., Chestnut, A., Steigerwalt, K., & Metzner, J. (2020). Association of changes in Missouri firearm laws with adolescent and young adult suicides by firearms. *JAMA Network Open*, 3(11), e2024303; Crifasi, C.K. Meyers, J. S., Vernick, J. S., & Webster, D. W. (2015). Effects of changes in permit-to-purchase handgun laws in Connecticut and Missouri on suicide rates. *Preventive Medicine*, 79, 43-49; Depew, B., & Swensen, I. (2022). The effect of concealed-carry and handgun restrictions on gun-related deaths: Evidence from the Sullivan Act of 1911. *Economic Journal*, 132(646), 2118-2140; Fridel, E. E., Zimmerman, G. M., & Arrigo, S. R. (2024). Examining the impact of minimum handgun purchase age and background check legislation on young adult suicide in the United States, 1991-2020. *American Journal of Public Health*, 114(8), 805-813; Liu, Y., Siegel, M., & Sen, B. (2022). Association of state-level firearm-related deaths with firearm laws in neighboring states. *JAMA Network Open*, 5(11), e2240750; Luca, M., Malhotra, D., & Poliquin, C. (2017). Handgun waiting periods reduce gun deaths. *PNAS*, 114(46), 12162-12165; McCourt, A., Crifasi, C. K., Vernick, J. S., Kagawa, R., Wintemute, G., & Webster, D. W. (2020). Purchaser licensing, point-of-sale background check laws, and firearm homicide and suicide in 4 US states, 1985-2017. *American Journal of Public Health*, 110 (11), 1546-1552; Webster, D. W., Vernick, J.S., Zeoli, A. M., & Manganello, J. A. (2004). Association between youth-focused firearm laws and youth suicides. *JAMA*, 292(5), 594-601.

⁷⁶ Bhatt, A., Wang, X., Cheng, A., Morris, K., Beyer, L., Chestnut, A., Steigerwalt, K., & Metzner, J. (2020). Association of changes in Missouri firearm laws with adolescent and young adult suicides by firearms. *JAMA Network Open*, 3(11), e2024303, note at p. 9: "...We cannot be certain about other policies (related to firearms, public health, or mental health) that may have affected firearm suicides. We also did not include covariates in the young adult group related to depression or substance use, which may have affected suicide rates."

⁷⁷ Crifasi, C.K. Meyers, J. S., Vernick, J. S., & Webster, D. W. (2015). Effects of changes in permit-to-purchase handgun laws in Connecticut and Missouri on suicide rates. *Preventive Medicine*, 79, 43-49, note at p. 48: "As with most evaluations of public policy, we cannot rule out the possibility that our estimates of the associations between PTP laws and suicide rates are confounded by unmeasured determinants of suicide correlated with changes in the laws... These laws appear to be protective in ways that you might hypothesize based on what is known about the role of firearms and risk of suicide, but it is unclear exactly what magnitude effect on lives saved these laws have."

⁷⁸ Webster, D. W., Vernick, J.S., Zeoli, A. M., & Manganello, J. A. (2004). Association between youth-focused firearm laws and youth suicides. *JAMA*, 292(5), 594-601, note at p. 599: "Similarly, our findings for permit-to-purchase licensing laws should be regarded with skepticism since they are based on just 3 changes in state law occurring during the study period, none of which involved a very restrictive licensing scheme."

⁷⁹ Centers for Disease Control and Prevention, National Center for Injury Prevention and Control. Web-based Injury Statistics Query and Reporting System (WISQARS), 2017-2023.

⁸⁰ North Carolina repealed its firearm purchaser license law in March 2023.

⁸¹ See, e.g., Crifasi, C. K., Buggs, S. A. L., Choksy, S., & Webster, D. W. (2017). The initial impact of Maryland's Safety Act of 2013 on the supply of crime handguns in Baltimore. *RSF: The Russell Sage Foundation Journal of the Social Sciences*, 3(5), 128-140; Collins, T., Greenberg, R., Siegel, M., Xuan, Z., Rothman, E. F., Cronin, S. W., & Hemenway, D. (2018). State firearm laws and the interstate transfer of guns in the USA, 2006-2016. *Journal of Urban Health*, 95, 322-336; Kahane, L.H. (2020). State gun laws and the movement of crime guns between states. *International Review of Law and Economics*, 61, 105871; Li, M., Small, D., Ye, T., Lin, Y., & Webster, D. (2023). Examining a hypothesized causal chain for the effects of the 2007 repeal of the permit-to-purchase license law in Missouri: Homicide guns recovered in state and within a year of purchase. *Journal of Urban Health*, 100, 425-430; Webster, D. W., Vernick, J.S., & Hepburn, L. M. (2001). Relationship between license, registration, and other gun sales laws and the source state of crime guns. *Injury Prevention*, 7, 184-189; Webster, D. W., Vernick, J. S., McGinty, E. E., & Alcorn, T. (2013). Preventing the diversion

used in crimes originated in states with weaker firearm-related laws, including states without firearm purchaser licensing requirements, private sale regulations, lost or stolen firearm reporting requirements, or handgun registries.⁸² Further, states that have implemented firearm purchaser license laws, along with related requirements such as waiting periods and prohibitions for those individuals convicted of violent misdemeanors, appear to show reduced in-state access to firearms that could be used in crimes.⁸³ However, this body of research acknowledges that the specific impact of firearm purchaser license laws alone cannot be determined, as firearm trafficking can be influenced by a variety of other factors.⁸⁴

Caution in Comparison of State-Level Data

Meaningful comparisons across states are challenging due to substantial differences in demographic, socioeconomic, and legal frameworks. Criminal justice and public health data sources also strongly caution against ranking states, as factors such as population density, residential mobility, and economic factors can impact crime and mortality rates within jurisdictions.⁸⁵

Resources and Policy Considerations for Firearm Purchaser Licenses

What resources are needed for a firearm purchaser license program?

Implementing and administering a firearm purchaser license program requires significant resources. For example, Delaware implemented a law requiring a permit to purchase a handgun beginning in November 2025.⁸⁶ The fiscal note for the Delaware legislation that created this handgun permitting program estimated \$2.6 million in one-time program implementation costs, along with recurring operating costs of almost \$8 million in the first year and nearly \$9 million in both the second and third years.⁸⁷ Similarly, the state of Washington estimated that its firearm purchaser permit program, scheduled to take effect in May 2027, will require operating expenditures in the millions of dollars, with

of guns to criminals through effective firearm sales laws. In *Reducing gun violence in America* (Vol. 9781421411118, pp. 109-121). The Johns Hopkins University Press.

⁸² Webster, D. W., Vernick, J. S., McGinty, E. E., & Alcorn, T. (2013). Preventing the diversion of guns to criminals through effective firearm sales laws. In *Reducing gun violence in America* (Vol. 9781421411118, pp. 109-121). The Johns Hopkins University Press.

⁸³ Collins, T., Greenberg, R., Siegel, M., Xuan, Z., Rothman, E. F., Cronin, S. W., & Hemenway, D. (2018). State firearm laws and the interstate transfer of guns in the USA, 2006-2016. *Journal of Urban Health*, 95, 322-336.

⁸⁴ Andrade, E. G., Hoofnagle, M. H., Kaufman, E., Seamon, M. J., Pah, A. R., & Morrison, C. N. (2020). Firearm laws and illegal firearm flow between US states. *Journal of Trauma and Acute Care Surgery*, 88(6), 752-759; Kaufman E. J., Morrison, C. N., Branas, C. C., & Wiebe, D. J. (2018). State firearm laws and interstate firearm deaths from homicide and suicide in the United States: A cross-sectional analysis of data by county. *JAMA Internal Medicine*, 178(5), 692-700.

⁸⁵ See, e.g., FBI. (2012). Caution against ranking. <https://ucr.fbi.gov/cautionagainstranking.pdf>. For example, “rankings lead to simplistic and/or incomplete analyses that often create misleading perceptions adversely affecting cities and counties, along with their residents.”; CDC Wonder. (2025). Suicide rates by state. <https://www.cdc.gov/suicide/facts/rates-by-state.html#:~:text=Although%20adjusted%20for%20differences%20in%20age%2Ddistribution%20and,may%20be%20unreliable%20due%20to%20instability%20in>. For example, “...rankings by state do not take into account other state specific population characteristics that may affect the level of mortality.”

⁸⁶ DEL. CODE. ANN. tit. 11, § 1448D (2025). See Summers, M. WBOC. (2025, November 17). *Delaware's permit to purchase handgun law takes effect; What to know and who has exemptions*. https://www.wboc.com/news/delawares-permit-to-purchase-handgun-law-takes-effect-what-to-know-and-who-has-exemptions/article_011b04be-7ee3-4cad-ae4b-57c44a6a13d6.html.

⁸⁷ See Delaware General Assembly. Senate Bill 2, 152nd General Assembly (2023-2024). *Fiscal note*. <https://legis.delaware.gov/BillDetail?LegislationId=130218>.

costs expected to be offset through permitting fees.⁸⁸ In addition, officials in Maryland and Massachusetts both indicated that administering their firearm purchaser license programs requires significant ongoing funding.⁸⁹

Implementing and administering a firearm purchaser license program in Virginia would require additional resources. Specific needs would depend on the final components of any legislation, but are likely include funding for increased staffing (including office space and equipment for new staff), technology system upgrades, development of license application and continuous monitoring processes, creation of and updates to a firearm safety training course curriculum, certification of firearm safety training course instructors, and litigation of license denials and revocations.

Could Virginia implement other measures in lieu of a firearm purchaser license?

Yes. If resource challenges or other logistical concerns exist, Virginia could enact certain components of a firearm purchaser license, such as:

- Requiring completion of a firearm safety course prior to a firearm purchase;
- Establishing a waiting period after the purchase or transfer of a firearm; or,
- Mandating fingerprinting as an additional component of the background check conducted by the Virginia State Police.

Firearm Safety Course Prior to a Firearm Purchase

Three states, including California,⁹⁰ Rhode Island,⁹¹ and Washington,⁹² require a person to complete a firearm safety course before purchasing a firearm, but do not require a firearm purchaser license as part of the transaction. Virginia does not require the completion of a firearm safety course prior to a firearm purchase.

Waiting Period After Purchase of a Firearm

Several states and Washington, D.C., require a person to wait a specified time period before taking possession of a firearm following a purchase or transfer, with waiting periods ranging from 3 to 10 days.⁹³ Some research indicates that such waiting periods may contribute to reductions in both

⁸⁸ See Washington State Legislature. House Bill 1163 (2025-26).

<https://app.leg.wa.gov/billsummary/?BillNumber=1163&Year=2025&Initiative=false>. See also Washington State Office of Financial Management. (2025, June 24). Fiscal note for HB1163. <https://fnspublic.ofm.wa.gov/FNSPublicSearch/Search/bill/1163/69>.

⁸⁹ Maryland Department of State Police, personal communication, October 21, 2025, and the Massachusetts Department of Criminal Justice Information Services, personal communication, October 22, 2025.

⁹⁰ CAL. PENAL CODE § 31610 et seq. (2025). The safety course is required for any firearm.

⁹¹ 11 R.I. GEN. LAWS §§ 11-47-35 and 11-47-35.1 (2025). The safety course is only required for pistols or revolvers.

⁹² WASH. REV. CODE § 9.41.1132 (2025). The safety course is required for any firearm. This is an independent requirement that will be in effect until May 1, 2027, when Washington's firearm purchaser license legislation takes effect. After May 1, 2027, the safety course will be part of the overall licensing requirements.

⁹³ See Giffords Law Center to Prevent Gun Violence. *Gun sales: Waiting periods*. <https://giffords.org/lawcenter/gun-laws/policy-areas/gun-sales/waiting-periods/>. See also Everytown Research & Policy. *Which states require a waiting period before gun purchases?* <https://everytownresearch.org/rankings/law/waiting-periods/>.

homicides and suicides.⁹⁴ Virginia does not require such a waiting period after a firearm purchase or transfer.

Fingerprinting as Part of Background Check by Virginia State Police

When conducting a background check for a firearm sale or transfer, the Virginia State Police uses the Master Name Index, which utilizes a person's name, date of birth, sex, race, and Social Security number to identify any potential disqualifying factors across criminal records, mental health records, fugitive warrants, protective orders, and immigration databases, as well as through the National Instant Criminal Background Check System.⁹⁵ The Virginia State Police do not require fingerprints as part of this process; however, fingerprints could be useful in cases where a person has changed their name or is listed as an alias on a criminal record.⁹⁶

Several states require fingerprinting as part of the firearm purchaser license application process,⁹⁷ but staff did not identify any states requiring fingerprints as part of the background check at the point of a firearm sale or transfer. Virginia could consider incorporating fingerprinting as an additional component of its existing background check process. While a fingerprinting component could complement the existing background check process, it may present resource or other logistical challenges to the Virginia State Police, firearm retailers, and firearm purchasers.

CONCLUSION

A firearm purchaser license is a government-issued license that a person must obtain before lawfully purchasing or otherwise taking possession of a firearm. This license is intended to enhance the background check process; reduce firearm-related homicides, suicides, and injuries; limit firearm

⁹⁴ Anestis, M. D., & Anestis, J. C. (2015). Suicide rates and state laws regulating access and exposure to handguns. *American Journal of Public Health*, 105(10), 2049-2058, note at p. 2057: "...Other variables that could potentially be relevant to suicide-related outcomes at statewide levels (e.g., religiosity, prevalence of specific mental illnesses) were not included because of the difficulty in quantifying such variables. . . It was also unclear to what extent having more than 1 of these laws or specific combinations of laws might have a more potent impact relative to having only 1 (or an alternative combination) in place."; Arnold, G. E., & Priestley, M. B. (2025). Do gun-purchase waiting periods save lives? *Health Economics*, 34, 1461-1473; Donohue, J. J., Cai, S. V., & Ravi, A. (2023). *Age and suicide impulsivity: Evidence from handgun purchase delay laws* (Working Paper No. 31917). National Bureau of Economic Research. <http://www.nber.org/papers/w31917>; Dunton, Z. R., Kohlbeck, S.A., Lasarev, M. R., Vear, C.R., & Hargarten, S. W. (2022). The association between repealing the 48-hour mandatory waiting period on handgun purchases and suicide rates in Wisconsin. *Archives of Suicide Research*, 26(3), 1327-1335, note at p.1333: "While the conclusions of this study suggest a correlation between increased suicide rates among certain populations and a firearm policy change, there are multiple confounding factors, such as disparaging state or national events, which occurred within our study timeline that we did not account for."; Edwards, G., Nesson, E., Robinson, J. J., & Vars, F. (2018). Looking down the barrel of a loaded gun: The effect of mandatory handgun purchase delays on homicide and suicide. *Economic Journal*, 128(616), 3117-3140; Leung, C., Kaplan, M. S., & Xuan, Z. (2019). The association between firearm control policies and firearm suicide among men: A state-level age-stratified analysis. *Health & Social Work*, 44(4), 249-258, note at p. 255: "A fifth limitation is the inability to analyze certain confounding residuals such as other gun policies and unmeasured factors that could measure gun culture in each state."; Luca, M., Malhotra, D., & Poliquin, C. (2017). Handgun waiting periods reduce gun deaths. *Proceedings of the National Academy of Sciences*, 114(46), 12162-12165; Ludwig, J., & Cook, P. J. (2000). Homicide and suicide rates associated with implementation of the Brady Handgun Violence Prevention Act. *JAMA*, 284(5), 585-591; Oliphant, S. N. (2022). Effects of Wisconsin's handgun waiting period repeal on suicide rates. *Injury Prevention*, 28, 580-584, note at p. 584: "... as with any analysis, the omission of important covariate measures or confounders could also bias estimates."; Roberts, D. W. (2009). Intimate partner homicide: Relationships to alcohol and firearms. *Journal of Contemporary Criminal Justice*, 25(1), 67-88.

⁹⁵ Virginia State Police. (2025, November 19). *Firearms Transaction Center*. <https://vscc.virginia.gov/2025/Nov19VSCCMtg/Firearms%20Transaction%20Center%20-%20%20VSCC%20Mtg%2011-19-25.pdf>.

⁹⁶ *Id.*

⁹⁷ See Appendix B.

trafficking; and, promote firearm safety and training. However, concerns have been raised that such licenses infringe on the Second Amendment and lawful firearm purchasers.

Currently, 14 states and Washington, D.C., have firearm purchaser license laws, though the components of these licenses vary significantly across jurisdictions. In addition, the United States Court of Appeals for the Fourth Circuit recently upheld Maryland's firearm purchaser license law against a Second Amendment challenge.

Research on the effectiveness of firearm purchaser licenses on firearm-related violence is mixed. At the same time, implementing and administering such a license requires significant resources.

Ultimately, enacting a firearm purchaser license law is a policy decision. Virginia could enact a firearm purchaser license law or, if resource challenges or other logistical concerns exist, could instead implement more limited components of such a law.

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Virginia Center for Public Safety

Virginia Citizens Defense League

Virginia Department of Criminal Justice Services

Virginia Joint Legislative Audit and Review Commission

Virginia Office of the Chief Medical Examiner

Virginia State Police

APPENDIX A: STATE FIREARM PURCHASER LICENSE LAWS (AS OF 11/2025)

States With Active Firearm Purchaser License Laws	
State	Statute(s)
Connecticut	CONN. GEN. STAT. § 29-36f <i>et seq.</i> CONN. GEN. STAT. § 29-37p <i>et seq.</i>
Delaware	DEL. CODE ANN. tit. 11, § 1448D
Hawaii	HAW. REV. STAT. § 134-2
Illinois	430 ILL. COMP. STAT. ANN. 65/2
Maryland	MD. CODE ANN., PUB. SAFETY § 5-117.1 <i>et seq.</i>
Massachusetts	MASS. ANN. LAWS ch. 140, § 129B MASS. ANN. LAWS ch. 140, § 131
Michigan	MICH. COMP. LAWS § 28.422 <i>et seq.</i>
Minnesota	MINN. STAT. § 624.7131
Nebraska	NEB. REV. STAT. ANN. § 69-2404 <i>et seq.</i>
New Jersey	N.J. REV. STAT. § 2C:58-3
New York	N.Y. PENAL LAW § 400.00 <i>et seq.</i>
Washington, D.C.	D.C. CODE ANN. § 7-2502.01 <i>et seq.</i>

States With Firearm Purchaser License Laws to Take Effect	
State	Statute(s) / Effective Date
Colorado	COLO. REV. STAT. §§ 18-12-116 and 33-9-115 See SB25-003 (2025 Regular Session) Effective August 2026
Oregon	OR. REV. STAT. § 166.500 <i>et seq.</i> Effective Date Unknown - Pending Litigation
Washington	WASH. REV. CODE ANN. § 9.41.090 <i>et seq.</i> See HB1163 (Ch. 370, 2025 Regular Session) Effective May 2027

States That Repealed Firearm Purchaser License Laws	
State	Year Enacted / Repealed
Missouri	Enacted 1927 / Repealed 2007
Iowa	Enacted 1979 / Repealed July 2021
North Carolina	Enacted 1919 / Repealed March 2023

APPENDIX B: STATE FIREARM PURCHASER LICENSE (FPL) COMPONENTS (AS OF 11/2025)

14 States and Washington, D.C., Have FPL Laws:

- States: Colorado, Connecticut, Delaware, Hawaii, Illinois, Maryland, Massachusetts, Michigan, Minnesota, Nebraska, New Jersey, New York, Oregon, and Washington
 - **Required to Purchase a Firearm:**
 - Currently Active
 - Connecticut (1995; new requirements effective April 1, 2014)
 - Delaware (2025)
 - Hawaii (1994; new requirements effective January 1, 2024)
 - Maryland (2013)
 - Michigan (effective 2024 for all firearms)
 - Nebraska (1989)
 - New Jersey (1926; new requirements effective 1966)
 - Enacted with a Delayed Effective Date
 - Colorado (enacted April 2025; effective August 2026)
 - Oregon (ballot initiative in 2022; not effective due to litigation)
 - Washington (enacted May 2025; effective May 1, 2027)
 - **Required to Own or Possess a Firearm (including purchase):**
 - Illinois (1968)
 - Massachusetts (1975; new requirements effective 1999)
 - New York (1911; new requirements 2013)
 - Washington, D.C. (1976; new requirements effective 2008)
 - **Required for Private Transfers only:** Minnesota

3 States Repealed Their FPL Law:

- Missouri (1927; repealed 2007)
- Iowa (1979; repealed July 2021)
- North Carolina (1919; repealed March 2023)

3 States Only Require a Firearm Safety Course to Purchase a Firearm:

- California (no FLP law)
- Rhode Island (no FPL law)
- Washington (effective until May 1, 2027, when its new FPL law takes effect)

FPL Components Vary by State

- **Type of Firearm:**
 - FPL required for all firearms: 8 States and Washington, D.C.
 - Connecticut, Hawaii, Illinois, Massachusetts, Michigan, New Jersey, Oregon, Washington, Washington, D.C.

- FPL required for handguns only: 3 States
 - Delaware, Maryland, Nebraska
- FPL required for handguns and semi-automatic rifles: 2 States
 - Minnesota (private sales only), New York
- FPL required for semi-automatic firearms only: 1 State (Colorado)
- **Issuing Agency:**
 - State: Connecticut, Delaware, Illinois, Maryland, Minnesota, Washington
 - Local: Colorado, Hawaii, Massachusetts, Michigan, Minnesota, Nebraska, New Jersey, New York, Oregon, Washington, D.C.
- **Application Fees:**
 - No fee: Delaware, Michigan, Minnesota
 - Fee set by each locality: Colorado, New York (\$3 to \$10), Washington, D.C.
 - Reasonable fee for the background check: Hawaii
 - Variable fee to cover direct and indirect costs: Washington
 - Maximum of \$65: Oregon
 - \$5: Nebraska
 - \$10: Illinois (plus cost of the background check)
 - \$25: New Jersey (handgun)
 - \$35: Connecticut
 - \$50: Maryland (plus cost of background check), New Jersey (long gun)
 - \$100: Massachusetts (persons over age 70 are exempt)
- **Renewal of Permit Fee:**
 - 8 states specify a fee for FPL renewal in their FPL statutory scheme.
 - No Fee: Minnesota, New Jersey (no fee for good cause shown for an additional 90 days)
 - \$10: Illinois
 - \$20 Maryland
 - \$35: Connecticut
 - \$50: New Jersey (long gun), Oregon (maximum)
 - \$100: Massachusetts (persons over 70 are exempt from fee)
- **Fingerprinting:**
 - 9 states and Washington, D.C., require fingerprinting to obtain an FPL.
 - Connecticut, Delaware, Hawaii, Maryland, Massachusetts, New Jersey, New York, Oregon, Washington, Washington, D.C.
 - 5 states do not require fingerprinting to obtain an FPL.
 - Colorado, Illinois (optional), Michigan, Minnesota, Nebraska
- **Photograph:**
 - 7 states and Washington, D.C., require a photograph to obtain an FPL.
 - Colorado, Connecticut, Hawaii, Illinois, Massachusetts (Large Capacity and Semi-Automatic License to Carry), New York, Oregon, Washington, D.C.
 - 7 states do not require a photograph to obtain an FPL.
 - Delaware, Maryland, Michigan, Minnesota, Nebraska, New Jersey, Washington

- **In-Person Component:**
 - 11 states and Washington, D.C., require an in-person application component.
 - Colorado, Connecticut, Delaware, Hawaii, Maryland, Massachusetts, Nebraska, New Jersey, New York, Oregon, Washington, Washington, D.C.
 - 3 states do not require an in-person application component.
 - Illinois, Michigan, Minnesota
- **Firearm Safety Course (With or Without Live Fire):**
 - 6 states require a firearm safety course with live fire.
 - Delaware, Hawaii, Maryland, Massachusetts, Oregon, Washington
 - 3 states and Washington, D.C., require a firearm safety course without live fire.
 - Colorado, Connecticut, New Jersey, Washington, D.C.
 - 5 states do not require a firearm safety course.
 - Illinois, Michigan, Minnesota, Nebraska, New York
 - Note: 2 states do not have an FPL but require safe handling training or live fire to purchase a firearm.
 - California, Rhode Island
- **Time Period to Apply for an FPL After Completion of Firearm Safety Course:**
 - 2 years: Connecticut
 - 3 years: Maryland
 - 4 years: Hawaii, New Jersey
 - 5 years: Colorado, Delaware, Washington
 - None: Massachusetts, Oregon, Washington, D.C.
- **Maximum Time to Make Issuance Decision on an FPL Once Application is Received:**
 - No Time Period: Colorado, Michigan (due speed and diligence)
 - 3 days: Nebraska
 - 30 Days: Delaware, Illinois, Maryland, Minnesota, New Jersey, Oregon, Washington
 - 40 Days: Hawaii (no sooner than 14 days), Massachusetts
 - 60 Days: Washington, D.C.
 - 90 Days: Connecticut
 - 180 days: New York
- **Risk-Based Denial (subjective criteria):**
 - 10 states and Washington, D.C., use risk-based denial.
 - Colorado, Delaware, Hawaii, Illinois, Massachusetts, Michigan, Minnesota, New Jersey, New York, Oregon, Washington, D.C.
 - 4 states do not use risk-based denial.
 - Connecticut, Maryland, Nebraska, Washington
- **Contact Local Law Enforcement to Investigate:**
 - 3 states require contact with local law enforcement to screen an applicant.
 - Delaware, Massachusetts, New York

- 4 states and Washington, D.C., do not require contact with local law enforcement to screen an applicant.
 - Connecticut, Illinois, Maryland, Washington, Washington, D.C.
- 7 states require local law enforcement to approve or deny an application.
 - Colorado, Hawaii, Michigan, Minnesota, Nebraska, New Jersey, Oregon
- **Duration of an FPL and Number of Firearms that Can Be Purchased with an FPL:**
 - 30 Days: Hawaii (handgun only- one handgun per permit), Michigan (no limit)
 - 90 Days: New Jersey (handgun only- one handgun per permit)
 - 1 Year: Hawaii (rifle or shotgun only- no limit), Minnesota (no limit)
 - 2 Years: Delaware (no limit)
 - 3 Years: Nebraska (no limit), Washington, D.C. (no limit)
 - 5 Years: Colorado (semi-automatic firearms- no limit), Connecticut (no limit), Oregon (no limit), Washington (no limit)
 - 6 Years: Massachusetts (no limit)
 - 10 Years: Illinois (no limit), Maryland (no limit), New Jersey (rifle or shotgun only- no limit)
 - Varies by Locality: New York
 - New York City (no limit): 3 Years
 - Nassau, Suffolk, Westchester (no limits): 5 Years
 - All other localities (no limit): Valid until revoked, however licensees are required to recertify every 5 years.
- **Denial of Permit Process:**
 - 13 states and Washington, D.C., require written notice of denial.
 - Colorado, Connecticut, Delaware, Hawaii, Illinois, Maryland, Massachusetts, Minnesota, Nebraska, New Jersey, New York, Oregon, Washington, Washington, D.C.
 - 1 state does not require written notice of denial.
 - Michigan
- **Appeal of Denial:**
 - 13 states and Washington, D.C., have an appeals process for a denied application.
 - Colorado, Connecticut, Delaware, Hawaii, Illinois, Maryland, Massachusetts, Minnesota, Nebraska, New Jersey, New York, Oregon, Washington, Washington, D.C.
 - 1 state does not have an appeals process for a denied application.
 - Michigan
- **Revocation of Permit Process:**
 - 11 states and Washington, D.C., require written notice of the revocation of an FPL after a disqualifying event.
 - Colorado, Connecticut, Delaware, Hawaii, Illinois, Maryland, Massachusetts, Minnesota, Nebraska, Oregon, Washington, Washington, D.C.
 - 1 state revokes the FPL through a court proceeding.
 - New Jersey

- 1 state does not have a written notice of revocation requirement but does revoke the FPL following a disqualifying event.
 - New York
- 1 state does not have a revocation process.
 - Michigan
- **Criminal Penalty Upon Permit Revocation (not surrendering permit):**
 - 3 states have a criminal penalty for failing to surrender a permit.
 - Connecticut, Illinois, Minnesota
 - 11 states and Washington, D.C., do not have a criminal penalty for failing to surrender a permit.
 - Colorado, Delaware, Hawaii, Maryland, Massachusetts, Michigan, Nebraska, New Jersey, New York, Oregon, Washington, Washington, D.C.
- **Removal of Firearms after Revocation:**
 - 5 states and Washington, D.C., require the removal of firearms upon revocation of an FPL.
 - Delaware (if probable cause exists that the individual purchased a handgun with the permit), Illinois, Massachusetts, New York, Washington (law enforcement may ensure the individual is not in illegal possession of firearms.), Washington, D.C.
 - 9 states do not require the removal of firearms upon revocation of an FPL.
 - Colorado, Connecticut, Hawaii, Maryland, Michigan, Minnesota, Nebraska, New Jersey, Oregon

7 States Allow a Concealed Carry Permit or Other License for a Firearm Purchase

- 6 states with an FPL requirement accept a concealed carry permit in place of the license for purchasing a firearm.
 - Connecticut, Delaware, Massachusetts, Michigan, Minnesota, Nebraska
- 1 state with an FPL requirement accepts an active concealed carry permit if the FPL is expired.
 - Illinois

6 States with an FPL and Washington, D.C., also Have a Waiting Period before Transfer:

- 3 days: Colorado, Illinois (72 hours)
- 7 days: Maryland, New Jersey (handguns only)
- 10 days: Washington, Washington, D.C.
- 14 days: Hawaii (permit to acquire a firearm may not be issued until 14 days after the permit application is submitted; new permit is required for each handgun purchase).

APPENDIX C: FIREARM HOMICIDE RATES IN STATES WITH ACTIVE FIREARM PURCHASER LICENSE LAWS (2017-2023)

	2017		2018		2019		2020		2021		2022		2023	
	Number	Rate	Number	Rate	Number	Rate	Number	Rate	Number	Rate	Number	Rate	Number	Rate
United States	14,542	4.47	13,958	4.27	14,414	4.39	19,384	5.85	20,958	6.31	19,651	5.90	17,927	5.35
Virginia	345	4.07	334	3.92	342	4.00	440	5.09	505	5.83	556	6.41	475	5.45
Connecticut	73	2.04	54	1.51	65	1.82	101	2.82	116	3.22	114	3.16	104	2.88
Hawaii	--	--	20*	1.41*	14*	0.99*	16*	1.10*	23	1.59	18*	1.25*	20*	1.39*
Illinois	934	7.31	784	6.16	791	6.25	1,167	9.12	1,292	10.18	1,091	8.67	962	7.67
Iowa^t	64	2.04	37	1.18	49	1.55	83	2.60	64	2.00	65	2.03	73	2.28
Maryland	454	7.53	426	7.05	468	7.73	526	8.52	592	9.59	539	8.74	461	7.46
Massachusetts	103	1.50	104	1.51	95	1.38	130	1.86	99	1.42	106	1.52	121	1.73
Minnesota	78	1.40	66	1.18	102	1.81	138	2.42	164	2.87	143	2.50	128	2.23
Nebraska	29	1.51	25	1.30	40	2.07	49	2.50	46	2.34	48	2.44	34	1.72
New Jersey	261	2.94	218	2.45	193	2.17	253	2.73	276	2.98	235	2.54	203	2.19
New York	312	1.59	356	1.82	326	1.68	561	2.79	613	3.09	528	2.68	430	2.20
North Carolina^t	522	5.08	489	4.71	541	5.15	744	7.12	850	8.04	781	7.30	727	6.71
Washington, D.C.	90	12.91	116	16.47	128	18.07	157	23.40	169	25.26	141	21.02	211	31.08

Source: Centers for Disease Control and Prevention, National Center for Injury Prevention and Control. Web-based Injury Statistics Query and Reporting System (WISQARS), 2017-2023. Rates per 100,000.

Note the exclusion of the following states: Missouri was excluded because its FPL law was repealed in 2007; Michigan was excluded because its FPL law became effective in 2024 for all firearms; Colorado, Delaware, Oregon, and Washington were excluded because their FPL laws had delayed effective dates.

* Indicates unstable value (≤ 20 deaths).

-- Indicates suppressed value (between one to nine deaths).

^tIowa repealed its FPL law in July 2021, and North Carolina repealed its FPL law in March 2023.

APPENDIX D: FIREARM SUICIDE RATES IN STATES WITH ACTIVE FIREARM PURCHASER LICENSE LAWS (2017-2023)

	2017		2018		2019		2020		2021		2022		2023	
	Number	Rate	Number	Rate	Number	Rate	Number	Rate	Number	Rate	Number	Rate	Number	Rate
United States	23,854	7.34	24,432	7.48	23,941	7.29	24,292	7.33	26,328	7.93	27,032	8.11	27,300	8.15
Virginia	672	7.93	679	7.98	661	7.73	697	8.07	709	8.19	723	8.33	730	8.38
Connecticut	109	3.05	127	3.55	118	3.31	109	3.05	122	3.39	132	3.66	112	3.10
Hawaii	30	2.10	30	2.11	41	2.90	31	2.14	42	2.90	45	3.13	50	3.48
Illinois	577	4.52	573	4.50	540	4.26	543	4.25	656	5.17	676	5.37	688	5.48
Iowa^t	222	7.06	231	7.33	233	7.37	260	8.15	293	9.16	288	9.00	266	8.29
Maryland	271	4.50	266	4.40	268	4.43	267	4.33	310	5.02	269	4.36	267	4.32
Massachusetts	152	2.22	148	2.15	142	2.06	134	1.92	136	1.95	149	2.13	147	2.10
Minnesota	365	6.55	356	6.35	350	6.21	354	6.20	393	6.87	402	7.04	379	6.61
Nebraska	126	6.57	145	7.53	154	7.97	139	7.08	145	7.38	185	9.40	165	8.34
New Jersey	204	2.30	193	2.17	173	1.95	181	1.95	195	2.10	229	2.47	214	2.30
New York	433	2.21	445	2.28	455	2.34	462	2.30	439	2.21	492	2.50	491	2.51
North Carolina^t	840	8.18	873	8.40	781	7.44	879	8.41	916	8.67	992	9.28	1,000	9.23
Washington, D.C.	--	--	--	--	12 [*]	1.69 [*]	--	--	12 [*]	1.79 [*]	12 [*]	1.79 [*]	10 [*]	1.47 [*]

Source: Centers for Disease Control and Prevention, National Center for Injury Prevention and Control. Web-based Injury Statistics Query and Reporting System (WISQARS), 2017-2023. Rates per 100,000.

Note the exclusion of the following states: Missouri was excluded because its FPL law was repealed in 2007; Michigan was excluded because its FPL law became effective in 2024 for all firearms; Colorado, Delaware, Oregon, and Washington were excluded because their FPL laws had delayed effective dates.

* Indicates unstable value (≤ 20 deaths).

-- Indicates suppressed value (between one to nine deaths).

^tIowa repealed its FPL law in July 2021, and North Carolina repealed its FPL law in March 2023.



LAW ENFORCEMENT USE OF AUTOMATIC LICENSE PLATE RECOGNITION (ALPR) UPDATE

LAW ENFORCEMENT USE OF AUTOMATIC LICENSE PLATE RECOGNITION (ALPR) UPDATE

As a result of the Crime Commission's 2024 study of automatic license plate recognition (ALPR),⁹⁸ the General Assembly enacted legislation during the 2025 Regular Session establishing statewide standards for law enforcement use of ALPR in Virginia.⁹⁹ Prior to this legislation taking effect on July 1, 2025, no statewide statutory or regulatory framework existed to govern law enforcement use of ALPR in Virginia. As such, Virginia law enforcement agencies could use ALPR without any statewide limitations on its use, data retention, or data sharing prior to this effective date.¹⁰⁰

The legislation also directs the Crime Commission to continue its ALPR study and report on related data and survey findings by (i) the first day of the 2026 Regular Session, (ii) November 1, 2026, and (iii) July 1, 2027, and July 1 of each year for the following five years.¹⁰¹

Based on the responses to the Crime Commission's 2025 Law Enforcement ALPR Use Survey, some Virginia law enforcement agencies are not using ALPR in accordance with the new statute. In addition, almost one-third of law enforcement agencies did not respond to the survey; therefore, their ALPR use is unknown. Measures will be taken this year to address these issues.

OVERVIEW OF 2025 ALPR LEGISLATION

As of July 1, 2025, law enforcement agencies in Virginia may only use ALPR for:

- Criminal violations under the Virginia Code or any county, city, or town ordinance;
- Active investigations into a missing or endangered person or a person associated with human trafficking; and,
- Notifications related to a missing or endangered person, a person with an outstanding warrant, a person associated with human trafficking, a stolen vehicle, or a stolen license plate.¹⁰²

In addition, ALPR data must be purged after 21 days, unless such data is needed for an ongoing investigation, prosecution, or civil action.¹⁰³ Finally, law enforcement agencies may only share ALPR data:

⁹⁸ Virginia State Crime Commission. (2025). *2024 annual report: Law enforcement use of automatic license plate recognition (ALPR)*. <https://vscc.virginia.gov/Annual%20Reports/2024%20VSCC%20Annual%20Report%20-Law%20Enforcement%20Use%20of%20ALPR.pdf>.

⁹⁹ 2025 Va. Acts ch. 720. See House Bill 2724 at <https://lis.virginia.gov/bill-details/20251/HB2724>.

¹⁰⁰ 2025 Va. Acts ch. 720, enactment clause 5. See House Bill 2724 at <https://lis.virginia.gov/bill-details/20251/HB2724>. See also Falayi, K. Virginia Center for Investigative Journalism. (2025, September 16). *One sleepy Virginia town. Nearly 7 million hits on its surveillance network*. <https://vcij.org/stories/state-of-surveillance>. This news report published in September 2025 raised concerns with how ALPR data from Virginia was being shared and searched across the country; however, that report was based on information from June 2024 to June 2025 before the 2025 ALPR legislation took effect.

¹⁰¹ 2025 Va. Acts ch. 720, enactment clauses 11 and 13. See House Bill 2724 at <https://lis.virginia.gov/bill-details/20251/HB2724>.

¹⁰² VA. CODE ANN. § 2.2-5517(D) (2025).

¹⁰³ VA. CODE ANN. § 2.2-5517(E) (2025).

- With other Virginia law enforcement agencies, Commonwealth's Attorneys, a criminal defendant or their counsel, or their ALPR vendor;
- Pursuant to a court order or court-issued subpoena duces tecum; or,
- To alert the public to an emergency situation, a missing or endangered person, a person associated with human trafficking, or a person with an outstanding warrant.¹⁰⁴

IMPLEMENTATION OF 2025 ALPR LEGISLATION

The 2025 legislation directed several state agencies to take action on the following requirements related to ALPR:

1. VSP Developed and Publicly Posted a Model ALPR Policy

The 2025 legislation required the Virginia State Police (VSP) to develop and publicly post a model ALPR policy.¹⁰⁵ VSP developed and posted this model policy to their website as directed.¹⁰⁶

2. VDOT Retroactively Issued 215 Land Use Permits for ALPR Devices on State Highway Right-of-Ways

The 2025 legislation authorized the Virginia Department of Transportation (VDOT) to retroactively issue land use permits for ALPR devices installed on state highway right-of-ways prior to the law's July 1, 2025, effective date.¹⁰⁷ As a result, VDOT retroactively issued 215 land use permits for such ALPR devices, including 18 permits to VSP and 197 permits to localities.¹⁰⁸

3. Crime Commission Did Not Consider Legislation to Reenact State Highway Right-of-Way Permitting for the 2026 Regular Session

The 2025 legislation included a provision authorizing VDOT to issue land use permits for ALPR devices not previously installed on state highway right-of-ways.¹⁰⁹ That provision must be reenacted during the 2026 Regular Session of the General Assembly to take effect.¹¹⁰ The Crime Commission did not consider whether to endorse legislation to reenact this provision.

4. DGS Approved Eight (8) ALPR Systems for Use in Virginia

The 2025 legislation requires the Division of Purchases and Supply within the Virginia Department of General Services (DGS), in consultation with the Virginia Information Technologies Agency, to approve

¹⁰⁴ VA. CODE ANN. § 2.2-5517(F) (2025).

¹⁰⁵ 2025 Va. Acts ch. 720, enactment clause 6. See House Bill 2724 at <https://lis.virginia.gov/bill-details/20251/HB2724>.

¹⁰⁶ Virginia State Police. (2025, July 9). *Commonwealth of Virginia automatic license plate recognition system model policy*. <https://vsp.virginia.gov/wp-content/uploads/2025/07/VSP-ALPR-POLICY-FINAL-Rev-07092025.pdf>.

¹⁰⁷ 2025 Va. Acts ch. 720, enactment clause 10. See House Bill 2724 at <https://lis.virginia.gov/bill-details/20251/HB2724>.

¹⁰⁸ Virginia Department of Transportation (personal communication, December 23, 2025).

¹⁰⁹ 2025 Va. Acts ch. 720. See subsection Q of Va. Code § 2.2-5517 of House Bill 2724 at <https://lis.virginia.gov/bill-details/20251/HB2724>.

¹¹⁰ 2025 Va. Acts ch. 720, enactment clause 14. See House Bill 2724 at <https://lis.virginia.gov/bill-details/20251/HB2724>.

ALPR systems for use by law enforcement agencies in the Commonwealth.¹¹¹ DGS was required to post a list of approved ALPR systems to its website by January 1, 2026.¹¹² Thus far, DGS has approved eight (8) ALPR systems.¹¹³ The list of approved ALPR systems will continuously be updated as ALPR systems are added or removed. Law enforcement agencies must begin using approved ALPR systems by July 1, 2026.¹¹⁴

5. VSP Updated the Virginia Community Policing Act System to Capture Data from Traffic Stops Based on ALPR Notifications

The 2025 legislation amended the Virginia Community Policing Act to require law enforcement agencies to report whether a traffic stop was prompted by an ALPR notification, and, if so, to provide the reason for the notification.¹¹⁵ This amendment had a delayed effective date of January 1, 2026, to allow sufficient time for VSP to reprogram its community policing data collection and reporting system.¹¹⁶ VSP advised that it must receive 2025 data reports from law enforcement agencies (due by January 15, 2026) before the system can be updated.¹¹⁷ Therefore, the system will be updated on February 1, 2026, and law enforcement agencies must report their January 2026 data by February 15, 2026.¹¹⁸

6. Crime Commission Surveyed Virginia Law Enforcement Agencies on ALPR Use

Pursuant to the 2025 legislation, staff disseminated surveys to all 361 Virginia law enforcement agencies in November 2025 on their use of ALPR.¹¹⁹ The survey had a response rate of 70% (251 of 361). Based on the responses to the Crime Commission's 2025 Law Enforcement ALPR Use Survey, some Virginia law enforcement agencies are not using ALPR in accordance with the new statute. In addition, almost one-third of law enforcement agencies did not respond to the survey; therefore, their ALPR use is unknown. Detailed survey findings are discussed in the next section.

2025 LAW ENFORCEMENT ALPR USE SURVEY FINDINGS

In November 2025, Crime Commission staff conducted a survey of all Virginia law enforcement agencies on their use of ALPR. The survey consisted of 19 questions relating to the following:

- Whether their agency was using ALPR;
- Manner(s) in which their agency was using ALPR;
- ALPR vendors;
- Funding source(s) for ALPR;

¹¹¹ VA. CODE ANN. § 2.2-5517(B) (2025).

¹¹² 2025 Va. Acts ch. 720, enactment clause 4. See House Bill 2724 at <https://lis.virginia.gov/bill-details/20251/HB2724>.

¹¹³ Virginia Department of General Services. (2026, January 21). *Automatic license plate recognition systems*. <https://dgs.virginia.gov/procurement/resources/standards-specifications>.

¹¹⁴ 2025 Va. Acts ch. 720, enactment clause 2. See House Bill 2724 at <https://lis.virginia.gov/bill-details/20251/HB2724>.

¹¹⁵ VA. CODE ANN. § 52.30.2(C) (2026).

¹¹⁶ 2025 Va. Acts ch. 720, enactment clause 3. See House Bill 2724 at <https://lis.virginia.gov/bill-details/20251/HB2724>.

¹¹⁷ Virginia State Police (personal communication, January 7, 2026).

¹¹⁸ Virginia State Police (personal communication, January 7, 2026).

¹¹⁹ 2025 Va. Acts ch. 720, enactment clause 13. See House Bill 2724 at <https://lis.virginia.gov/bill-details/20251/HB2724>.

- Number of ALPR cameras owned/leased (fixed, mobile, and/or portable);
- Retention period of ALPR data (fixed, mobile, and/or portable);
- Public awareness measures relating to ALPR use;
- ALPR data sharing (continuous access and individualized requests); and,
- Whether their agency had a policy relating to ALPR use.

Surveys were disseminated in November 2025 to capture law enforcement use after the ALPR legislation took effect on July 1, 2025. Agency responses reflect agency practices in place at the time of survey completion. Agencies who reported having an ALPR policy were asked to submit a copy. Due to time limitations, an ALPR policy analysis was not conducted. The key survey findings are enumerated below.

1. Two-Thirds of Virginia Law Enforcement Agencies Responded to the Survey

The survey was sent to all 361 Virginia law enforcement agencies, including city police departments, college/university police departments, county police departments, other law enforcement agencies,¹²⁰ other state law enforcement agencies, primary Sheriff's offices, secondary Sheriff's offices, town police departments, and the Virginia State Police. The survey had a response rate of 70% (251 of 361). Table 1 illustrates the response rate by type of agency.

Table 1: Survey Response Rate by Type of Agency

Type of Agency	Total Agencies	Total Responding Agencies	% Responding Agencies
City Police Departments	38	29	76%
College/University Police Departments	41	29	71%
County Police Departments	9	7	78%
Other Law Enforcement	20	13	65%
Other State Law Enforcement	9	5	56%
Primary Sheriff's Offices	86	67	78%
Secondary Sheriff's Offices	37	20	54%
Town Police Departments	120	80	67%
Virginia State Police	1	1	100%
TOTAL	361	251	70%

Source: Virginia State Crime Commission. Staff analysis of its 2025 Law Enforcement ALPR Use Survey.

2. Nearly Two-Thirds of Responding Agencies Reported Using ALPR

Of the responding agencies, 63% (159 of 251) indicated that their agency is using ALPR. As seen in Table 2, a large majority of the responding city/county police departments, primary sheriff's offices, and town police departments reported using ALPR.

¹²⁰ Other law enforcement includes agencies such as airport police, railway police, and private police.

Table 2: ALPR Use by Type of Agency

Type of Agency	Total Responding Agencies	Total Responding Agencies Using ALPR	% Responding Agencies Using ALPR
City Police Departments	29	25	86%
College/University Police Departments	29	11	38%
County Police Departments	7	7	100%
Other Law Enforcement	13	2	15%
Other State Law Enforcement	5	1	20%
Primary Sheriff's Offices	67	53	79%
Secondary Sheriff's Offices	20	3	15%
Town Police Departments	80	56	70%
Virginia State Police	1	1	100%
TOTAL	251	159	63%

Source: Virginia State Crime Commission. Staff analysis of its 2025 Law Enforcement ALPR Use Survey.

Responding agencies reporting ALPR use were also asked to indicate the manner(s) in which their agency is using such technology, including whether the agency:

- owns ALPR system equipment/hardware and contracts with a vendor to access ALPR system software;
- contracts with a vendor for both ALPR system equipment/hardware and system software;
- accesses an ALPR system through a subscription with a vendor; and/or,
- is authorized to access another law enforcement agency's ALPR system.

The manner in which responding agencies are using ALPR varied. Further, it was not uncommon for an agency to report using ALPR in more than one manner. Specifically, 41% (65 of 159) of responding agencies indicated two or more manners of ALPR use.

Agencies reported ALPR use as follows:¹²¹

- 98 agencies indicated that their agency contracts with a vendor for both ALPR system equipment/hardware and system software;
- 64 agencies indicated that their agency owns ALPR system equipment/hardware and contracts with a vendor to access ALPR system software;
- 60 agencies indicated that their agency is authorized to access another law enforcement agency's ALPR system; and,
- 42 agencies indicated that their agency accesses an ALPR system through a subscription with a vendor.

¹²¹ Figures add up to more than 159 because some responding agencies reported more than one manner of ALPR use.

While 159 law enforcement agencies indicated ALPR use at the time of the survey, news reports from December 2025 indicate that at least two localities (Charlottesville and Staunton) are ending their use of ALPR.¹²²

3. Most Agencies Reported Using Flock Safety as Their ALPR Vendor

Agencies were asked to indicate which ALPR vendors their agency has a contract and/or subscription with. The large majority of responding agencies, 86% (137 of 159), reported Flock Safety as their ALPR vendor. About 30% (47 of 159) of responding agencies reported having two or more ALPR vendors. Table 3 provides a list of ALPR vendors, along with the total number of responding agencies who have a contract and/or subscription with those vendors.¹²³

Table 3: Agency Contracts and/or Subscriptions with ALPR Vendors

ALPR Vendor	Total Agencies
Axon	35
Flock Safety	137
Leonardo	12
Motorola	12
Thomson Reuters/CLEAR LPR	6
Other ALPR Vendors	12

Source: Virginia State Crime Commission. Staff analysis of its 2025 Law Enforcement ALPR Use Survey.

4. Most Agencies Using ALPR Reported Having a Policy

The 2025 legislation requires law enforcement agencies using ALPR to have a policy on such use.¹²⁴ Agencies were asked to indicate whether they have a policy or policies relating to their agency's use of ALPR. Of responding agencies using ALPR:

- 70% (112 of 159) reported having a policy;
- 16% (26 of 159) reported not having a policy;
- 9% (14 of 159) reported being in the process of implementing a policy; and,
- 4% (7 of 159) did not answer the question.¹²⁵

Of the 112 agencies that reported having an ALPR policy, 107 provided a copy of their agency's policy or policies. Table 4 illustrates the ALPR policy status by type of agency.

¹²² See Hart, J. CVILLE Right Now. (2025, December 16). *City ends Flock pilot program over federal data base concerns*. <https://cvillerrightrightnow.com/news/208802-city-ends-flock-pilot-program-over-federal-data-base-concerns/>. See also Staunton Virginia Newsroom. (2025, December 19). *City to terminate contract with Flock Safety for license plate readers*. <https://www.ci.staunton.va.us/Home/Components/News/News/2564/71>.

¹²³ Figures add up to more than 159 because some responding agencies reported more than one ALPR vendor.

¹²⁴ VA. CODE ANN. § 2.2-5517(H) (2025).

¹²⁵ Figures do not sum to 100% due to rounding.

Table 4: ALPR Policy Status by Type of Agency

Type of Agency	Total Agencies Using ALPR	Has a Policy	No Policy	Policy in Progress	No Response to Question
City Police Departments	25	24	---	---	1
College/University Police Departments	11	5	4	2	---
County Police Departments	7	7	---	---	---
Other Law Enforcement	2	2	---	---	---
Other State Law Enforcement	1	1	---	---	---
Primary Sheriff's Offices	53	36	7	8	2
Secondary Sheriff's Offices	3	---	3	---	---
Town Police Departments	56	36	12	4	4
Virginia State Police	1	1	---	---	---
TOTAL	159	112	26	14	7

Source: Virginia State Crime Commission. Staff analysis of its 2025 Law Enforcement ALPR Use Survey.

5. Agencies Reported a Variety of Funding Sources for ALPR

Agencies were asked to indicate which sources fund (or have funded) the ALPR system(s) their agency currently owns, leases, and/or subscribes. The most common funding sources reported by responding agencies included the following:

- 60% (95 of 159) indicated the Virginia State Police's *Help Eliminate Auto Theft (HEAT)* grant as a funding source;
- 43% (68 of 159) indicated internal agency funding as a source; and,
- 31% (50 of 159) indicated locality funds as a source.

Other ALPR funding sources reported by responding agencies included local grants, Virginia Department of Criminal Justice Services grant funding, other state grants, and federal grants. Furthermore, 53% (85 of 159) of responding agencies indicated two or more funding sources.

6. The Number and Type of ALPR Cameras Used Varied Widely Across Agencies

ALPR camera use varied significantly across responding agencies:

- 90% (143 of 159) of agencies reported fixed ALPR camera use.¹²⁶
 - Number of fixed cameras ranged from 1 to 176.
- 31% (50 of 159) of agencies reported mobile ALPR camera use.¹²⁷
 - Number of mobile cameras ranged from 1 to 1,066.
- 23% (37 of 159) of agencies reported portable ALPR camera use.¹²⁸
 - Number of portable cameras ranged from 1 to 15.

¹²⁶ Fixed ALPR cameras refer to devices mounted in a stationary location.

¹²⁷ Mobile ALPR cameras refer to devices mounted in a patrol vehicle.

¹²⁸ Portable ALPR cameras refer to devices that are movable for use in multiple locations.

- 36% (57 of 159) of agencies reported using 2 or more types of ALPR cameras.
- 11% (17 of 159) of agencies reported using all 3 types of ALPR cameras.

7. Most Agencies Reported ALPR Data Retention Periods of 21 Days or Less

Agencies were asked to indicate the data retention periods for the ALPR cameras their agency owns and/or leases. As seen in Table 5, most responding agencies reported data retention periods of 21 days or less:

- 74% (106 of 143) indicated 21 days or less for data from fixed ALPR cameras;¹²⁹
- 94% (47 of 50) indicated 21 days or less for data from mobile ALPR cameras;¹³⁰ and,
- 84% (31 of 37) indicated 21 days or less for data from portable ALPR cameras.¹³¹

Table 5: Data Retention Periods by Type of ALPR Camera

Data Retention Period	Fixed ALPR Camera	Mobile ALPR Camera	Portable ALPR Camera
21 Days or Less	106	47	31
Over 21 Days	31	3	4
Did Not Report	6	0	2
TOTAL	143	50	37

Source: Virginia State Crime Commission. Staff analysis of its 2025 Law Enforcement ALPR Use Survey.

For agencies that reported ALPR data retention periods over 21 days, the data retention periods varied by the type of ALPR camera as follows:

- Fixed ALPR cameras: ranged from 22 days to 60 days;
- Mobile ALPR cameras: ranged from 30 days to 180 days; and,
- Portable ALPR cameras: all reported the same retention period of 30 days.

Staff determined that there were 33 *unique* agencies reporting a data retention period over 21 days across all types of ALPR cameras.¹³² Specifically, 21% (33 of 159) of responding agencies reported a data retention period over 21 days. Table 6 illustrates the number of agencies reporting data retention periods over 21 days by type of agency.

¹²⁹ 96 of these agencies reported a data retention of 21 days and 10 of these agencies reported a data retention time of *less than* 21 days.

¹³⁰ 42 of these agencies reported a data retention of 21 days and 5 of these agencies reported a data retention time of *less than* 21 days.

¹³¹ 26 of these agencies reported a data retention of 21 days and 3 of these agencies reported a data retention time of *less than* 21 days.

¹³² 5 agencies reported a data retention period of over 21 days for more than one type of ALPR camera (fixed, mobile, or portable).

Table 6: Agencies Reporting ALPR Data Retention Period Over 21 Days

Type of Agency	ALPR Data Retention Over 21 Days
City Police Departments	2
College/University Police Departments	3
Primary Sheriff's Offices	13
Town Police Departments	15
TOTAL	33

Source: Virginia State Crime Commission. Staff analysis of its 2025 Law Enforcement ALPR Use Survey.

8. Two-Thirds of Agencies Reported Engaging in Various Public Awareness Measures Relating to ALPR Use

Law enforcement agencies are required to promote public awareness of ALPR use prior to implementing its use.¹³³ However, if an agency previously implemented ALPR and did not promote public awareness, the agency was required to promote such awareness by September 1, 2025.¹³⁴ Agencies were asked to indicate which types of public awareness measures they had undertaken relating to their agency's use of ALPR.

A total of 64% (102 of 159) of responding agencies indicated they had undertaken *at least* one public awareness measure relating to their agency's use of ALPR. Additionally, 40% (63 of 159) of agencies reported engaging in two or more public awareness measures, while 24% (38 of 159) of agencies reported engaging in three or more measures. Agencies reported the following public awareness measures:¹³⁵

- 39% (62 of 159) presentations at local government meetings;
- 33% (53 of 159) posting information on their website;
- 26% (42 of 159) meetings with community stakeholders;
- 18% (29 of 159) social media;
- 17% (27 of 159) media interviews;
- 16% (26 of 159) press releases; and,
- 6% (10 of 159) other measures, such as news reports, Flock Safety transparency web portal, posting information on town websites, or informing community college students and visitors as they enter the campus.

However, 35% (55 of 159) of responding agencies reported taking no public awareness measures relating to ALPR use. Table 7 illustrates the total number of agencies reporting that their agency had not conducted any public awareness measures.

¹³³ VA. CODE ANN. § 2.2-5517(R) (2025).

¹³⁴ 2025 Va. Acts ch. 720, enactment clause 12. See House Bill 2724 at <https://lis.virginia.gov/bill-details/20251/HB2724>.

¹³⁵ Figures add up to more than 159 because some responding agencies reported more than one ALPR public awareness measure.

Table 7: Agencies Reporting No Public Awareness Measures for ALPR Use

Type of Agency	Total Agencies Reporting No Public Awareness Measures for ALPR Use
City Police Departments	4
College/University Police Departments	4
Other Law Enforcement	2
Primary Sheriff's Offices	22
Secondary Sheriff's Offices	3
Town Police Departments	20
TOTAL	55

Source: Virginia State Crime Commission. Staff analysis of its 2025 Law Enforcement ALPR Use Survey.

9. Most Agencies Reported Providing Other Law Enforcement Agencies With Some Type of Continuous Access to Their ALPR System Data

Respondents were asked if any other law enforcement agencies had continuous access to data from the ALPR system that their agency owns and/or leases. Continuous access was defined as another agency being able to access and search ALPR system data without making an individualized request to the agency for each search.

- 43% (69 of 159) of agencies reported that other law enforcement agencies have continuous access, but only to data gathered pursuant to the agency's contract with an ALPR vendor(s);
- 22% (35 of 159) of agencies reported continuous access, but only to data from agency-owned ALPR system(s);
- 16% (25 of 159) of agencies reported that their agency does not provide continuous access to ALPR system data from cameras that the agency owns or leases;
- 13% (21 of 159) of agencies reported continuous access to both agency-owned ALPR system data and the data gathered pursuant to their agency's contract with an ALPR vendor(s); and,
- 6% (9 of 159) of agencies reported other responses relating to the types of Virginia law enforcement agencies that have continuous access to their ALPR system data.

10. Some Agencies Reported Providing Continuous Access to ALPR Data to Out-Of-State or Federal Law Enforcement Agencies

Agencies were also asked to indicate what types of law enforcement agencies have continuous access to data from the ALPR system that their agency owns and/or leases.

- 77% (123 of 159) of agencies reported that other Virginia local law enforcement agencies have continuous access;
- 59% (94 of 159) of agencies reported that other Virginia state law enforcement agencies have continuous access;

- 44% (70 of 159) of agencies reported that Virginia campus law enforcement agencies have continuous access;
- 16% (25 of 159) of agencies reported that their agency does not provide continuous access to the ALPR system data from cameras owned and/or leased;
- 13% (20 of 159) of agencies reported that law enforcement agencies in other states have continuous access;
- 8% (12 of 159) of agencies reported that Virginia private law enforcement agencies have continuous access;
- 6% (9 of 159) of agencies reported that federal law enforcement agencies have continuous access; and,
- 3% (5 of 159) of agencies reported other responses such as access granted to agencies only upon request, access granted through a vendor, and general agency access to cameras.

The new ALPR statute does not allow Virginia law enforcement agencies to share ALPR data with out-of-state or federal law enforcement agencies (LEAs).¹³⁶ Table 8 illustrates the number of agencies reporting that their agency provides continuous access to out-of-state or federal LEAs by type of agency.

Table 8: Agencies Reporting Continuous Access to Out-Of-State or Federal LEAs by Type of Agency

Type of Agency	Continuous Access to Out-of-State LEAs	Continuous Access to Federal LEAs
City Police Departments	1	1
College/University Police Departments	---	1
County Police Department	---	1
Primary Sheriff's Offices	7	2
Town Police Departments	12	4
TOTAL	20	9

Source: Virginia State Crime Commission. Staff analysis of its 2025 Law Enforcement ALPR Use Survey.

11. Individualized Requests for ALPR System Data are Commonly Made by Other Law Enforcement Agencies

Respondents were asked to report on individualized requests for ALPR system data received from entities that do not have continuous access to their agency's ALPR system. The 159 responding agencies reported on individualized requests as follows:

- 44% (70 of 159) of agencies indicated that no other entity had made an individualized request;
- 40% (63 of 159) of agencies indicated that Virginia local law enforcement agencies had made an individualized request; and,

¹³⁶ VA. CODE ANN. § 2.2-5517(F) (2025). Note that subsection A of the statute cross-references the definition of "law-enforcement agency" in VA. CODE ANN. § 9.1-101, which is limited to Virginia law enforcement agencies.

- 22% (35 of 159) of agencies indicated that other Virginia state law enforcement agencies had made an individualized request.

The reasons for these other law enforcement agencies making individualized requests were reported as follows:

- 45% (71 of 159) related to criminal investigations;
- 18% (28 of 159) related to stolen vehicle(s);
- 17% (27 of 159) related to missing or endangered person(s);
- 11% (18 of 159) related to person(s) with an outstanding warrant;
- 9% (14 of 159) related to stolen license plate(s); and,
- 6% (10 of 159) related to person(s) associated with human trafficking.

12. Most Agencies Have Not Received FOIA Requests for ALPR Data

Respondents were asked whether their agency received a FOIA request for ALPR data since the legislation took effect on July 1, 2025:

- 76% (121 of 159) had not received any FOIA requests;
- 22% (35 of 159) received at least one FOIA request; and,
- 2% (3 of 150) did not answer the question.

13. Most Agencies Have Not Denied Requests for ALPR Data

Respondents were asked whether their agency has denied any continuous access requests, individualized requests, and/or FOIA requests since July 1, 2025.

- 77% (123 of 159) reported that their agency has not denied any requests for continuous access, individualized requests, and/or FOIA requests for agency ALPR system data; and,
- 21% (33 of 159) reported denying such requests.
- 2% (3 of 159) did not answer the question.

Of those agencies that reported denying such requests, the reasons for denial included: request was from an out-of-state or federal law enforcement agency, request was from a private individual, request was from an attorney without a subpoena, or request was related to an ongoing investigation.

OTHER REPORTS ON LAW ENFORCEMENT USE OF ALPR IN VIRGINIA

In addition to the Crime Commission's 2025 Law Enforcement Use of ALPR study, two other governmental entities reported on law enforcement use of ALPR during 2025. The following is a summary of those two reports.

ALPR was Used as Part of Ceasefire Virginia

The preliminary report on Ceasefire Virginia indicates that funding from the American Rescue Plan Act was used for law enforcement equipment and technology, such as ALPR, in Ceasefire localities.¹³⁷ Law enforcement agencies reported that the use of technology, including ALPR, had a tremendous impact on addressing violent crime in their communities.¹³⁸ The report also included an ALPR Return on Investment analysis.¹³⁹

DCJS Conducted a Survey on Law Enforcement Use of Surveillance Technology

The Virginia Department of Criminal Justice Services (DCJS) conducted a survey to facilitate law enforcement agency reporting of surveillance technology as required by the Virginia Code.¹⁴⁰ State and local law enforcement agencies and sheriff's departments must annually report all surveillance technology used, accessed, or procured to DCJS; however, private and campus police departments are not subject to these reporting requirements.¹⁴¹ DCJS provided a presentation of its survey findings at the December 2025 Crime Commission meeting.¹⁴² DCJS surveyed 335 law enforcement agencies in September 2025 and received an 81% response rate (272 responses).¹⁴³ Of those responding agencies, 48% reported ALPR use, 7% indicated ALPR access, and 11% advised that their agency procured ALPR.¹⁴⁴ Furthermore, 85 respondents (31%) reported that they used, accessed, or procured a third-party service or subscription for ALPR, such as through Flock Safety or Axon.¹⁴⁵ The responses to the DCJS survey cannot be compared to the Crime Commission survey due to the timing of each survey, as well as private and campus police departments not being included in the DCJS survey.

CONCLUSION

Legislation establishing statewide standards for law enforcement use of ALPR in Virginia took effect on July 1, 2025.¹⁴⁶ Prior to that date, Virginia had no statewide statutory or regulatory framework governing law enforcement use of ALPR. Based on the responses to the Crime Commission's 2025 Law Enforcement ALPR Use Survey, some Virginia law enforcement agencies are not using ALPR in accordance with the new statute. In addition, almost one-third of law enforcement agencies did not

¹³⁷ VCU Center for Public Policy. (September 2025). *Ceasefire Virginia: Preliminary report*. <https://cpp.wilder.vcu.edu/our-work-in-action-posts/ceasefire-virginia-preliminary-report.html>.

¹³⁸ *Id.*

¹³⁹ *Id.*

¹⁴⁰ VA. CODE ANN. § 9.1-116.10 (2025).

¹⁴¹ VA. CODE ANN. § 9.1-116.10(B) (2025).

¹⁴² Virginia Department of Criminal Justice Services. (2025, December 2). *Surveillance technology equipment reporting by Virginia law enforcement agencies*.

<https://vscc.virginia.gov/2025/Dec2VSCCMtg/DCJS%202025%20Surveillance%20Tech%20Equipment%20Reporting%20PowerPoint.pdf>.

¹⁴³ *Id.*

¹⁴⁴ *Id.*

¹⁴⁵ *Id.*

¹⁴⁶ 2025 Va. Acts ch. 720. See House Bill 2724 at <https://lis.virginia.gov/bill-details/20251/HB2724>.

respond to the survey; therefore, their ALPR use is unknown. Measures will be taken this year to address these issues.

The Chair of the Crime Commission, Delegate Charniele Herring, sent letters to law enforcement agencies whose survey responses indicated that their current practices are not consistent with the new statutory requirements for ALPR use. The Chair also sent letters to non-responding law enforcement agencies to advise them of the new ALPR statute and request that they respond to the next Crime Commission ALPR use survey which is planned for later this year.

Crime Commission staff also worked to educate law enforcement agencies about the requirements of the new ALPR law. Staff provided presentations on ALPR at the Virginia Association of Chiefs of Police and Virginia Association of Campus Law Enforcement Administrators Joint Winter Conference and the Virginia Sheriffs' Institute Spring Conference. In addition, pursuant to the 2025 legislation, the Crime Commission will also continue monitoring and reporting on law enforcement ALPR use.¹⁴⁷

¹⁴⁷ 2025 Va. Acts ch. 720, enactment clauses 11 and 13. See House Bill 2724 at <https://lis.virginia.gov/bill-details/20251/HB2724>.



MARY JANE BURTON CASE FILE REVIEW UPDATE

MARY JANE BURTON CASE FILE REVIEW UPDATE

BACKGROUND

Mary Jane Burton was a forensic examiner at the Virginia Department of Forensic Science (DFS) from 1973 to 1988. The majority of her work involved forensic serology. Many of her cases involved violent crimes, such as murder and sexual assault, but she also examined evidence on a broad range of other offenses.

In 2023, a podcast raised allegations that Ms. Burton engaged in misconduct during her time at DFS, including discrepancies, errors, and alterations of test results, as well as misleading court testimony.¹⁴⁸ As a result of these allegations, language was enacted in the FY2024-2026 budget that directs the Virginia State Crime Commission (“Crime Commission”) to review cases at DFS where testing or analysis was performed by Ms. Burton and identify the total number of:

- Case files that contain at least one named suspect;
- Named suspects convicted of an offense, categorized by persons:
 - Currently incarcerated;
 - Currently on probation or parole with the Virginia Department of Corrections (DOC);
 - Executed; or,
 - Deceased; and,
- Cases where scientific testimony was provided by Ms. Burton.¹⁴⁹

STATUS OF MARY JANE BURTON CASE FILE REVIEW¹⁵⁰

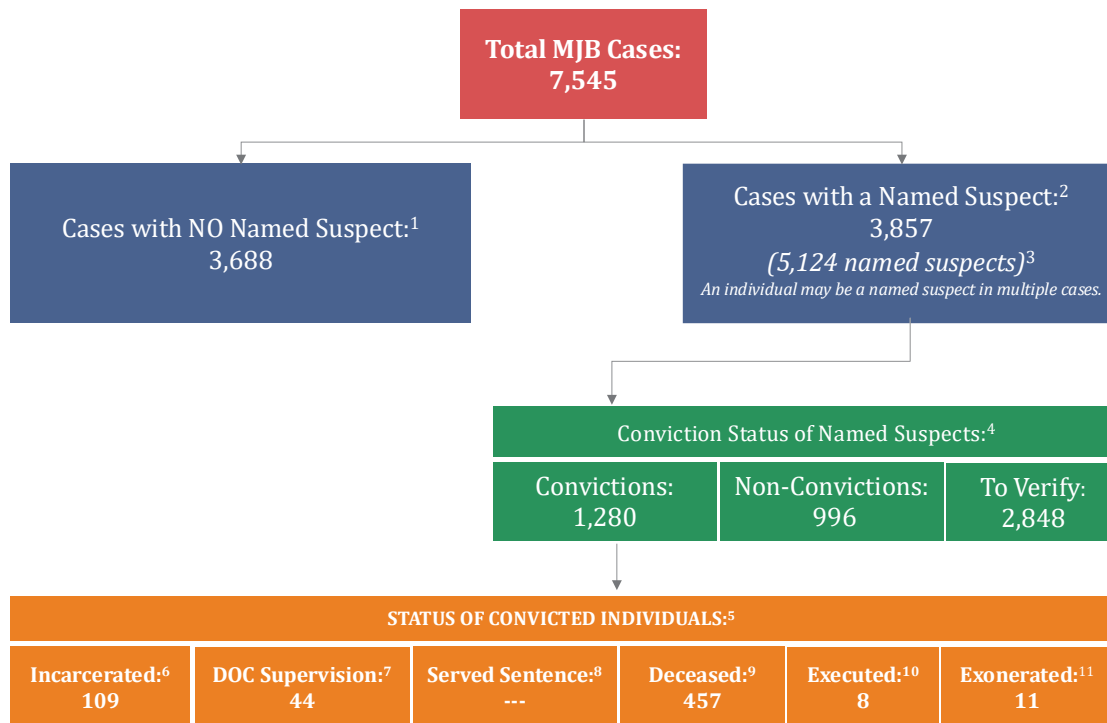
Crime Commission staff reviewed and cross-validated 100% (7,545 of 7,545) of all known DFS case files where Ms. Burton was the forensic examiner and is currently in the process of verifying the conviction status of identified named suspects. To date, a total of 5,124 named suspects have been identified, as well as 199 cases with an indication that Ms. Burton testified. The following chart illustrates the status of the Crime Commission’s work on the 2024 budget language as of June 2026:

¹⁴⁸ NPR (n.d.). Podcast Directory. *Admissible: Shreds of evidence*. <https://www.npr.org/podcasts/1164809981/admissible-shreds-of-evidence>. [Accessed 12 June 2026]. See also VPM. (n.d.). *Admissible: Shreds of evidence*. <https://admissible.vpm.org/>. [Accessed 12 June 2026].

¹⁴⁹ 2024 Va. Acts, Sp. Sess. I, ch. 2. House Bill 6001, Item 23(A). Available at <https://budget.lis.virginia.gov/item/2024/2/HB6001/Chapter/1/23/>.

¹⁵⁰ For detailed background information on this case file review, see Jenkins, A. C. (2026, January 7). *MJB cases*. Presentation at the January 7, 2026, Forensic Science Board Meeting (Richmond, VA), at <https://dfs.virginia.gov/wp-content/uploads/Updated-FSB-Presentation.pdf>. See also Virginia State Crime Commission. (2025). *2024 annual report: Mary Jane Burton case review*, at <https://vscc.virginia.gov/Annual%20Reports/2024%20VSCC%20Annual%20Report%20-Mary%20Jane%20Burton%20Case%20Review.pdf>.

MJB Case File Review



Source: Virginia Department of Forensic Science, Historic Case File Project, 1973-1988, MJB certificates of analysis only. Analysis by Virginia State Crime Commission staff. Separate and apart from the information in the chart, 199 cases have been identified where Ms. Burton provided scientific testimony. Status as of June 15, 2026.

¹ 45% (1,657 of 3,688) of the cases with no named suspect originated from the Office of the Chief Medical Examiner, which includes deaths that may not have been criminal in nature, such as traffic fatalities and suicides. The remainder of these cases (2,031 of 3,688) originated from law enforcement agencies where no named suspect was identified.

² To date, 43% (1,667 of 3,857) of these cases overlap with the earlier *Virginia Post-Conviction DNA Testing Program and Notification Project*.

³ This figure does not mean that there are 5,124 unique individuals, as a single person could be a named suspect in multiple cases. For example, "John Smith" might be a named suspect in five cases, so "John Smith" is counted as a named suspect five times.

⁴ These figures are based on 5,124 named suspects and not individuals, so a single person may be counted multiple times. For example, if "John Smith" was convicted on three cases and found not guilty on two cases, then "John Smith" is counted as three convictions and two non-convictions.

⁵ Unlike the "named suspects", these figures represent unique individuals who were convicted, along with their current status. For example, if "John Smith" was convicted on three cases and is incarcerated, then "John Smith" is counted as one unique individual in the incarcerated category. As named suspects who were convicted are identified, the individual who was convicted will be classified within these six categories based on their present status. The remainder of convicted named suspects are yet to be identified and classified across these six categories.

⁶ These 109 individuals (representing 128 named suspects in 124 cases) are either (i) serving a sentence in DOC or are civilly committed on a case where Ms. Burton was the forensic examiner, or (ii) have completed their term of incarceration for the Ms. Burton case but are serving a sentence on an unrelated case.

⁷ These 44 individuals (representing 46 named suspects in 46 cases) are either (i) under DOC supervision (probation or parole) on a case where Ms. Burton was the forensic examiner or (ii) have completed DOC supervision for the Ms. Burton case but are under DOC supervision for an unrelated offense.

⁸ This category includes all individuals convicted on a case where Ms. Burton was the forensic examiner who have served their sentence and are not currently incarcerated or on DOC supervision. While the data for this category is very preliminary, the total number of individuals in this category is expected to grow significantly moving forward.

⁹ These 457 individuals (representing 473 named suspects in 441 cases) were convicted on a case where Ms. Burton was the forensic examiner but have since passed away.

¹⁰ These 8 individuals (representing 10 named suspects in 10 cases) were convicted and executed on a case where Ms. Burton was the forensic examiner.

¹¹ These 11 individuals (representing 11 named suspects in 11 cases) were convicted and later exonerated in a case where Ms. Burton was the forensic examiner.

NEXT STEPS

To finalize the Mary Jane Burton Case File Review, Crime Commission staff will:

- Research the 2,848 named suspects whose conviction status is currently unknown (see green boxes on prior chart) to determine whether they were convicted of an offense where Ms. Burton was the forensic examiner; and,
- If a named suspect was convicted, identify their current status (incarcerated, under DOC supervision, deceased, or served sentence).

Staff will also continue providing updates to the Crime Commission and stakeholders on the progress of the work on the 2024 budget language.



MARY JANE BURTON REVIEW PANEL UPDATE

MARY JANE BURTON REVIEW PANEL UPDATE

BACKGROUND

Mary Jane Burton was a forensic examiner at the Virginia Department of Forensic Science (DFS) from 1973 to 1988. The majority of her work involved forensic serology. Many of her cases involved violent crimes, such as murder and sexual assault, but she also examined evidence on a broad range of other offenses.

In 2023, a podcast raised allegations that Ms. Burton engaged in misconduct during her time at DFS, including discrepancies, errors, and alterations of test results, as well as misleading court testimony.¹⁵¹ As a result of these allegations, legislation was enacted in 2025 that directs the Virginia State Crime Commission (“Crime Commission”) to designate a review panel to examine cases where Ms. Burton served as the forensic examiner and the case resulted in the conviction of a person who is currently incarcerated, was executed, or was exonerated, as well as any cases where Ms. Burton testified, regardless of the final disposition.¹⁵² The purpose of the review panel is to determine, if possible, whether Ms. Burton engaged in a pattern of misconduct in her testing, analysis, or testimony. The review panel is not tasked with determining actual innocence in any individual case. The Crime Commission will provide staff support to the review panel until the completion of its work.

CASES FOR REVIEW

As of June 15, 2026, staff has identified 325 cases for review by the panel, including:¹⁵³

- 124 cases where an individual is currently incarcerated;
- 10 cases where an individual was executed;
- 11 cases where an individual was exonerated; and,
- 199 cases where Ms. Burton testified.

The 2025 legislation directs the review panel to prioritize the cases of individuals who are currently incarcerated.¹⁵⁴ It should be noted that not all individuals classified as “currently incarcerated” are serving a sentence for an offense where Ms. Burton was the forensic examiner. For example, some of these individuals were originally convicted of an offense where Ms. Burton was the forensic examiner, served a term of incarceration, and completed post-release supervision, but were later convicted and incarcerated for an offense that did not involve any analysis or testimony by Ms. Burton. In addition,

¹⁵¹ NPR (n.d.). Podcast Directory. *Admissible: Shreds of evidence*. <https://www.npr.org/podcasts/1164809981/admissible-shreds-of-evidence>. [Accessed 12 June 2026]. See also VPM. (n.d.). *Admissible: Shreds of evidence*. <https://admissible.vpm.org/>. [Accessed 12 June 2026].

¹⁵² 2025 Va. Acts ch. 421 and 430. House Bill 2730, 2025 Regular Session of the General Assembly (Del. Patrick A. Hope). <https://lis.virginia.gov/bill-details/20251/HB2730>. Senate Bill 1465, 2025 Regular Session of the General Assembly (Sen. Scott A. Surovell). <https://lis.virginia.gov/bill-details/20251/SB1465>. See also Virginia State Crime Commission. (2025). *2024 annual report: Mary Jane Burton case review*. <https://vscc.virginia.gov/Annual%20Reports/2024%20VSCC%20Annual%20Report%20-Mary%20Jane%20Burton%20Case%20Review.pdf>.

¹⁵³ Note that 19 of these cases overlap. Additional cases may be identified as the review continues.

¹⁵⁴ *Supra* note 150.

some of these individuals were originally convicted of an offense where Ms. Burton was the forensic examiner, released on parole, and subsequently convicted of a new offense that resulted in the revocation of their parole. As a result, these individuals are currently incarcerated on both the new offense and the remaining portion of the sentence on the original conviction.

While the review panel will prioritize cases of individuals who are currently incarcerated, additional steps have been taken to assist these individuals. DFS provided written notification to each of these individuals regarding the allegations against Ms. Burton.¹⁵⁵ In addition, the Innocence Project at the University of Virginia School of Law (UVAIP) was provided with their names and corresponding DFS lab files. UVAIP distributed questionnaires to these individuals and assigned pro bono legal counsel to those who completed the questionnaire.

Furthermore, the Mid-Atlantic Innocence Project (MAIP) conducted an independent review of the cases where an individual was executed for an offense in which Ms. Burton was the forensic examiner. Based on that review, the Executive Director of MAIP concluded that Ms. Burton's work and/or testimony did not result in the execution of an innocent person in these specific cases.¹⁵⁶

MJB REVIEW PANEL SUBCOMMITTEE

The Chair of the Crime Commission, Delegate Charniele Herring, appointed Delegate Patrick Hope and Senator Mark Peake to serve on the MJB Review Panel Subcommittee. The purpose of the Subcommittee is to provide guidance to Crime Commission staff on the logistics of the review panel and to make recommendations on review panel membership to the full Crime Commission.

The Subcommittee provided guidance to staff on an application process and funding for the review panel. Staff was directed to develop an electronic application for review panel membership, work with stakeholders to disseminate the application, and draft a budget amendment for review panel funding. Staff was also instructed to collect the review panel applications and supplemental material and to provide that information to the Subcommittee for consideration.

REVIEW PANEL MEMBERSHIP AND APPLICATION PROCESS

The review panel is required to include a Commonwealth's Attorney; a public defender; a practicing attorney who is qualified to serve as court-appointed counsel in felony cases pursuant to Virginia Code § 19.2-163.03; a judge of a circuit court who is retired under the Judicial Retirement System (Virginia

¹⁵⁵ A copy of the notification letter, as approved by the DFS Review Subcommittee of the Scientific Advisory Committee on April 8, 2024, is available at <https://dfs.virginia.gov/wp-content/uploads/Defendant-Notification-Approved-Draft.pdf>.

¹⁵⁶ Mid-Atlantic Innocence Project, personal communication, December 17, 2025. See also Mid-Atlantic Innocence Project, public testimony at Virginia State Crime Commission meeting, December 16, 2024. Archived video of this meeting can be accessed at <https://virginiageneralassembly.gov/house/chamber/chamberstream.php>

Code § 51.1-300 *et seq.*); a representative from the Office of the Attorney General; the Executive Director of MAIP; and, an independent serologist.¹⁵⁷

Those interested in being on the review panel were asked to complete an online application and submit a resume. The application process was open from the end of January 2026 through the end of February 2026. Staff reached out to various entities, such as the Virginia Association of Commonwealth's Attorneys, Virginia Indigent Defense Commission, Office of the Executive Secretary of the Supreme Court of Virginia, DFS, and other experts in the legal and scientific field for assistance with notifying eligible individuals of the application process.

The MJB Review Panel Subcommittee is reviewing application materials and will interview eligible applicants in the summer of 2026. After the interviews are completed, the Subcommittee will make recommendations on review panel membership to the full Crime Commission.

RECORD COLLECTION AND SHARING WITH UVA INNOCENCE PROJECT

In preparation for the work of the review panel, staff began gathering records from courts, law enforcement agencies, and Commonwealth's Attorneys for cases of individuals who are currently incarcerated. A secure file transfer protocol (SFTP) was established to provide an electronic option for these entities to submit records to the Crime Commission. Staff sent an electronic request for records in December 2025 and issued a follow-up request in April 2026. However, due to the age of these cases, some entities have reported that the requested records cannot be located or are no longer available. All records received are being shared with the UVAIP so that such records can be provided to the pro bono legal counsel assigned to the currently incarcerated individuals.

In addition, staff requested and reviewed archived records of DFS at the Library of Virginia in an attempt to identify any documents relevant to Ms. Burton's employment or the allegations about the accuracy of her forensic examinations or testimony.¹⁵⁸ This review included numerous boxes of documents from the 1970's through the early 2000's. Aside from copies of pleadings in the 1977 federal lawsuit filed by Regina Demas against DFS and Ms. Burton, no relevant documents were located.

FUNDING

Budget amendments were introduced in both the House and Senate during the 2026 Regular Session of the General Assembly to provide \$25,000 from the general fund in each year of the FY2026-2028

¹⁵⁷ *Supra* note 150.

¹⁵⁸ See Virginia Department of Forensic Science. *About DFS: History*. Last visited June 17, 2026. <https://dfs.virginia.gov/about-dfs/>. Ms. Burton did not work at the DFS as it currently exists, as the state laboratory was housed in multiple agencies before becoming an independent laboratory in 2005.

budget to support the work of the Mary Jane Burton Review Panel.¹⁵⁹ Funding of \$25,000 for each year of the budget was included in the conference report and approved in the final budget.¹⁶⁰

REPORTING

The 2025 legislation requires the review panel to annually report to the Crime Commission by the first day of each Regular Session of the General Assembly until the review is complete.¹⁶¹ Staff presented updates on the status of the review panel to the Crime Commission in December 2025,¹⁶² the DFS Forensic Science Board in January¹⁶³ and April 2026,¹⁶⁴ and the DFS Scientific Advisory Committee in April 2026.¹⁶⁵

CONCLUSION

Pursuant to 2025 legislation, the Crime Commission is required to designate a review panel to conduct an in-depth examination of more than 300 cases where Ms. Burton was the forensic examiner to evaluate the accuracy of Ms. Burton's work and testimony and determine, if possible, whether she engaged in a pattern of misconduct. The Crime Commission will provide staff support to the review panel until the completion of its work.

The process of designating the review panel is currently underway. The MJB Review Panel Subcommittee of the Crime Commission is overseeing the application process and providing guidance on logistics. Applications for membership on the review panel have been received and interviews with prospective panel members will be conducted during the summer. After interviews are completed, the Subcommittee will make recommendations regarding review panel membership for consideration by the full Crime Commission.

As the process designating the review panel proceeds, staff will continue to collect relevant records from courts, law enforcement agencies, and Commonwealth's Attorneys. Staff will organize these records for the review panel and provide copies to the UVAIP for use by its coalition of pro bono legal counsel for currently incarcerated individuals. In addition, staff will continue to consult with DFS,

¹⁵⁹ House Budget Amendment Item 22 #2h, 2026 Regular Session of the General Assembly (Del. Patrick A. Hope).

<https://budget.lis.virginia.gov/amendment/2026/1/HB30/Introduced/MR/22/2h/>. Senate Budget Amendment Item 22 #1s, 2026 Regular Session of the General Assembly (Sen. Mark J. Peake). <https://budget.lis.virginia.gov/amendment/2026/1/SB30/Introduced/MR/22/1s/>

¹⁶⁰ Budget Conference Report Item 22 #1C, 2026 Special Session I of the General Assembly.

<https://budget.lis.virginia.gov/amendment/2026/2/HB30/Introduced/CR/22/1c/>.

¹⁶¹ *Supra* note 150.

¹⁶² Arrington, C. B. (2025, December 2). *Mary Jane Burton: Case file review and review panel*. Presentation at the December 2, 2025 Crime Commission Meeting (Richmond, VA), <https://vscc.virginia.gov/2025/Dec2VSCCMtg/VSCC%2012.2.2025%20MJB%20Reviews.pdf>.

¹⁶³ Roe, T. M. (2026, January 7). *Mary Jane Burton Review Panel. Update to the Forensic Science Board*. Presentation at the January 7, 2026 Forensic Science Board Meeting (Virtual), <https://dfs.virginia.gov/wp-content/uploads/VSCC-1.7.2026-MJB-Review-Panel-FINAL.pdf>.

¹⁶⁴ Arrington, C. B. (2026, April 20). *Mary Jane Burton: Case file review and review panel. Update to the Forensic Science Board*. Presentation at the April 20, 2026 Forensic Science Board Meeting (Hanover, VA), https://dfs.virginia.gov/wp-content/uploads/FSB-Meeting_VSCC-04.20.2026-MJB-Reviews-FINAL-FOR-DFS-002.pdf.

¹⁶⁵ Arrington, C. B. (2026, April 21). *Mary Jane Burton: Case file review and review panel update to the Scientific Advisory Committee*. Presentation at the April 21, 2026 Science Advisory Committee Meeting (Hanover, VA), https://dfs.virginia.gov/wp-content/uploads/SAC-Meeting_VSCC-04.20.2026-MJB-Reviews-FINAL-for-DFS.pdf.

UVAIP, MAIP, and other interested stakeholders regarding matters related to the review panel and its work. As required by the legislation, a further update on the status of the review panel and its activities will be provided prior to the start of the 2027 Regular Session of the General Assembly.



PHOTO SPEED MONITORING DEVICES

PHOTO SPEED MONITORING DEVICES

EXECUTIVE SUMMARY

Speeding continues to be a significant traffic safety issue and a contributing factor to motor vehicle crashes, injuries, and fatalities across the United States and Virginia. Photo speed monitoring devices (“speed cameras”) are one of many tools available to address speeding and improve roadway safety. Speed cameras are an established traffic safety countermeasure with research generally indicating that their use reduces vehicle speeds and improves roadway safety. However, concerns have been raised about speed camera use in relation to the revenue generated, privacy protections, accuracy, and the equitable placement of such devices.

Virginia is among a majority of states that authorize the use of speed cameras through statewide legislation. These state laws vary substantially in how speed cameras are regulated, such as authorization requirements, camera placement, violation thresholds, civil penalties, revenue restrictions, reporting requirements, privacy protections, and program evaluation measures.

Virginia’s speed camera statute was enacted in 2020. Since the enactment of this statute, the number of speed cameras in use in Virginia, as well as the number of speed camera violations prosecuted, have increased significantly. As a result, at least \$111.8 million in civil penalties have been collected for speed camera violations across the Commonwealth since this law took effect.

While Virginia’s statute contains numerous requirements governing the use of speed cameras, questions have been raised about due process, revenue appropriation, privacy protections, and responsible expansion of the use of such devices. Crime Commission staff identified numerous policy considerations related to Virginia’s use of speed cameras, such as authorization and camera placement standards, signage requirements, speed feedback signs, uniform citation formats, court procedures, warning periods, civil penalty structure, revenue allocation and usage, collection of unpaid penalties, program evaluations, public awareness initiatives, vendor approval processes, privacy protections, calibration standards, and annual reporting requirements.

The Crime Commission did not endorse any legislation related to speed cameras for the 2026 Regular Session of the General Assembly; however, numerous bills impacting the use of speed cameras were introduced by multiple legislators during the 2026 Regular Session. Several of these bills were enacted into law and these amendments to Virginia’s speed camera statute will take effect beginning July 1, 2026, or later.

BACKGROUND & METHODOLOGY

In 2024, the Crime Commission began a two-year study on law enforcement use of surveillance technology.¹⁶⁶ In 2025, as part of that study, the Executive Committee directed staff to examine photo speed monitoring devices (hereinafter referred to as “speed cameras”), with a particular focus on due process, revenue appropriation, privacy protections, and responsible expansion of such devices.¹⁶⁷ In addition, staff were asked to identify potential policy considerations relating to law enforcement use of speed cameras. Staff performed the following activities as part of this study:

- Reviewed literature on the impact of speeding and effectiveness of speed cameras;
- Analyzed motor vehicle crash data across the United States and in Virginia;
- Examined speed camera statutes across the United States and in Virginia;
- Surveyed Virginia law enforcement agencies and localities on their use of revenue generated from speed camera civil penalties; and,
- Consulted with various practitioners, vendors, and advocates.¹⁶⁸

The information in this report is based on law enforcement use of speed cameras in Virginia as the statute existed in 2025.¹⁶⁹ The Crime Commission did not endorse any speed camera legislation for the 2026 Regular Session of the General Assembly; however, numerous bills related to speed cameras were introduced by multiple legislators.¹⁷⁰ Many of those bills were enacted into law and will take effect on July 1, 2026, or later. The “2026 Amendments to Virginia’s Speed Camera Statute” section of this report details the substantive amendments made to the speed camera statute during the 2026 Regular Session.

¹⁶⁶ See Senate Bill 695, 2024 Session of the Virginia General Assembly. (Sen. Mark Peake). <https://legacylis.virginia.gov/cgi-bin/legp604.exe?ses=241&typ=bil&val=sb695>; House Bill 251, 2024 Session of the Virginia General Assembly. (Del. Jackie H. Glass). <https://legacylis.virginia.gov/cgi-bin/legp604.exe?ses=241&typ=bil&val=hb251>.

¹⁶⁷ Letter from Delegate Karrie K. Delaney. See House Bill 2041, 2025 Session of the Virginia General Assembly. (Del. Holly M. Seibold). <https://lis.virginia.gov/bill-details/20251/HB2041/text/HB2041>.

¹⁶⁸ Staff consulted with the following entities: Altumint, Inc., Blue Line Solutions, Elovate, Insurance Institute for Highway Safety – Highway Loss Data Institute (IIHS-HLDI), New Kent County Sheriff’s Office, Office of the Executive Secretary of the Supreme Court of Virginia, Virginia Association of Counties, Virginia Department of State Police, Virginia Department of Transportation, Virginia Municipal League, and Vision Zero Network.

¹⁶⁹ VA. CODE ANN. § 46.2-882.1 (2025).

¹⁷⁰ See Appendix A. In 2026, the Virginia General Assembly amended the speed camera statute to add or strengthen safeguards related to signage distance, speed feedback signs, uniform citations, warning periods, revenue, public awareness, privacy, calibration, and annual reporting (HB 1220). The General Assembly also authorized the use of speed cameras in safety red zones within Planning District 8 (HB 994) and the use of pedestrian crossing and stop sign violation monitoring systems in school crossing and highway work zones under the provisions of the statute (SB 84), as well as the use of speed cameras on a National Park highway “provided that such law-enforcement agency has been authorized [to place such cameras] by the federal government or the National Park Service” (2026 Va. Acts ch. 1033. HB 77 and SB 81, 2026 Regular Session of the Virginia General Assembly. (Del. Paul E. Krizek and Sen. Scott A. Surovell). <https://lis.virginia.gov/bill-details/20261/SB81>. Further, the General Assembly expanded the use of a registered special conservator of the peace or technician to affirm and certify alleged violations of the statute and instructed the Department of Criminal Justice Services to develop a training program for such individuals (SB 59 and HB 684).

LITERATURE REVIEW

Speeding is a risky¹⁷¹ and costly¹⁷² driving behavior. Individuals traveling in vehicles at higher speeds compared to those traveling at lower speeds generally have an increased chance of being involved in traffic crashes and being injured from such crashes.¹⁷³

Speeding may also combine with other risky driving behaviors, such as lack of seatbelt restraint use,¹⁷⁴ distracted driving,¹⁷⁵ impaired driving,¹⁷⁶ drowsy driving,¹⁷⁷ and other forms of aggressive driving (e.g., tailgating),¹⁷⁸ to further increase a driver's likelihood of being involved in a motor vehicle crash. These driving behaviors may compound with one another, as well as with weather or roadway conditions, situational circumstances (e.g., passenger presence and lighting), or personal attributes (e.g., age and driving experience), to increase a driver's likelihood of being involved in a motor vehicle crash and the severity of any resulting injuries.¹⁷⁹

Speed cameras are intended to be a tool to address concerns related to drivers exceeding posted speed limits. Accordingly, as part of this study, staff reviewed and analyzed traffic safety data related to speeding across the United States generally and in Virginia specifically. The following section provides a summary of findings from that analysis.

¹⁷¹ National Highway of Traffic Safety Administration (NHTSA). (n.d.). *Speeding*. <https://www.nhtsa.gov/risky-driving/speeding>. [Accessed 5 June 2026].

¹⁷² The economic and societal costs attributed to speeding can be substantial. For example, one national study estimated that speed-related motor vehicle crashes in the United States resulted in approximately \$46.4 billion in economic costs in 2019. When both economic costs and the loss of one's quality-of-life due to speed-related motor vehicle crashes were considered in the study, the comprehensive costs attributable to speed-related motor vehicle crashes increased to approximately \$225.1 billion. See Blincoe, L., Miller, T., Wang, J.-S., Swedler, D., Coughlin, T., Lawrence, B., Guo, F., Klauer, S., & Dingus, T. (2023, February). *The economic and societal impact of motor vehicle crashes, 2019 (Revised)* (Report No. DOT HS 813 403) (pp. 125-127). National Highway Traffic Safety Administration. <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813403>.

¹⁷³ See, e.g., Elvik, R., Vadeby, A., Hels, T., & van Schagen, I. (2019). Updated estimates of the relationship between speed and road safety at the aggregate and individual levels. *Accident Analysis & Prevention*, 123, 114-122. <https://doi.org/10.1016/j.aap.2018.11.014>.

¹⁷⁴ National Highway of Traffic Safety Administration (NHTSA). (n.d.). *Seat belts*. <https://www.nhtsa.gov/vehicle-safety/seat-belts>. [Accessed 12 June 2026].

¹⁷⁵ National Highway of Traffic Safety Administration (NHTSA). (n.d.). *Distracted driving*. <https://www.nhtsa.gov/risky-driving/distracted-driving>. [Accessed 6 May 2026].

¹⁷⁶ National Highway of Traffic Safety Administration (NHTSA). (n.d.). *Drug impaired driving*. <https://www.nhtsa.gov/risky-driving/drug-impaired-driving>. [Accessed 6 May 2026]. See also NHTSA (n.d.). *Drunk driving*. <https://www.nhtsa.gov/risky-driving/drunk-driving>. [Accessed 6 May 2026].

¹⁷⁷ National Highway of Traffic Safety Administration (NHTSA). (n.d.). *Drowsy driving*. <https://www.nhtsa.gov/risky-driving/drowsy-driving>. [Accessed 6 May 2026].

¹⁷⁸ American Automobile Association (AAA) Exchange. (2025). *Aggressive driving*. <https://exchange.aaa.com/safety/driving-advice/aggressive-driving/>. [Accessed 6 May 2026].

¹⁷⁹ See, e.g., Adanu, E. K., Smith, R., Powell, L., & Jones, S. (2017). Multilevel analysis of the role of human factors in regional disparities in crash outcomes. *Accident Analysis & Prevention*, 109, 10-17. <https://doi.org/10.1016/j.aap.2017.09.022>; Hao, H., Li, Y. E., Medina, A., Gibbons, R. B., & Wang, L. (2020). Understanding crashes involving roadway objects with SHRP 2 naturalistic driving study data. *Journal of Safety Research*, 73, 199-209. <https://doi.org/10.1016/j.jsr.2020.03.005>; Hossain, M. M., & Rahman, M. A. (2023). Understanding the potential key risk factors associated with teen driver crashes in the United States: A literature review. *Digital Transportation and Safety*, 2(4), 268-277. <https://doi.org/10.48130/DTS-2023-0022>; Zheng, L., Li, Y., Ding, T., Meng, F., & Zhang, Y. (2023). Analysis of factors affecting crash under risk scenarios based on driver homogenous clustering. *PLOS One*, 18(10), e0293307. <https://doi.org/10.1371/journal.pone.0293307>.

Speeding contributes to a notable portion of motor vehicle crashes, injuries, and fatalities each year.

Since 2021, speeding has contributed to approximately 10% of all motor vehicle traffic crashes,¹⁸⁰ 13% of all motor vehicle traffic crash injuries,¹⁸¹ and nearly 30% of all motor vehicle traffic crash fatalities each year on average in the United States.¹⁸²

Speeding also contributes to motor vehicle crashes, injuries, and fatalities in Virginia. To determine the role of speeding in motor vehicle crashes, injuries, and fatalities in Virginia, staff conducted an analysis of statewide motor vehicle crash data queried from the Virginia Department of Motor Vehicles' Traffic Records Electronic Data System (TREDS).¹⁸³

Staff analysis revealed that speeding plays a significant role in motor vehicle crashes across Virginia. Between 2015 and 2025, there were 1,360,951 motor vehicle crashes in Virginia, with an average of about 123,723 crashes per year.¹⁸⁴ On average each year, about 20% of statewide motor vehicle crashes were speed-related.¹⁸⁵ As seen in Table 1, when specifically examining speed-related crashes between 2015 and 2025, staff found that such crashes resulted in an average of:

- 13,361 injuries each year;
- 2,373 serious injuries each year;¹⁸⁶ and,
- 376 fatalities each year.

¹⁸⁰ National Highway Traffic Safety Administration (NHTSA). (2026, July). *2024 Speeding Traffic Safety Facts*. U.S. Department of Transportation, DOT HS 813 823 (p. 2). <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813823>. National Highway Traffic Safety Administration (NHTSA). (2025, June). *2023 Speeding Traffic Safety Facts*. U.S. Department of Transportation, DOT HS 813 721 (p. 2). <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813721>; NHTSA. (2024, July). *2022 Speeding Traffic Safety Facts*. U.S. Department of Transportation, DOT HS 813 582 (p. 2). <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813582>; NHTSA. (2023, July). *2021 Speeding Traffic Safety Facts*. U.S. Department of Transportation, DOT HS 813 473 (p. 2). <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813473>.

¹⁸¹ National Highway Traffic Safety Administration (NHTSA). (2026, July). *2024 Speeding Traffic Safety Facts*. U.S. Department of Transportation, DOT HS 813 823 (see Table 1, p. 3). <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813823>.

¹⁸² *Id.*

¹⁸³ See, Virginia Department of Motor Vehicles, Traffic Records Electronic Data System (TREDS). <https://www.dmv.virginia.gov/safety/crash-data/traffic-records-electronic-data-system>; Data specifically accessed from the *Interactive Public Report* site at <https://www.treds.virginia.gov/UI/Reports/Public/InteractiveReport.aspx?ReportPath=/Interactive%20Crash%20Reports/Interactive%20Report>; Note: The TREDS captures the number and nature of motor vehicle crashes reported by law enforcement officers using the Police Crash Report (FR300) form, which must be completed when a "motor vehicle accident result[s] in injury to or death of any person or total property damage to an apparent extent of \$1,500 or more" until July 1, 2025, when the reporting threshold was doubled to \$3,000, per Virginia Code § 46.2-373. [House Bill 2256, 2025 Session of the Virginia General Assembly. (Del. Michelle Lopes Maldonado). <https://lis.virginia.gov/bill-details/20251/HB2256>.] The DMV's TREDS does not include minor crashes that fall below the statutory reporting threshold, which are more likely to occur at lower speeds. As such, data from the DMV's TREDS are generally understood to undercount the total number of motor vehicle crashes occurring in the Commonwealth in any given calendar year.

¹⁸⁴ Virginia Department of Motor Vehicles, Traffic Records Electronic Data System (TREDS) Data, *Interactive Crash Data Report*, January 1, 2015, to December 31, 2025.

¹⁸⁵ *Id.*

¹⁸⁶ Note that serious injuries are a subcategory of injuries.

Table 1: Motor Vehicle Crashes, Serious Injuries, and Fatalities Statewide in Virginia, CY15-CY25

Calendar Year (CY)	Total Crashes Statewide	Speed-Related Crashes Statewide	From Speed-Related Crashes Statewide		
			Injuries	Serious Injuries*	Fatalities
2015	125,800	25,322	14,099	2,662	326
2016	128,525	24,264	13,602	2,591	316
2017	127,375	23,948	12,937	2,328	318
2018	131,848	25,892	13,346	2,336	339
2019	128,172	24,739	13,289	2,240	349
2020	105,600	22,479	11,528	2,263	406
2021	118,498	24,620	12,902	2,407	445
2022	122,434	24,877	13,051	2,395	441
2023	127,597	25,274	13,474	2,486	449
2024	129,244	25,705	13,743	2,352	410
2025	115,858	22,529	14,995	2,042	342
TOTAL	1,360,951	269,649	146,966	26,102	4,141

Source: Virginia Department of Motor Vehicles, Traffic Records Electronic Data System (TREDS) Data, Interactive Crash Data Report, January 1, 2015, to December 31, 2025. Table prepared by Crime Commission staff.

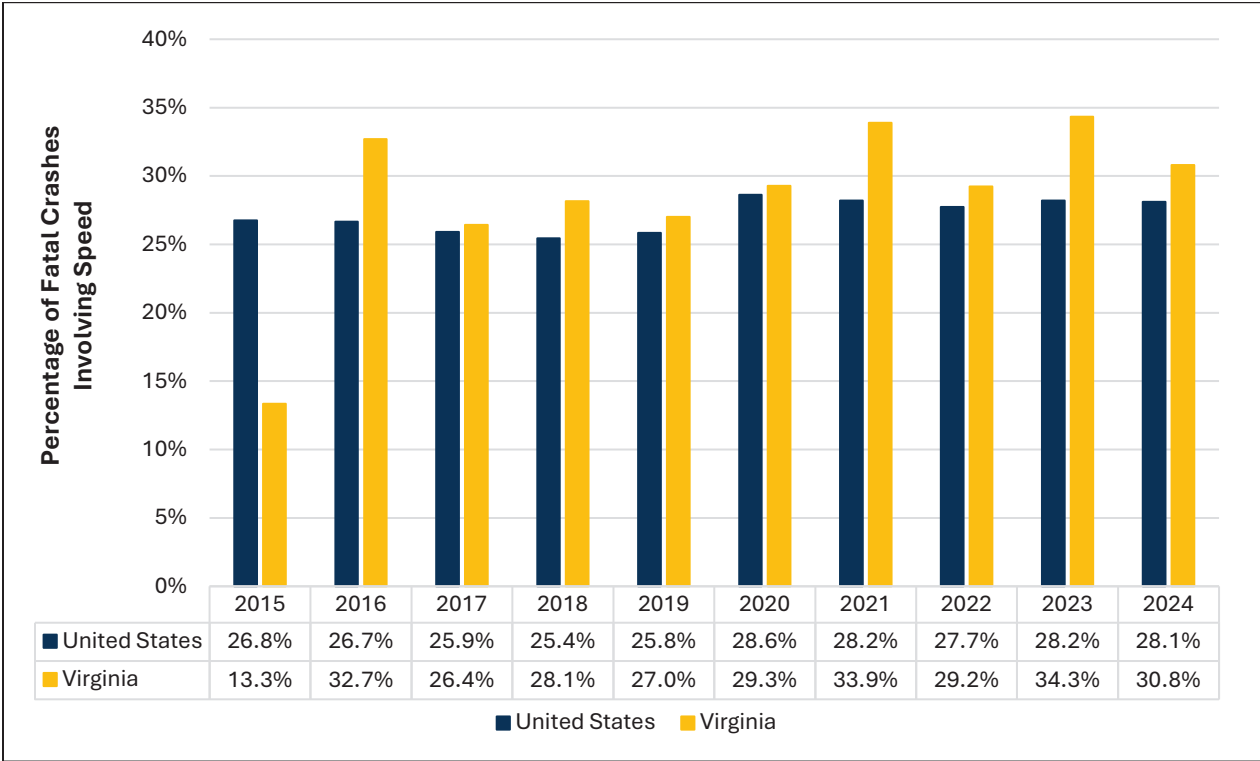
Note: * Serious injuries are a subcategory of injuries.

Since 2016, Virginia consistently had a higher annual percentage of fatal motor vehicle crashes involving speed as compared to the national percentage.

As seen in Chart 1, the percentage of fatal motor vehicle crashes that involved speed has remained consistent in the United States between 2015 and 2024. However, since 2016, the percentage of fatal motor vehicle crashes that involved speed in Virginia has been slightly higher than the nation's overall percentage of fatal motor vehicle crashes that involved speed.¹⁸⁷

¹⁸⁷ Using the FARS Web-Based Encyclopedia query tool (<https://cdan.dot.gov/query>), Crime Commission staff queried information included in Chart 1 using the following criteria: Crashes -> Fatal Motor Vehicle Crashes -> Years: 2015-2024 -> Report Type: Table > Rows (State); Columns (Crash Date (Year) by Involving Speeding). Query conducted on May 6, 2026. Data for 2025 was not available at the time of the query.

Chart 1: Percentage of Fatal Motor Vehicle Crashes Involving Speed in the United States, 2015-2024



Source: National Highway Traffic Safety Administration (NHTSA). Fatality Analysis Reporting System (FARS): 2015-2023 Final File and 2024 Annual Report File (ARF). Chart prepared by Crime Commission staff. The “United States” category includes all 50 U.S. states plus Washington, D.C.

Speeding is a contributing factor to motor vehicle crashes, injuries, and fatalities in both school zones and work zones in Virginia.

Because Virginia’s speed camera statute authorizes the placement of such devices in school crossing zones and highway work zones,¹⁸⁸ an analysis of Virginia motor vehicle crash data from 2015 through 2025 in these zones was conducted.

Speed-Related Motor Vehicle Crashes, Injuries, and Fatalities in School Zones

Around 1% (18,850 of 1,360,951) of total motor vehicle crashes statewide occurred in school zones¹⁸⁹ between 2015 and 2025.¹⁹⁰ On average each year, about 14% of motor vehicle crashes that occurred in school zones were speed-related.¹⁹¹

¹⁸⁸ State and local law enforcement agencies are authorized to use speed cameras in high-risk intersection segments under Virginia law; however, no law enforcement agencies have reported using speed cameras in such segments as of January 2026. See VA. CODE ANN. § 46.2-882.1 (2025). See also Senate Bill 336 (2024) at <https://legacylis.virginia.gov/cgi-bin/legp604.exe?241+ful+CHAP0670>. See also Virginia State Police. (2026, February). *Report on photo speed monitoring device usage by local and state law enforcement*. <https://rga.lis.virginia.gov/Published/2026/RD242/PDF>.

¹⁸⁹ In the Police Crash Report (FR300) manual, a school zone is defined as follows: “A school zone should be considered from the warning sign (with or without flashing lights) to the end school zone sign. Where there are no signs then the school zone should be from the preceding intersection to the school to the following intersection, or where cross walks may be applied to the pavement” (p. 62). <https://www.treds.virginia.gov/ui/training/docs/fr300%20manual.pdf>.

¹⁹⁰ Virginia Department of Motor Vehicles, Traffic Records Electronic Data System (TREDS) Data, *Interactive Crash Data Report*, January 1, 2015, to December 31, 2025.

¹⁹¹ *Id.*

As seen in Table 2, when specifically examining the speed-related motor vehicle crashes that occurred in school zones between 2015 and 2025, staff found that such crashes resulted in an average of:

- 147 injuries each year;
- 23 serious injuries each year;¹⁹² and,
- 3 fatalities each year.

Table 2: Motor Vehicle Crashes, Serious Injuries, and Fatalities in School Zones in Virginia, CY15-CY25

Calendar Year (CY)	Total Crashes in School Zones	Speed-Related Crashes in School Zones	From Speed-Related Crashes in School Zones		
			Injuries	Serious Injuries*	Fatalities
2015	1,866	248	154	22	0
2016	1,902	228	118	19	2
2017	1,882	234	149	24	2
2018	1,798	219	137	25	4
2019	1,756	246	162	24	3
2020	1,153	156	81	14	6
2021	1,472	216	143	30	7
2022	1,714	268	180	29	2
2023	1,772	265	189	22	3
2024	1,752	219	137	14	4
2025	1,783	241	167	26	5
TOTAL	18,850	2,540	1,617	249	38

Source: Virginia Department of Motor Vehicles, Traffic Records Electronic Data System (TREDS) Data, Interactive Crash Data Report, January 1, 2015, to December 31, 2025. Table prepared by Crime Commission staff.

Note: * Serious injuries are a subcategory of injuries.

Speed-Related Motor Vehicle Crashes, Injuries, and Fatalities in Work Zones

Around 3% (39,337 of 1,360,951) of total motor vehicle crashes statewide occurred in work zones¹⁹³ between 2015 and 2025.¹⁹⁴ On average each year, about 29% of motor vehicle crashes that occurred in work zones were speed-related.¹⁹⁵

As seen in Table 3, when specifically examining the speed-related motor vehicle crashes that occurred in work zones between 2015 and 2025, staff found that such crashes resulted in an average of:

- 508 injuries each year;
- 58 serious injuries each year;¹⁹⁶ and,
- 6 fatalities each year.

¹⁹² Note that serious injuries are a subcategory of injuries.

¹⁹³ In the Police Crash Report (FR300) manual, a work zone is defined as follows: "Any area of a highway with construction, maintenance, or utility work activities, typically marked by signs, channelizing devices, barriers, pavement markings, and/or work vehicles. The work zone extends from the first warning sign or Advance Warning Area until the Termination Area [...]. Workers may or may not be present" (p. 56). <https://www.treds.virginia.gov/ui/training/docs/fr300%20manual.pdf>.

¹⁹⁴ Virginia Department of Motor Vehicles, Traffic Records Electronic Data System (TREDS) Data, *Interactive Crash Data Report*, January 1, 2015, to December 31, 2025.

¹⁹⁵ *Id.*

¹⁹⁶ Note that serious injuries are a subcategory of injuries.

Table 3: Motor Vehicle Crashes, Serious Injuries, and Fatalities in Work Zones in Virginia, CY15-CY25

Calendar Year (CY)	Total Crashes in Work Zones	Speed-Related Crashes in Work Zones	From Speed-Related Crashes in Work Zones		
			Injuries	Serious Injuries*	Fatalities
2015	2,622	691	403	46	3
2016	2,432	507	297	41	5
2017	2,667	634	316	34	3
2018	2,528	682	375	53	4
2019	3,869	1,177	605	57	5
2020	3,757	1,240	554	56	10
2021	4,854	1,670	675	76	15
2022	4,741	1,544	625	73	6
2023	4,110	1,312	525	54	6
2024	3,746	1,143	497	72	7
2025	4,011	1,225	718	73	6
TOTAL	39,337	11,825	5,590	635	70

Source: Virginia Department of Motor Vehicles, Traffic Records Electronic Data System (TREDs) Data, Interactive Crash Data Report, January 1, 2015, to December 31, 2025. Table prepared by Crime Commission staff.
Note: * Serious injuries are a subcategory of injuries.

SPEED CAMERAS ARE AN EFFECTIVE COUNTERMEASURE TO ADDRESS SPEEDING

Crime Commission staff examined the effectiveness of speed cameras as both a traffic safety measure and enforcement countermeasure. This section summarizes findings from this review.

Although the discussion below focuses on speed cameras, it is important to note that a number of other traffic safety measures can be used either as alternatives or compliments to automated speed enforcement. Such measures include speed feedback signs, lane narrowing, and the implementation of appropriate speed limits that account for the safety of all road users.¹⁹⁷

Speed camera enforcement is one countermeasure of many used to deter speeding.

Automated traffic enforcement technologies, including speed cameras, are used in jurisdictions throughout the United States and internationally to improve traffic safety and encourage compliance with traffic laws. Speed cameras have been in use in the United States for nearly 40 years.¹⁹⁸ The use of these technologies is grounded in deterrence theory, which contends that individuals are less likely to engage in unlawful behavior when there is a heightened actual or perceived likelihood of being

¹⁹⁷ Vision Zero Network. (2024). *Fair warnings recommendations to promote equity in speed safety camera programs*, pp. 8-9. <https://visionzeronetwork.org/new-resource-fair-warnings/>. For a description of speeding and speed management countermeasures and their effectiveness ratings, see also Kirley, B. B., Robison, K. L., Goodwin, A. H., Harmon, K. J. O'Brien, N. P., West, A., Harrell, S. S., Thomas, L., & Brookshire, K. (2023, November). *Countermeasures that work: A highway safety countermeasure guide for State Highway Safety Offices, 11th edition*, 2023. (Report No. DOT HS 813 490), pages 4-1 to 4-59. National Highway Traffic Safety Administration. <https://rosap.nhtl.bts.gov/view/dot/72947>.
¹⁹⁸ Insurance Institute for Highway Safety-Highway Loss Data Institute. (2026, January). Research areas: Speed. <https://www.iihs.org/research-areas/speed>. [Accessed 6 May 2026].

caught.¹⁹⁹ In the context of speed camera enforcement, a motorist may be deterred from exceeding the speed limit in an enforced area because of the risk that their vehicle's license plate will be captured and used to issue a citation or other penalty.

Research shows that speed cameras reduce vehicle speeds when active on various road segments.²⁰⁰ For example, one study examining speed camera enforcement in school zones in New York City shows that the overall number of speeding violations issued was reduced by an average of 75% over a 2.5 year period as compared to such number within the first month of the City's speed camera program expansion, though most of the reduction occurred within the first six months.²⁰¹ Another study examining speed camera effectiveness in school zones in Seattle, Washington, also shows that the speed camera violation rate and average vehicle speed were significantly reduced during the speed camera enforcement period compared to during the initial warning period and that these reductions were sustained into the second year of the speed camera program.²⁰² This research suggests that speed cameras may also be effective in promoting longer-term reductions in vehicle speeds.

Speed cameras can be effective in reducing fatalities and serious injuries resulting from motor vehicle crashes.

Research examining the effectiveness of speed cameras in communities both internationally and within the United States shows that speed cameras can be effective in reducing the frequency and severity of traffic crashes.²⁰³ For example, one study examining speed camera enforcement in Montgomery

¹⁹⁹ See, e.g., Anderson, L., & Trulove, V. (2025). Speeding and deterrence: A comparative analysis of police officer enforcement and camera-based systems. *Policing & Society*, 36(3), 342-361. <https://doi.org/10.1080/10439463.2025.2573332>; and, Steinbach, R., Perkins, C., Edwards, P., Beecher, D., & Roberts, I. (2016). *Speed cameras to reduce speeding traffic and road traffic injuries. (What works: Crime reduction systematic review series No 8)*. Cochrane Injuries Group (pp. 40-41). <https://library.college.police.uk/docs/what-works/SR8-Speed-Cameras-2017.pdf>. For an overview of deterrence theory in a criminal justice context more broadly, see also Nagin, D. S., Cullen, F. T., & Jonson, C. L. (2018). *Deterrence, choice, and crime: Contemporary perspectives*. New York.

<https://api.taylorfrancis.com/content/books/mono/download?identifierName=doi&identifierValue=10.4324/9781351112710&type=googlepdf>.

²⁰⁰ Factor, R., Haviv, N. & Keren, G. Enforcement and behavior: The effects of suspending enforcement through automatic speed cameras. *Journal of Experimental Criminology*, 19, 743-759 (2023). <https://doi.org/10.1007/s11292-022-09507-z>; Vadeby, A., & Howard, C. (2024). Spot speed cameras in a series - Effects on speed and traffic safety. *Accident Analysis & Prevention*, 199, 107525. <https://doi.org/10.1016/j.aap.2024.107525>; Quistberg, D. A., Thompson, L. L., Curtin, J., Rivara, F. P., & Ebel, B. E. (2019). Impact of automated photo enforcement of vehicle speed in school zones: Interrupted time series analysis. *Injury Prevention*, 25(5), 400-406. <https://doi.org/10.1136/injuryprev-2018-042912>; Gao, J., Yang, D., Xu, C., Ozbay, K., & Sharma, S. (2025). Assessing the impact of fixed speed cameras on speeding behavior and crashes: A longitudinal study in New York City. *Transportation Research Interdisciplinary Perspectives*, 30, 101373. <https://doi.org/10.1016/j.trip.2025.101373>; Hu, W., & McCart, A. T. (2016). Effects of automated speed enforcement in Montgomery County, Maryland, on vehicle speeds, public opinion, and crashes. *Traffic Injury Prevention*, 17:sup1, 53-58. DOI: 10.1080/15389588.2016.1189076; Sheykhsfard, A., Haghighi, F., Saeidi, S., SafariTaherkhani, M., Fountas, G., & Das, S. (2025). Behavioral modeling of drivers near speed control cameras: A dual perspective from micro and macro data. *Transportation Research Record*, 2679(4), 181-197. <https://doi.org/10.1177/03611981241287787>.

²⁰¹ Gao, J., Yang, D., Xu, C., Ozbay, K., & Sharma, S. (2025). Assessing the impact of fixed speed cameras on speeding behavior and crashes: A longitudinal study in New York City. *Transportation Research Interdisciplinary Perspectives*, 30, 101373. <https://doi.org/10.1016/j.trip.2025.101373>. See also New York City Department of Transportation (NYC DOT). (2024). *New York City automated speed enforcement program: 2024 report*. <https://www.nyc.gov/html/dot/downloads/pdf/speed-camera-report.pdf>.

²⁰² Quistberg, D. A., Thompson, L. L., Curtin, J., Rivara, F. P., & Ebel, B. E. (2019). Impact of automated photo enforcement of vehicle speed in school zones: Interrupted time series analysis. *Injury Prevention*, 25(5), 400-406. <https://doi.org/10.1136/injuryprev-2018-042912>.

²⁰³ Vadeby, A., & Howard, C. (2024). Spot speed cameras in a series - Effects on speed and traffic safety. *Accident Analysis & Prevention*, 199, 107525. <https://doi.org/10.1016/j.aap.2024.107525>; Hu, W., & McCart, A. T. (2016). Effects of automated speed enforcement in Montgomery County, Maryland, on vehicle speeds, public opinion, and crashes. *Traffic Injury Prevention*, 17:sup1, 53-58. <https://doi.org/10.1080/15389588.2016.1189076>; Patel, V. R., Liu, M., & Jena, A. B. (2026). Association of speed camera enforcement with motor vehicle crash injuries. *Annals of Surgery*. DOI: 10.1097/SLA.0000000000007060; Gao, J., Yang, D., Xu, C., Ozbay, K., & Sharma, S. (2025). Assessing the impact of fixed speed cameras on speeding behavior and crashes: A longitudinal study in New York City. *Transportation Research Interdisciplinary Perspectives*, 30, 101373. <https://doi.org/10.1016/j.trip.2025.101373>. See also New York City Department of Transportation (NYC DOT). (2024). *New York City automated speed enforcement program: 2024 report*. <https://www.nyc.gov/html/dot/downloads/pdf/speed-camera-report.pdf>.

County, Maryland, shows that the likelihood of a traffic crash involving a fatal or incapacitating injury in a site with speed cameras decreased by nearly 20% as compared to in similar sites without speed cameras.²⁰⁴ This study also showed that the operation of speed cameras in combination with statutory changes²⁰⁵ and periodically moving some speed cameras throughout the enforcement zone further decreased the likelihood of a traffic crash involving a fatal or incapacitating injury.²⁰⁶ This body of research suggests that the use of speed cameras may be effective in reducing traffic collisions and their severity.

Concerns with speed camera programs frequently relate to revenue generation, privacy protections, technology errors, and device placement.

Despite continued research that shows speed cameras can be effective at reducing speeds and improving traffic safety, a number of concerns persist about the use of this technology.²⁰⁷ Those concerns commonly relate to:

- Use and transparency of revenue generated from speed camera programs;²⁰⁸
- Privacy protections of captured images and other retained data;²⁰⁹
- Accuracy of speed camera technology;²¹⁰
- Justification for speed camera placement;²¹¹ and

[report.pdf](#); Tilahun, N. (2023). Safety impact of automated speed camera enforcement: Empirical findings based on Chicago's speed cameras. *Transportation Research Record*, 2677(1), 1490-1498. <https://doi.org/10.1177/03611981221104808>; Guerra, E., Puchalsky, C., Kovalova, N., Hu, Y., Si, Q., Tan, J., & Zhao, G. (2024). Evaluating the effectiveness of speed cameras on Philadelphia's Roosevelt Boulevard. *Transportation Research Record*, 2678(9), 452-461. <https://doi.org/10.1177/03611981241230320>.

²⁰⁴ Hu, W., & McCartt, A. T. (2016). Effects of automated speed enforcement in Montgomery County, Maryland, on vehicle speeds, public opinion, and crashes. *Traffic Injury Prevention*, 17:sup1, 53-58. <https://doi.org/10.1080/15389588.2016.1189076>. See Table 2 (p. 57).

²⁰⁵ Hu, W., & McCartt, A. T. (2016). Effects of automated speed enforcement in Montgomery County, Maryland, on vehicle speeds, public opinion, and crashes. *Traffic Injury Prevention*, 17:sup1, 53-58. <https://doi.org/10.1080/15389588.2016.1189076>. The authors explain, "Maryland's law allowed [speed] cameras to be placed only on residential roadways with speed limits of 35 mph or less or in school zones. [...] Initially citations were issued for vehicles traveling at least 11 mph above the speed limit. To reflect changes in the state statute allowing the speed camera program, effective October 1, 2009, the speed threshold was changed to 12 mph above the speed limit, and school zone camera operations were restricted to 6 a.m.–8 p.m. on weekdays" (p. 54).

²⁰⁶ Hu, W., & McCartt, A. T. (2016). Effects of automated speed enforcement in Montgomery County, Maryland, on vehicle speeds, public opinion, and crashes. *Traffic Injury Prevention*, 17:sup1, 53-58. <https://doi.org/10.1080/15389588.2016.1189076>. See Table 2 (p. 57).

²⁰⁷ Zhang, X. & Steinbach, R. (2025). *2024 Traffic Safety Culture Index* (Technical Report). AAA Foundation for Traffic Safety. <https://aaaafoundation.org/research/2024-traffic-safety-culture-index/>. The authors note "Support was lower for using cameras to automatically ticket drivers exceeding the limit by more than 10 mph on residential streets (46%)" (p. 7); Hu, W., & McCartt, A. T. (2016). Effects of automated speed enforcement in Montgomery County, Maryland, on vehicle speeds, public opinion, and crashes. *Traffic Injury Prevention*, 17:sup1, 53-58. <https://doi.org/10.1080/15389588.2016.1189076>. While the authors show that 38% of interviewed drivers opposed the use of "automated speed enforcement on residential streets," they do note an exception, that 86% of interviewed drivers were supportive of using speed cameras in school zones (p. 57).

²⁰⁸ Ralph, K., Barajas, J. M., Johnson-Rodriguez, A., Delbosc, A., & Muir, C. (2024). The end of speed traps and ticket quotas: Re-framing and reforming traffic cameras to increase support. *Journal of Planning Education and Research*, 44(4), 1988-2003. <https://doi.org/10.1177/0739456X221138073>.

²⁰⁹ Rennert, L. (2023). Perceptions of surveillance: Exploring feelings held by Black community leaders in Boston toward camera enforcement of roadway infractions. *Cities*, 137, 104308. <https://doi.org/10.1016/j.cities.2023.104308>.

²¹⁰ Rennert, L. (2023). Perceptions of surveillance: Exploring feelings held by Black community leaders in Boston toward camera enforcement of roadway infractions. *Cities*, 137, 104308. <https://doi.org/10.1016/j.cities.2023.104308>; Ralph, K., Barajas, J. M., Johnson-Rodriguez, A., Delbosc, A., & Muir, C. (2024). The end of speed traps and ticket quotas: Re-framing and reforming traffic cameras to increase support. *Journal of Planning Education and Research*, 44(4), 1988-2003. <https://doi.org/10.1177/0739456X221138073>.

²¹¹ Rennert, L. (2023). Perceptions of surveillance: Exploring feelings held by Black community leaders in Boston toward camera enforcement of roadway infractions. *Cities*, 137, 104308. <https://doi.org/10.1016/j.cities.2023.104308>. See also Alobaidallah, A. M., Alqahtany, A., & Maniruzzaman, K. M. (2025). Safety effectiveness of automated traffic enforcement systems: A critical analysis of existing challenges and solutions. *Future Transportation*, 5(1), 25. <https://doi.org/10.3390/futuretransp5010025>.

- Equitability of speed camera placement.²¹²

In response to speed camera program concerns, several traffic safety-focused organizations have published guides that provide recommendations on how speed cameras and other forms of automated traffic enforcement can be implemented transparently, fairly, and equitably.²¹³

SPEED CAMERA USE IN VIRGINIA

Crime Commission staff examined speed camera use in Virginia by reviewing the governing statute, meeting with law enforcement agencies and speed camera vendors about how such devices and programs operate in practice, analyzing relevant data, and surveying law enforcement agencies and localities on how revenue generated from civil penalties for speed camera violations has been allocated.

Virginia is among a majority of states that authorize the use of speed cameras through a statewide statute.

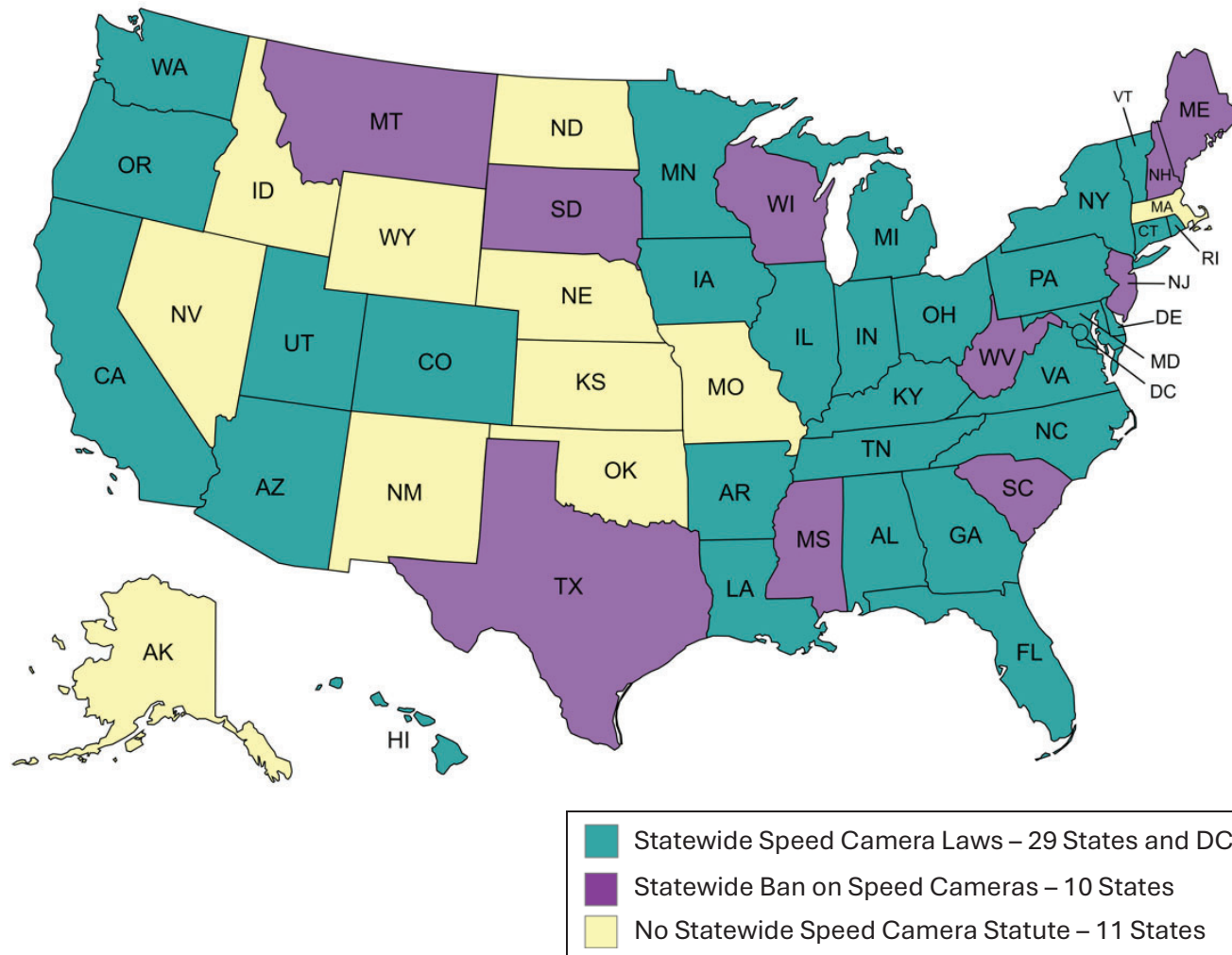
Thirty-nine (39) states, as well as Washington, D.C., have enacted statewide speed camera laws.²¹⁴ As seen in Map 1, twenty-nine (29) states, including Virginia, and Washington, D.C., authorize the use of speed cameras; ten (10) states ban such use; and, eleven (11) states have no statewide laws on speed camera use.

²¹² Tilahun, N. (2023). Safety impact of automated speed camera enforcement: Empirical findings based on Chicago's speed cameras. *Transportation Research Record*, 2677(1), 1490-1498. <https://doi.org/10.1177/03611981221104808>. See also Alobaidallah, A. M., Alqahtany, A., & Maniruzzaman, K. M. (2025). Safety effectiveness of automated traffic enforcement systems: A critical analysis of existing challenges and solutions. *Future Transportation*, 5(1), 25. <https://doi.org/10.3390/futuretransp5010025>. See also Vision Zero Network. (2024). *Fair warnings recommendations to promote equity in speed safety camera programs*. <https://visionzeronetwork.org/new-resource-fair-warnings/>.

²¹³ Vision Zero Network. (2024). *Fair warnings recommendations to promote equity in speed safety camera programs*. <https://visionzeronetwork.org/new-resource-fair-warnings/>; Fines and Fees Justice Center. (2024). "Caution: We're driving the wrong way on automated traffic enforcement." *Research & Tools*. <https://finesandfeesjusticecenter.org/research-tools/caution-were-driving-the-wrong-way-on-automated-traffic-enforcement/>; Federal Highway Administration. (2023). *Speed safety camera program and planning operations guide: An overview*. U.S. Department of Transportation. <https://ops.fhwa.dot.gov/publications/fhwahop24063/fhwahop24063.pdf>; Automated Automobile Association,

Advocates for Highway and Auto Safety, Governors Highway Safety Association (GHSA), IIHS, & National Safety Council. (2021). *Automated enforcement problem checklist*. <https://www.iihs.org/media/431e551b-3f64-4591-8e30-ad35a069f41f/cF4n4g/News/2021/050621%20auto%20enforcement/AE-checklist-May-2021.pdf>; GHSA. (2023). *Automated enforcement in a new era*. https://www.ghsa.org/sites/default/files/2024-12/AE_newera_12-5-23_0.pdf.

²¹⁴ See Appendix B for a list of state photo speed camera statutes.

Map 1: Speed Camera Laws in the United States

Speed camera laws vary significantly across the 29 states and Washington, D.C., that authorize such use through statewide statutes. This variation allows for several policy considerations regarding authorization, enforcement, and accountability.²¹⁵ Jurisdictions vary in the locations where speed cameras can be placed, as well as the miles per hour over the posted speed limit that constitutes a violation.²¹⁶ Maximum civil penalties vary across states, and some states mandate uniform citation formats or specific notice provisions to ensure due process.²¹⁷ Many laws impose constraints on the use of generated revenue, such as requiring that funds be directed to highway safety initiatives or restricting allocation amounts to the general budget.²¹⁸ In addition, reporting and transparency requirements differ, with some states requiring public disclosure of speed camera program data, crash

²¹⁵ See Appendix B.

²¹⁶ *Id.*

²¹⁷ *Id.*

²¹⁸ *Id.*

data, and equity impacts.²¹⁹ Data requirements also vary, including rules on captured image access and retention periods.²²⁰ Additional discussion on these variations is included in the “Speed Camera Policy Considerations” section below.

Virginia enacted its statewide speed camera statute in 2020 and expanded it in 2024.

Virginia first authorized the statewide use of speed cameras in school crossing and highway work zones in 2020.²²¹ In 2024, the Virginia General Assembly amended the governing statute to expand authorization to include high-risk intersection segments.²²² As of 2025, Virginia law permits state and local law enforcement agencies to deploy speed cameras in school crossing zones, highway work zones, and high-risk intersection segments.²²³

Speed camera violations in Virginia are a civil offense.

Virginia’s speed camera statute allows the issuance of a civil citation²²⁴ when a vehicle exceeds the posted speed limit by ten miles per hour or more, with penalties capped at \$100 per violation.²²⁵ The statute presumes that the owner, lessee, or renter of the vehicle was the driver at the time of the violation; however, that presumption is rebuttable.²²⁶ A speed camera violation is not deemed a conviction, does not become part of the operator’s driving record, and cannot be used for purposes of motor vehicle insurance coverage.²²⁷

Alleged speed camera violations are identified by private vendors and then verified by a law enforcement agency before a citation is issued.

In Virginia, alleged speed camera violations are initially identified and processed by private vendors that supply automated speed enforcement systems to law enforcement agencies.²²⁸ Private vendors review captured images and associated data to identify alleged violations.²²⁹ Before a citation may be issued, an alleged violation must be reviewed and certified by a sworn law enforcement officer or a retired

²¹⁹ *Id.*

²²⁰ *Id.*

²²¹ 2020 Va. Acts ch. 1232. House Bill 1442, 2020 Regular Session of the Virginia General Assembly. (Del. Jay Jones).

<https://legacylis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB1442>.

²²² 2024 Va. Acts ch. 670. Senate Bill 336, 2024 Regular Session of the Virginia General Assembly. (Sen. Danica Roem).

<https://legacylis.virginia.gov/cgi-bin/legp604.exe?241+sum+SB336>.

²²³ VA. CODE ANN. § 46.2-882.1(B) (2025).

²²⁴ For clarity, this report uses the term “citation,” as opposed to a “mailed summons” from Virginia’s speed camera statute, because the document which alleges a speed camera violation does not follow the traditional format of a uniform summons that is described in VA. CODE ANN. § 46.2-388 (2025).

²²⁵ VA. CODE ANN. § 46.2-882.1(C) (2025).

²²⁶ VA. CODE ANN. § 46.2-882.1(E) (2025).

²²⁷ VA. CODE ANN. § 46.2-882.1(F) (2025).

²²⁸ VA. CODE ANN. § 46.2-882.1(H) (2025).

²²⁹ Elovate, personal communication, September 4, 2025; Altumint, Inc., personal communication, October 8, 2025; Blue Line Solutions, personal communication, October 23, 2025.

sworn law enforcement officer.²³⁰ Such officer has 30 days from the date of the alleged violation to issue a citation certifying such violation.²³¹

Private vendors generally administer the operational and administrative components of speed camera enforcement programs on behalf of law enforcement agencies.²³² These responsibilities typically include conducting a preliminary review of potential violations, submitting potential violations to law enforcement for review and certification, mailing citations to registered vehicle owners, and facilitating the collection of civil penalties.²³³ Law enforcement agencies retain supervisory authority over the program and may establish policies and procedures governing vendor operations.

Citations for speed camera violations may be paid directly to the private vendor or locality, or proceed through the court process like traffic summonses.

Citations for speed camera violations in Virginia may be resolved either by paying the assessed amount directly to the private vendor or locality,²³⁴ or by contesting the citation through the court process, similar to a traffic summons.²³⁵

Recipients must be provided with notice of the alleged violation and an opportunity to contest it in court.²³⁶ If the recipient elects to contest the citation, the matter is set on the docket of the general district court in the locality where the citation was issued. The locality bears the burden of proving the violation based on the recorded information from the speed camera and certification by a law enforcement officer.²³⁷

When a citation proceeds to court, the case is entered into an online court case management system that is accessible to the public.²³⁸ If a person is found guilty of the citation, then court costs are assessed in addition to the civil penalty.²³⁹

Virginia's speed camera statute does not place any restrictions on how revenue is spent, nor does it require localities to report any expenditures of such revenue.

Virginia's statutory framework for speed camera enforcement provides broad discretion in how resulting revenue is handled.²⁴⁰ Only local law enforcement agencies reported using speed cameras in

²³⁰ VA. CODE ANN. § 46.2-882.1(H) (2025). Senate Bill 852 (2025) expanded who could affirm alleged speed camera violations from state and local law enforcement officers only to also include retired sworn law enforcement officers. (Sen. Christie New Craig). <https://lis.virginia.gov/bill-details/2025/SB852/text/CHAP0434>.

²³¹ VA. CODE ANN. § 46.2-882.1(G) (2025).

²³² Elovate, personal communication, September 4, 2025; Altumint, Inc., personal communication, October 8, 2025; Blue Line Solutions, personal communication, October 23, 2025.

²³³ *Id.*

²³⁴ *Id.*

²³⁵ VA. CODE ANN. § 46.2-882.1(C) (2025). A civil penalty issued through a mailed summons for a speed camera violation is not considered a criminal conviction, is not recorded on the individual's driving record, and may not be used for motor vehicle insurance purposes. However, if a law enforcement officer uses a photo speed monitoring device and personally issues a summons at the time of the violation, any resulting conviction is treated as a standard traffic offense, becomes part of the driver's record, and may be considered for motor vehicle insurance purposes.

²³⁶ VA. CODE ANN. § 46.2-882.1(G) (2025).

²³⁷ VA. CODE ANN. § 46.2-882.1(D) (2025).

²³⁸ VA. CODE ANN. § 17.1-293.1 (2025).

²³⁹ VA. CODE ANN. § 16.1-69.48:1(D) (2025).

²⁴⁰ VA. CODE ANN. § 46.2-882.1(C) (2025).

2025,²⁴¹ meaning that revenue generated from such cameras is only being collected by localities. As of 2025, there were neither restrictions on localities regarding how revenue generated from speed camera violations is to be spent, nor requirements for localities to report how such revenue is spent.

In the fall of 2025, Crime Commission staff disseminated informal surveys to 52 law enforcement agencies and their respective localities that have or anticipated having a photo speed monitoring program (as of August 2025) requesting that they indicate and briefly describe how revenue generated from such programs have been allocated since implementation began.²⁴² A total of 56% (29 of 52) of law enforcement agencies and 48% (25 of 52) of localities²⁴³ that have or anticipated having a photo speed monitoring program by the end of 2025 responded to the survey. Survey responses varied widely, with some law enforcement agencies and localities indicating that they allocate speed camera revenue to their locality's general fund, but others indicating they fund specific line items, such as speed camera operating expenses, traffic safety initiatives, and law enforcement personnel and equipment.

SPEED CAMERA DATA IN VIRGINIA

Law enforcement agencies must annually report on speed camera use to the Virginia State Police (VSP).²⁴⁴ These VSP reports provide a broad understanding of the total number of traffic violations prosecuted (citations mailed), number of traffic violations successfully prosecuted (citations paid), and amount of monetary civil penalties collected from speed camera violations in Virginia. The following is a summary of key findings based on the VSP annual reports.

The number of law enforcement agencies using speed cameras in Virginia has increased significantly since the enactment of the speed camera statute in 2020.

While Virginia authorized the use of speed cameras in 2020, law enforcement agencies did not begin operating such cameras until 2022. As seen in Chart 2, the number of law enforcement agencies using speed cameras increased from 5 in 2022 to 49 in 2025.²⁴⁵

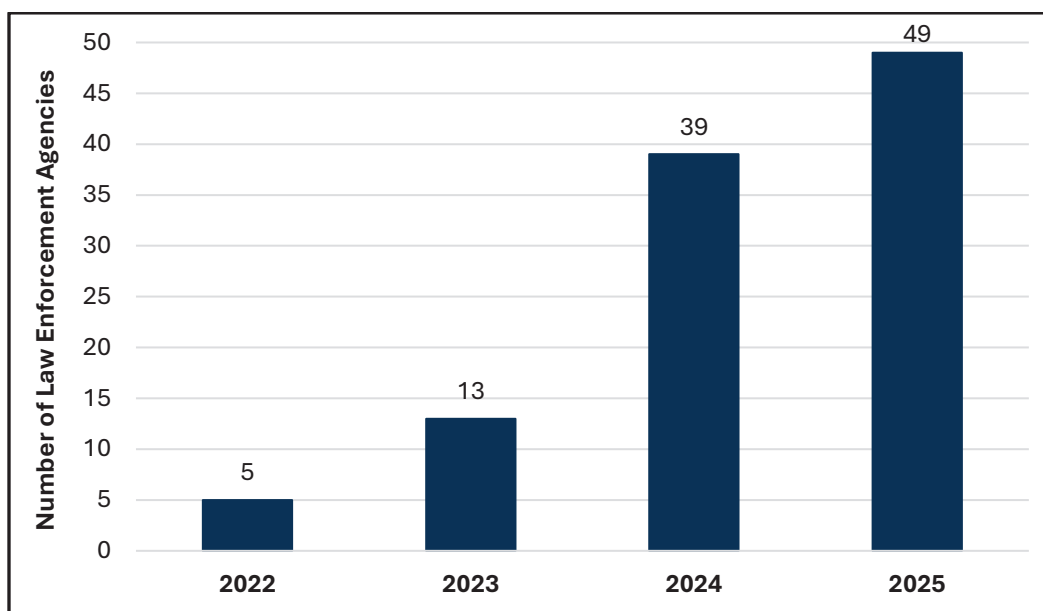
²⁴¹ See Virginia State Police, Data Analysis and Reporting Team (DART). *Annual photo speed monitoring device reports*. <https://vsp.virginia.gov/sections-units-bureaus/bass/criminal-justice-information-services/uniform-crime-reporting/>.

²⁴² A target population of 52 was identified from email correspondence with the Virginia State Police (VSP) on August 20, 2025, as well as from the VSP's reports on speed camera usage for calendar years 2022 to 2024. See Virginia State Police, Data Analysis and Reporting Team (DART). *Annual Photo Speed Monitoring Device Reports*. <https://vsp.virginia.gov/sections-units-bureaus/bass/criminal-justice-information-services/uniform-crime-reporting/>.

²⁴³ The response rate provided for localities includes localities that had law enforcement agencies respond on their behalf.

²⁴⁴ VA. CODE ANN. § 46.2-882.1(K) (2025).

²⁴⁵ See Virginia State Police, Data Analysis and Reporting Team (DART). *Annual Photo Speed Monitoring Device Reports*. <https://vsp.virginia.gov/sections-units-bureaus/bass/criminal-justice-information-services/uniform-crime-reporting/>.

Chart 2: Number of Virginia Law Enforcement Agencies Using Speed Cameras, CY22-CY25

Source: Virginia State Police (VSP), *Report on photo speed monitoring device usage by local and state law enforcement*, calendar years (CYs) 2022 to 2025. The VSP reported no speed camera use by local and state law enforcement agencies in 2020 and 2021. Chart prepared by Crime Commission staff.

It is anticipated that the total number of law enforcement agencies using speed cameras will continue to increase in 2026. Specifically, VSP announced that, in a partnership with the Virginia Department of Transportation (VDOT), it began operation of its highway work zone speed camera program in spring 2026.²⁴⁶ Furthermore, other law enforcement agencies, such as the City of Virginia Beach Police Department²⁴⁷ and Madison County Sheriff's Office,²⁴⁸ began using speed cameras in school crossing zones within their localities in early 2026.

Violations prosecuted (citations mailed) and violations successfully prosecuted (citations paid) under the speed camera statute increased significantly since 2022.

Over 1.9 million violations were prosecuted (citations mailed) under the speed camera statute between 2022 and 2025. As seen in Chart 3, the number of traffic violations prosecuted (citations mailed) under the speed camera statute increased significantly from 92,062 in 2022 to 957,780 in 2025.²⁴⁹ As seen in

²⁴⁶ See Virginia State Police. *Work zone speed safety camera program*. <https://vsp.virginia.gov/work-zone-speed-cameras/>. [Accessed 6 May 2026].

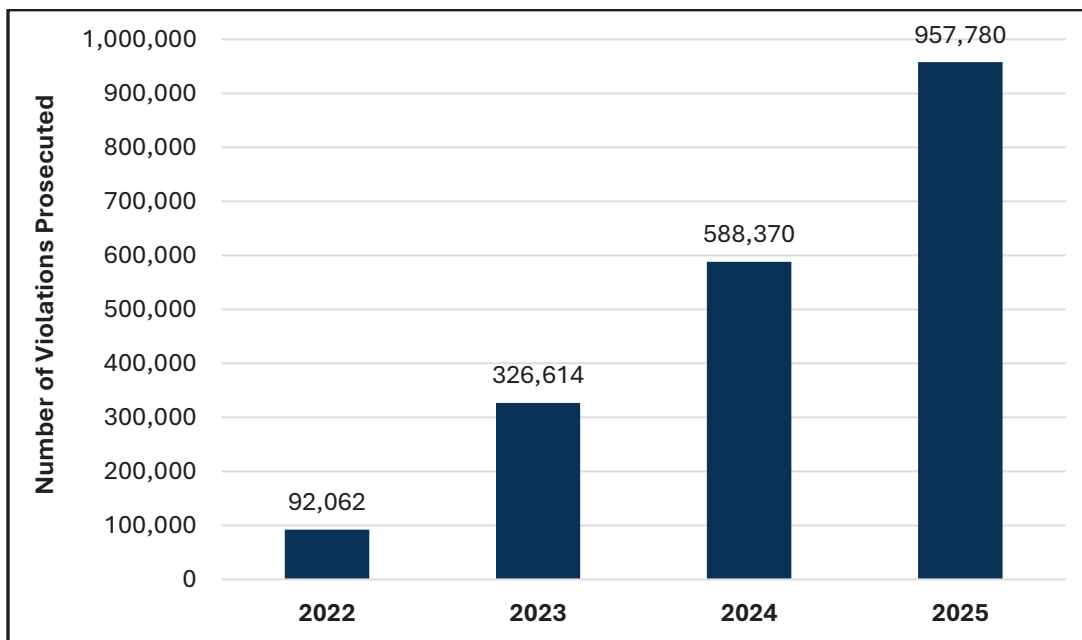
²⁴⁷ See City of Virginia Beach Police Department. *Services: School speed zone cameras*. <https://police.virginiabeach.gov/services/school-speed-zone-cameras>. [Accessed 6 May 2026].

²⁴⁸ See Shock, J. (2026, April 5). *Madison County Sheriff's Office launches speed cameras outside high school*. 29 News. <https://www.29news.com/2026/04/05/madison-county-sheriffs-office-launches-speed-cameras-outside-high-school/>. [Accessed 6 May 2026].
See also Dyar, P. (2026, March 30). *Madison County launches school zone speed camera program*. CBS 19 News. https://www.cbs19news.com/news/madison-county-launches-school-zone-speed-camera-program/article_24b70050-fe79-49ec-a7a2-2dc0ee376186.html. [Accessed 6 May 2026].

²⁴⁹ Data from 2023-2025 show that most traffic violations prosecuted under the speed camera statute occurred in school crossing zones (2023: 59% [192,657 of 326,614]; 2024: 79% [466,076 of 588,370]; 2025: 69% [656,268 of 957,780]). Note that the total number of traffic violations prosecuted (N = 588,370) and the number of traffic violations prosecuted in school crossing zones (N = 466,076) in 2024 presented in Chart 3 and Appendix C differs from those included in the VSP's report for calendar year 2024 (N = 579,085 total traffic violations prosecuted and 456,791 traffic violations prosecuted in school crossing zones, respectively). This difference can be explained by a summation error in the VSP's report for calendar year 2024. The number of traffic violations prosecuted from devices placed in highway work zones increased from 133,957 in 2023 to

Appendix C, the number of violations prosecuted (citations mailed) varied significantly across reporting law enforcement agencies.

Chart 3: Total Speed Camera Violations Prosecuted (Citations Mailed), CY22-CY25

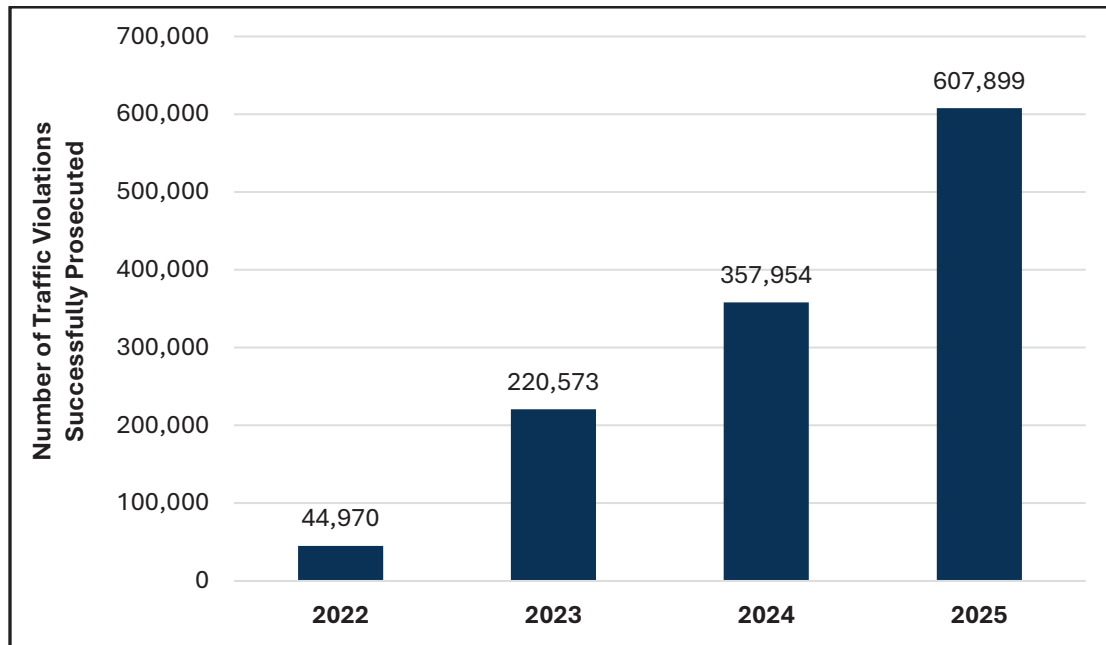


Source: Virginia State Police (VSP), *Report on photo speed monitoring device usage by local and state law enforcement*, calendar years (CYs) 2022 to 2025. The VSP reported no speed camera use by local and state law enforcement agencies in 2020 and 2021. Chart prepared by Crime Commission staff.

Over 1.2 million violations were successfully prosecuted (citations paid) under the speed camera statute between 2022 and 2025. As seen in Chart 4, the number of traffic violations successfully prosecuted (citations paid) under the speed camera statute increased significantly from 44,970 in 2022 to 607,899 in 2025.²⁵⁰ As seen in Appendix D, the number of violations successfully prosecuted varied significantly across law enforcement agencies.

301,512 in 2025. See Virginia State Police, Data Analysis and Reporting Team (DART). *Annual photo speed monitoring device reports*. <https://vsp.virginia.gov/sections-units-bureaus/bass/criminal-justice-information-services/uniform-crime-reporting/>.

²⁵⁰ Data from 2023-2025 show that most traffic violations successfully prosecuted under the speed camera statute came from devices placed in school crossing zones (2023: 60% (131,789 of 220,573); 2024: 72% [258,631 of 357,954]; 2025: 67% [407,646 of 607,899]). The number of traffic violations successfully prosecuted from devices placed in highway work zones increased from 88,784 in 2023 to 200,253 in 2025. See Virginia State Police, Data Analysis and Reporting Team (DART). *Annual photo speed monitoring device reports*. <https://vsp.virginia.gov/sections-units-bureaus/bass/criminal-justice-information-services/uniform-crime-reporting/>.

Chart 4: Total Speed Camera Violations Successfully Prosecuted (Citations Paid), CY22-CY25

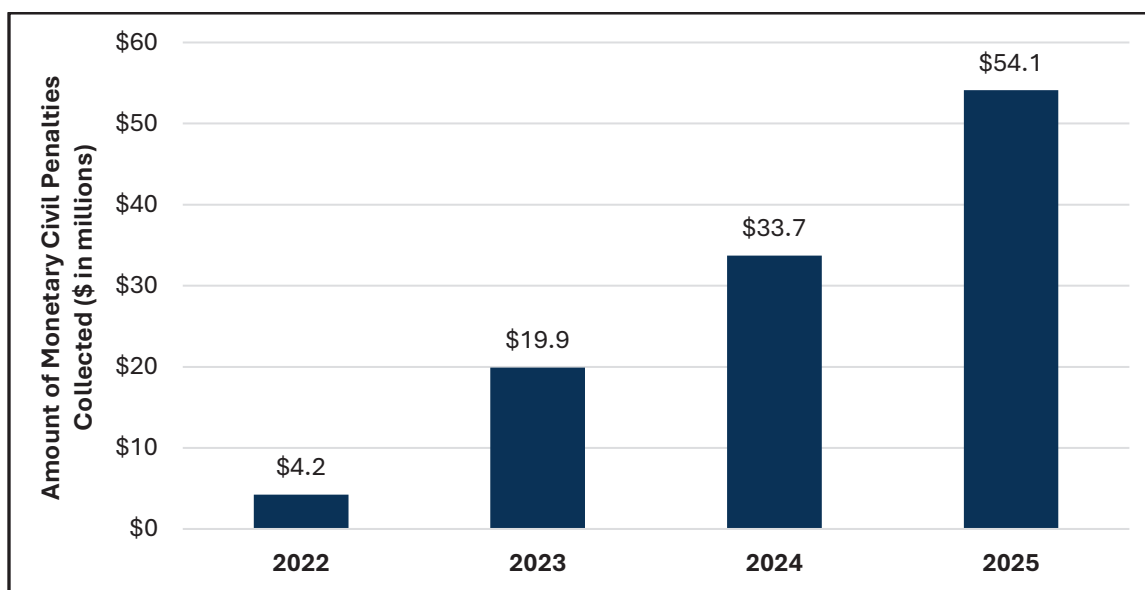
Source: Virginia State Police (VSP), *Report on photo speed monitoring device usage by local and state law enforcement*, calendar years (CYs) 2022 to 2025. The VSP reported no speed camera use by local and state law enforcement agencies in 2020 and 2021. Chart prepared by Crime Commission staff.

Speed camera violations have generated at least \$111.8 million in total monetary civil penalties statewide since 2022, with significant increases each year.

Since 2022, speed camera violations have generated a total of at least \$111.8 million in civil penalties statewide.²⁵¹ As seen in Chart 5, the amount of monetary civil penalties collected from speed camera violations increased significantly from \$4.2 million in 2022 to \$54.1 million in 2025.²⁵² As seen in Appendix E, the amount of monetary civil penalties collected varied significantly across reporting law enforcement agencies between 2022 and 2025.

²⁵¹ See Virginia State Police, Data Analysis and Reporting Team (DART). *Annual photo speed monitoring device reports*. <https://vsp.virginia.gov/sections-units-bureaus/bass/criminal-justice-information-services/uniform-crime-reporting/>.

²⁵² Data from 2023-2025 show that most civil penalties collected under the speed camera statute came from devices placed in school crossing zones (2023: 55% [\$10,964,277.65 of \$19,866,042.22]; 2024: 71% [\$23,865,538.31 of \$33,692,179.47]; 2025: 64% [\$34,459,071.33 of \$54,096,163.75]). The amount of civil penalties collected from devices placed in highway work zones increased from \$8,901,764.57 in 2023 to \$19,637,092.42 in 2025. See Virginia State Police, Data Analysis and Reporting Team (DART). *Annual photo speed monitoring device reports*. <https://vsp.virginia.gov/sections-units-bureaus/bass/criminal-justice-information-services/uniform-crime-reporting/>.

Chart 5: Monetary Civil Penalties Collected for Speed Camera Violations, CY22-CY25

Source: Virginia State Police (VSP), *Report on photo speed monitoring device usage by local and state law enforcement*, calendar years (CYs) 2022 to 2025. The VSP reported no speed camera use by local and state law enforcement agencies in 2020 and 2021. The reported amount of civil penalties that were collected is rounded to the tenth digit place and presented in millions for each calendar year. Chart prepared by Crime Commission staff.

Speed cameras are primarily used in school crossing zones in Virginia, but a notable portion of speed camera violations are captured in highway work zones.

As of January 2026, law enforcement agencies reported using speed cameras in 228 school crossing zones and nine (9) highway work zones.²⁵³

Despite speed cameras being primarily deployed in school crossing zones, a notable portion of total traffic violations prosecuted (citations mailed), traffic violations prosecuted successfully (citations paid), and monetary civil penalties collected come from speed cameras deployed in highway work zones. In 2025, about one-third of total traffic violations prosecuted (301,512 of 957,780),²⁵⁴ traffic violations successfully prosecuted (200,253 of 607,899),²⁵⁵ and monetary civil penalties collected (\$19,637,092.42 of \$54,096,163.75) reported by law enforcement agencies came from speed cameras deployed in highway work zones.²⁵⁶ Thus, although only 4% (9 of 237) of total speed camera

²⁵³ See Virginia State Police, Data Analysis and Reporting Team (DART). *Annual photo speed monitoring device reports*. <https://vsp.virginia.gov/sections-units-bureaus/bass/criminal-justice-information-services/uniform-crime-reporting/>.

²⁵⁴ See Virginia State Police, Data Analysis and Reporting Team (DART). *Annual photo speed monitoring device reports*. <https://vsp.virginia.gov/sections-units-bureaus/bass/criminal-justice-information-services/uniform-crime-reporting/>. See also Appendix C for a breakdown of the number of traffic violations prosecuted (citations mailed) for each reporting law enforcement agency by calendar year.

²⁵⁵ See Virginia State Police, Data Analysis and Reporting Team (DART). *Annual photo speed monitoring device reports*. <https://vsp.virginia.gov/sections-units-bureaus/bass/criminal-justice-information-services/uniform-crime-reporting/>. See also Appendix D for a breakdown of the number of traffic violations successfully prosecuted (citations paid) for each reporting law enforcement agency by calendar year.

²⁵⁶ See Virginia State Police, Data Analysis and Reporting Team (DART). *Annual photo speed monitoring device reports*. <https://vsp.virginia.gov/sections-units-bureaus/bass/criminal-justice-information-services/uniform-crime-reporting/>. See also Appendix E for a breakdown of the amount of monetary civil penalties collected for each reporting law enforcement agency by calendar year.

enforcement zones are deployed in highway work zones, a notable portion of violations and revenue is being generated from speed cameras operating in highway work zones.

No law enforcement agency has reported using a speed camera in a high-risk intersection segment as of January 2026.²⁵⁷

The impact of speed camera use on traffic safety outcomes in Virginia cannot yet be determined.

The impact of speed cameras on highway safety outcomes in Virginia cannot be fully determined due to their recent implementation,²⁵⁸ considerable expansion, and variation in enforcement strategies.²⁵⁹

SPEED CAMERA POLICY CONSIDERATIONS

Staff identified numerous policy considerations to amend Virginia's speed camera statute over the course of this study. These potential amendments arose from a variety of sources, including other Virginia statutes, laws of other states, best practices for speed camera programs, equity considerations related to speed camera use, and discussions with stakeholders, advocates, and vendors. These policy considerations include the following:

- Authorization of speed cameras;
- Placement of speed cameras;
- Signage placement;
- Speed feedback signs;
- Uniform citation format for speed camera violations;
- Virginia court proceedings;
- Warning periods;
- Civil penalty structure;
- Revenue (allocation, limits, and usage);

²⁵⁷ VA. CODE ANN. § 46.2-882.1 (2025). See Senate Bill 336 (2024) at <https://legacylis.virginia.gov/cgi-bin/legp604.exe?241+ful+CHAP0670>. See also Virginia State Police. (2026, February). *Report on photo speed monitoring device usage by local and state law enforcement*. <https://rga.lis.virginia.gov/Published/2026/RD242/PDF>.

²⁵⁸ See Chart 2.

²⁵⁹ Common sources of variation in implementation and enforcement strategies identified in research include differences in the physical roadway geography where speed cameras are deployed; quantity, type, and visibility of speed cameras; use of other traffic safety countermeasures in the enforcement zone; and, nature of messaging and signage notifying the public of speed camera deployment. See, e.g., Li, H., & Graham, D. J. (2016). Heterogeneous treatment effects of speed cameras on road safety. *Accident Analysis & Prevention*, 97, 153-161. <https://doi.org/10.1016/j.aap.2016.09.007>; Li, H., Zhu, M., Graham, D. J., & Zhang, Y. (2020). Are multiple speed cameras more effective than a single one? Causal analysis of the safety impacts of multiple speed cameras. *Accident Analysis & Prevention*, 139, 105488. <https://doi.org/10.1016/j.aap.2020.105488>; Marciano, H., Setter, P. E., & Norman, J. (2015). Overt vs. covert speed cameras in combination with delayed vs. immediate feedback to the offender. *Accident Analysis & Prevention*, 79, 231-240. <https://doi.org/10.1016/j.aap.2015.03.028>; Polders, E., Cornu, J., De Ceunynck, T., Daniels, S., Brijs, K., Brijs, T., Hermans, E., Wets, G., (2015). Drivers' behavioral responses to combined speed and red light cameras. *Accident Analysis & Prevention*, 81, 153-166. <https://doi.org/10.1016/j.aap.2015.05.006>; Almutairi, O., & Wei, H. (2021). Effect of speed/red-light cameras and traffic signal countdown timers on dilemma zone determination at pre-timed signalized intersections. *Accident Analysis & Prevention*, 154, 106076. <https://doi.org/10.1016/j.aap.2021.106076>; Vadeby, A., & Howard, C. (2024). Spot speed cameras in a series - Effects on speed and traffic safety. *Accident Analysis & Prevention*, 199, 107525. <https://doi.org/10.1016/j.aap.2024.107525>; Ralph, K., Barajas, J. M., Johnson-Rodriguez, A., Delbosc, A., & Muir, C. (2024). The end of speed traps and ticket quotas: Re-framing and reforming traffic cameras to increase support. *Journal of Planning Education and Research*, 44(4), 1988-2003. <https://doi.org/10.1177/0739456X221138073>.

- Collections: in-state;
- Collections: out-of-state;
- Evaluation of effectiveness;
- Public awareness;
- Vendor approval process;
- Privacy;
- Calibration; and,
- Annual report.

It is important to note that although this report reflects the status of Virginia's photo speed camera law as it existed in 2025, several of the policy considerations discussed herein were considered during the 2026 Regular Session of the Virginia General Assembly and subsequently enacted into law.²⁶⁰ The following sections identify amendments that could be made to Virginia's speed camera statute, as well as changes that were enacted following completion of this study.

Authorization of Speed Cameras

Numerous states have enacted laws that govern the use of speed cameras, with policies authorizing their use falling into two general categories: statewide authorization and statewide prohibition. Twenty-nine (29) states, including Virginia, along with Washington, D.C., have authorized the use of speed cameras statewide.²⁶¹ Ten (10) states have statutorily prohibited the use of speed cameras statewide.²⁶² The remaining eleven (11) states have not established a statutory framework regulating the use of speed cameras.²⁶³

In some states, the legislature explicitly authorizes specific state agencies or designated jurisdictions (e.g. state Department of Transportation, state police, or specific cities) to operate speed cameras. Other states pass enabling legislation that authorizes local governments (cities or counties) to create their own speed camera programs through ordinances.

Placement of Speed Cameras

State laws vary regarding where speed cameras may be deployed, with authorization frequently tied to locations where drivers and pedestrians are most at risk. Nineteen (19) states, including Virginia,

²⁶⁰ See Appendix A for a list of bills involving the speed camera statute introduced during the 2026 Regular Session of the Virginia General Assembly.

²⁶¹ Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maryland, Michigan, Minnesota, New York, North Carolina, Pennsylvania, Ohio, Oregon, Rhode Island, Tennessee, Utah, Vermont, Virginia, Washington, and Washington, D.C. See Appendix B.

²⁶² Maine, Mississippi, Montana, New Hampshire, New Jersey, South Carolina, South Dakota, Texas, West Virginia, Wisconsin. See Appendix B.

²⁶³ Alaska, Idaho, Kansas, Massachusetts, Missouri, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, and Wyoming. See Appendix B.

authorize use in school zones.²⁶⁴ Sixteen (16) states, including Virginia, authorize use in work zones.²⁶⁵ Finally, five (5) states, including Virginia, authorize use in designated safety corridors.²⁶⁶

Additional authorized locations vary by state and may include residential districts,²⁶⁷ park areas,²⁶⁸ collegiate zones,²⁶⁹ railroad crossings,²⁷⁰ pedestrian safety zones,²⁷¹ hospital areas,²⁷² or locations where traditional traffic enforcement would be unsafe or impractical.²⁷³ Some states also permit speed camera use in areas with recurring speed contests²⁷⁴ or on more difficult roadway features, such as S-curves.²⁷⁵ Finally, a small number of states and Washington, D.C., do not restrict placement to specific locations, though an officer may be required to be present for purposes of enforcement.²⁷⁶

Some states have adopted additional measures to restrict device placement, including requiring that other traffic-calming measures be implemented first, limiting the number of devices that may be deployed, or mandating equitable distribution of devices across authorized locations.

Virginia could consider expanding statutory authorization to operate speed cameras²⁷⁷ in specific higher-risk roadway locations or segments, such as those with an increased number of traffic-related fatalities or serious injuries or where other strategies implemented to improve traffic safety outcomes have been ineffective. Virginia may also consider expanding how roadway segments authorized for use of speed cameras under current law are statutorily defined.²⁷⁸

Signage Distance

Under Virginia law, a conspicuous sign must be placed within 1,000 feet of any school crossing zone, highway work zone, or high-risk intersection segment where a speed camera is used.²⁷⁹ This language

²⁶⁴ Arkansas, California, Connecticut, Florida, Georgia, Illinois, Iowa, Louisiana, Maryland, Minnesota, New York, North Carolina, Oregon, Pennsylvania, Rhode Island, Tennessee, Utah, Virginia, and Washington. See Appendix B.

²⁶⁵ Arkansas, Connecticut, Delaware, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Oregon, Pennsylvania, Vermont, Virginia, and Washington. See Appendix B.

²⁶⁶ California and Oregon (where speeding negatively impacts traffic safety), Pennsylvania, Virginia (limited to very narrowly defined high-risk intersection segments), and Washington (high crash areas due to excessive speeds). See Appendix B.

²⁶⁷ Delaware, Iowa, and Oregon. See Appendix B.

²⁶⁸ Illinois and Washington. See Appendix B.

²⁶⁹ Iowa and Minnesota. See Appendix B.

²⁷⁰ Arkansas. See Appendix B.

²⁷¹ Connecticut. See Appendix B.

²⁷² Washington. See Appendix B.

²⁷³ Iowa. See Appendix B.

²⁷⁴ California. See Appendix B.

²⁷⁵ Tennessee. See Appendix B.

²⁷⁶ Alabama, Arizona, Colorado, Ohio (officer must be present), and Washington, D.C. See Appendix B.

²⁷⁷ In 2026, the Virginia General Assembly left bills in Committee that would have to expanded speed camera placement to reduced-speed and historic district segments. House Bill 818, 2026 Regular Session of the Virginia General Assembly. (Del. Betsy B. Carr). <https://lis.virginia.gov/bill-details/20261/HB818>. House Bill 821, 2026 Regular Session of the Virginia General Assembly. (Del. Betsy B. Carr). <https://lis.virginia.gov/bill-details/20261/HB821>.

²⁷⁸ In 2026, the Virginia General Assembly passed a bill that authorizes “the governing body of any county, city, or town [to], by ordinance, increase the period of time preceding and following regular school hours” to up to 60 minutes (see § 46.2-873(C), emphasis removed). 2026 Va. Acts ch. 337. Senate Bill 221, 2026 Regular Session of the Virginia General Assembly. (Sen. Michael J. Jones). <https://lis.virginia.gov/bill-details/20261/SB221>. However, in 2026, the Virginia General Assembly failed to report a bill that, as introduced, would have expanded the definition of a school crossing zone to include the “areas surrounding schools where the presence of *students* reasonably requires a special warning to motorists” (emphasis added to highlight expansion component). Senate Bill 428, 2026 Regular Session of the Virginia General Assembly. (Sen. Lamont Bagby). <https://lis.virginia.gov/bill-details/20261/SB428>.

²⁷⁹ VA. CODE § 46.2-882.1(J) (2025).

creates ambiguity as to whether the required signage must be placed at least 1,000 feet before the enforcement location or be placed at any point within that 1,000-foot range, including immediately adjacent to, or even after, the point of enforcement.

For clarity and consistency, Virginia's statute could be amended to require that signage be placed at least 1,000 feet in advance of the location where a speed camera is in operation. The statute could also establish a minimum and/or maximum allowable distance between the warning sign and speed camera to promote uniform placement and ensure adequate notice to drivers.

Speed Feedback Signs

A "speed feedback sign" is an electronic sign that displays a vehicle's current speed. Research indicates that such signs are effective in reducing vehicle speeds by providing immediate, real-time feedback to drivers.²⁸⁰ Incorporating speed feedback signs could enhance driver awareness and encourage voluntary compliance with posted speed limits before enforcement occurs.

As of 2025, Virginia law did not require the placement of a speed feedback sign prior to a speed camera zone.²⁸¹ However, a bill passed during the Regular Session of the 2026 Virginia General Assembly requires a speed feedback sign to be placed within 1,000 feet of any zone where a speed camera is operating.²⁸² This provision becomes effective on July 1, 2027.²⁸³

Uniform Citation Format for Speed Camera Violations

Four (4) states require a uniform citation for speed camera violations in statute.²⁸⁴ As of 2025, Virginia's speed camera statute did not require a uniform citation for violations. Unlike the traditional Virginia uniform traffic summons, speed camera citations lacked a uniform format and were not reportable to the DMV.²⁸⁵ As a result, speed camera citation formats varied across localities due to the use of different vendors and individual locality preferences.²⁸⁶

A bill passed during the 2026 Regular Session of the Virginia General Assembly requires the Supreme Court of Virginia to create a uniform summons for speed camera violations.²⁸⁷

²⁸⁰ Fisher, D. L., Breck, A., Gillham, O., & Flynn, D. (2021, August). *Effectiveness of dynamic speed feedback signs, Volume I: Literature review and meta-analysis* (Report No. DOT HS 813 170-A). National Highway Traffic Safety Administration. https://rosap.nhtl.bts.gov/view/dot/57513/dot_57513_DS1.pdf.

²⁸¹ VA. CODE § 46.2-882.1 (2025).

²⁸² 2026 Va. Acts ch. 964. House Bill 1220, 2026 Regular Session of the Virginia General Assembly. (Del. Karrie K. Delaney). <https://lis.virginia.gov/bill-details/20261/HB1220>.

²⁸³ *Id.*

²⁸⁴ Hawaii (adopted or prescribed by the administrative judge of the district courts), Maryland (prescribed by the District Court), Minnesota (prescribed by the Commissioner of Public Safety), and Rhode Island (must contain all the information required in a uniform summons). Of note, Tennessee requires that notices of violation include a Tennessee return address and that all responses and payments be made to an address within the state. See Appendix B.

²⁸⁵ See VA. CODE § 46.2-388 (2025).

²⁸⁶ VA. CODE § 46.2-882.1 (2025).

²⁸⁷ 2026 Va. Acts ch. 964. House Bill 1220, 2026 Regular Session of the Virginia General Assembly. (Del. Karrie K. Delaney). <https://lis.virginia.gov/bill-details/20261/HB1220>.

Virginia Court Proceedings

Uncertainty exists as to whether all speed camera citations must be prosecuted through the court system.²⁸⁸ Requiring every citation to proceed through court would significantly increase resource demands, make case information publicly viewable online, and impose court costs on defendants.²⁸⁹ Pursuant to Virginia's current speed camera statute, any prosecution for a speed camera violation shall be instituted and conducted in the same manner as prosecution for traffic infractions.²⁹⁰ Virginia's statute could be amended to clarify that only contested speed camera citations and cases of nonpayment are required to proceed through the court system, while uncontested and timely paid citations can be resolved administratively.

Warning Periods

Some states statutorily require warning periods for new photo speed camera sites before issuing speed camera citations. These requirements may include a mandatory 30-day warning period, issuance of a warning for a first violation,²⁹¹ or a warning system that resets after a designated period.²⁹²

Many Virginia localities have voluntarily implemented a 30-day warning period when new speed cameras are installed. In addition, a photo speed camera vendor may recommend a warning period as part of program implementation.²⁹³ A bill passed during the 2026 Regular Session of the Virginia General Assembly requires a warning period for the first 30 days of speed camera operation within an enforcement zone before speed camera citations may be issued beginning July 1, 2026.²⁹⁴

Civil Penalty Structure

States authorizing the use of speed cameras treat violations as civil infractions rather than criminal offenses, typically resulting in monetary penalties without points assessed against a person's driver's license. Such states have established a variety of penalty structures for speed camera violations, including flat penalties, maximum penalties, escalating penalties based on speed, escalating penalties based on the number of prior violations, traffic safety courses or community service as alternatives, and reduced penalties for lower income individuals.²⁹⁵

In Virginia, the speed camera statute allows for up to a \$100 civil penalty per violation, giving localities the discretion to determine the exact amount to assess.²⁹⁶ Virginia could consider setting a specified

²⁸⁸ VA. CODE § 46.2-882.1 (2025).

²⁸⁹ For traffic infractions tried in district court, a \$51 fixed fee is assessed. VA. CODE § 16.1-69.48:1(D) (2025).

²⁹⁰ VA. CODE § 46.2-882.1(C) (2025).

²⁹¹ Connecticut, Indiana, Minnesota, Pennsylvania, Vermont, and Washington. See Appendix B.

²⁹² Michigan resets the warning period every three years. See Appendix B.

²⁹³ Elovate, personal communication, September 4, 2025; Altumint, Inc., personal communication, October 8, 2025; Blue Line Solutions, personal communication, October 23, 2025.

²⁹⁴ 2026 Va. Acts ch. 964. House Bill 1220, 2026 Regular Session of the Virginia General Assembly. (Del. Karrie K. Delaney). <https://lis.virginia.gov/bill-details/20261/HB1220>.

²⁹⁵ See Appendix B.

²⁹⁶ VA. CODE § 46.2-882.1 (2025).

amount per violation, amending the maximum civil penalty that may be assessed per violation, or creating a sliding scale per violation for repeat offenders.

Revenue (Allocation, Limits, and Usage)

Several states restrict how speed camera revenue may be used.²⁹⁷ In general, these states require that program and administrative costs be paid first, with remaining proceeds dedicated to transportation or public safety-related purposes. Common uses of photo speed camera revenue include transportation infrastructure improvements, road and bridge construction and maintenance, traffic-calming measures, pedestrian and school zone safety initiatives, and deposits into special transportation or work zone safety funds.²⁹⁸ Several states have specific statutory distributions among state and local entities,²⁹⁹ and some prohibit the use of revenue to supplant existing expenditures,³⁰⁰ or impose revenue caps tied to a percentage of a locality's budget.³⁰¹

In Virginia, revenue distribution depends on the enforcing authority and location of enforcement. Revenue generated by local law enforcement in school and work zones is directed to the localities;³⁰² revenue generated by the Virginia State Police is deposited into the Literary Fund;³⁰³ and, revenue from designated high-risk intersection segments is directed to the Virginia Highway Safety Improvement Program.³⁰⁴ Virginia could consider reviewing and potentially revising how these funds are apportioned.

A bill passed during the 2026 Regular Session of the Virginia General Assembly requires that civil penalties generated from speed camera citations operated by local law enforcement be directed to a local fund used for administrative costs incurred by speed camera programs and various traffic safety initiatives.³⁰⁵ In addition, that bill requires that civil penalties generated from speed camera citations operated by the VSP be first “deposited in a fund used solely for the payment of the agreed-upon compensation and actual [speed camera] program costs incurred by” the VSP with remaining funds directed to the Virginia Highway Safety Improvement Program.³⁰⁶

Collections: In-State

Several states impose additional consequences when an in-state resident fails to pay a speed camera civil penalty. At least four (4) states authorize the denial or nonrenewal of a vehicle registration when

²⁹⁷ Connecticut, Delaware, Florida, Hawaii, Illinois, Iowa, Louisiana, Michigan, Minnesota, Pennsylvania, Virginia, Washington. See Appendix B.

²⁹⁸ See e.g., WASH. REV. CODE § 46.63.200 (2025) (requires any photo speed camera revenue that exceeds the operating and administrative costs be transferred to the driver education safety improvement account); 75 PA. C.S. § 3370 (2025) (requires any photo speed camera revenue that exceeds the system administrator's operation and maintenance costs be deposited into the Motor License Fund and used for a Transportation Enhancement Grants Program).

²⁹⁹ Florida, Hawaii, Louisiana, Maryland, Pennsylvania. See Appendix B.

³⁰⁰ Minnesota. See Appendix B.

³⁰¹ Maryland (After deducting program costs, any speed camera revenue that exceeds 10% of a political subdivision's total revenue for the fiscal year must be remitted to the general fund.); Philadelphia, Pennsylvania (Philadelphia may not generate fine revenue from its speed cameras in specified corridors and school zones that equals or exceeds 2% of the city's annual budget.). See Appendix B.

³⁰² VA. CODE § 46.2-882.1(C) (2025).

³⁰³ VA. CODE § 46.2-882.1(C) (2025).

³⁰⁴ VA. CODE § 46.2-882.1(C) (2025).

³⁰⁵ 2026 Va. Acts ch. 964. House Bill 1220, 2026 Regular Session of the Virginia General Assembly. (Del. Karrie K. Delaney).

<https://lis.virginia.gov/bill-details/20261/HB1220>.

³⁰⁶ *Id.*

the owner has an outstanding speed camera penalty,³⁰⁷ one (1) state authorizes the suspension of the vehicle registration for nonpayment,³⁰⁸ and one (1) state authorizes suspension of a driver's license for nonpayment.³⁰⁹

By contrast, in Virginia, the speed camera statute does not impose additional penalties for failure to pay the civil penalty.³¹⁰ However, a separate Virginia statute permits the in-state collection of civil penalties that have been assessed by a court and are more than 90 days delinquent.³¹¹

A bill passed during the 2026 Regular Session of the Virginia General Assembly requires the Virginia Department of Motor Vehicles (DMV) to refuse to issue or renew the vehicle registration certificate or the license plate for a vehicle assessed a civil penalty for a speed camera violation until the civil penalty and any administrative fees have been paid.³¹²

Collections: Out-of-State

Virginia law permits the assessment of civil penalties against out-of-state vehicle owners for speed camera violations.³¹³ However, collection and enforcement can be challenging when the vehicle owner resides outside of Virginia. The majority of states, including Virginia, as well as Washington, D.C., are members of the Driver License Compact,³¹⁴ which facilitates the exchange of information regarding certain traffic convictions between member jurisdictions. Under the Compact, a conviction generally refers to a motor vehicle offense that must be reported to a state's licensing authority.³¹⁵ Virginia speed camera violations are civil penalties³¹⁶ rather than criminal or traffic convictions, and Virginia law provides that such violations are not reportable to the DMV and do not result in demerit points on a driver's record.³¹⁷ Consequently, speed camera violations generally fall outside the Compact's conviction-reporting framework and not transmitted through its information-sharing provisions.

Evaluation of Effectiveness

Many states require evaluations to assess the need for and effectiveness of speed cameras at specific locations. For example, Maryland requires jurisdictions seeking to install automated speed enforcement in school zones to submit an evaluation plan for before and after studies as part of the approval process.³¹⁸ Common practices include conducting an initial speed study before a camera is

³⁰⁷ Connecticut, Georgia, Maryland, and North Carolina. See Appendix B.

³⁰⁸ Connecticut. See Appendix B.

³⁰⁹ Delaware. See Appendix B.

³¹⁰ VA. CODE § 46.2-882.1 (2025).

³¹¹ VA. CODE § 19.2-349 (2025).

³¹² 2026 Va. Acts ch. 969. Senate Bill 219, 2026 Regular Session of the Virginia General Assembly. (Sen. Michael J. Jones). <https://lis.virginia.gov/bill-details/20261/SB219>.

³¹³ VA. CODE § 46.2-882.1 (2025).

³¹⁴ See The Council of State Governments (CSG). *Driver license compact*. CSG National Center for Interstate Compacts. <https://compacts.csg.org/compact/driver-license-compact/>. See also VA. CODE §§ 46.2-483 to 46.2-488 (2025).

³¹⁵ VA. CODE §§ 46.2-483(Article II (c)) (2025).

³¹⁶ VA. CODE § 46.2-882.1(C) (2025).

³¹⁷ VA. CODE § 46.2-882.1(F) (2025).

³¹⁸ Maryland Department of Transportation State Highway Administration. *Automated speed enforcement school zones*. <https://roads.maryland.gov/mdotsha/pages/index.aspx?PagelId=814>.

installed, performing periodic speed studies after placement, and analyzing traffic safety data to determine whether the camera is achieving its intended outcomes. By contrast, Virginia law does not mandate any evaluations to assess the necessity or effectiveness of a speed camera at a particular location.

Virginia could consider directing the DMV, VSP, and/or VDOT to develop traffic safety criteria that can be used to justify the initial placement and continued operation of speed cameras on specific roadways. Similarly, it could amend the initial placement and continued operation of speed cameras to be based on such developed criteria in addition or as opposed to roadway type.

Public Awareness

Other Virginia statutes governing automated enforcement, such as red-light cameras³¹⁹ and automated license plate recognition (ALPR) systems,³²⁰ mandate public awareness measures. While Virginia law does not require any public awareness measures related to the use of speed cameras, a bill passed during the 2026 Regular Session of the Virginia General Assembly requires law enforcement agencies that operate such devices to provide information about contesting citations and any changes to enforcement on its website and social media accounts.³²¹

Vendor Approval Process

The Virginia speed camera statute permits law enforcement agencies to contract with private vendors for speed camera programs; however, it does not establish a formal vendor approval process. The Virginia Division of General Services (DGS) is responsible for determining the appropriate equipment for speed camera use, but it does not select or approve individual vendors.³²²

In contrast, under Virginia's ALPR statute, vendors are required to certify to DGS that their systems and practices comply with the applicable statutory requirements.³²³ As such, Virginia law could be amended to require speed camera vendors to go through a similar approval process.

Privacy

Several states have adopted privacy safeguards related to law enforcement use of speed cameras. For example, some states prohibit the use of speed camera devices for surveillance purposes,³²⁴ and restrict the use of collected data for purposes unrelated to traffic enforcement.³²⁵ Some state statutes

³¹⁹ VA. CODE ANN. § 15.2-968.1 (2025).

³²⁰ VA. CODE ANN. § 2.2-5517 (2025).

³²¹ 2026 Va. Acts ch. 964. House Bill 1220, 2026 Regular Session of the Virginia General Assembly. (Del. Karrie K. Delaney). <https://lis.virginia.gov/bill-details/20261/HB1220>.

³²² VA. CODE ANN. §§ 46.2-882 and 2.2-1112 (B) (2025).

³²³ VA. CODE ANN. § 2.2-5517 (2025).

³²⁴ Florida, Pennsylvania, Vermont. See Appendix B.

³²⁵ Arkansas. See Appendix B.

require that speed cameras be positioned or configured so they do not capture images of drivers or other vehicle occupants.³²⁶

Virginia's speed camera statute similarly contains several privacy protection provisions. These include limiting data collection to only what is necessary to enforce the statute, restricting the sharing or dissemination of collected data, and requiring the destruction of data within 60 days after payment of the civil penalty.

Calibration

States with speed camera statutes impose a range of calibration and accuracy verification requirements. These may include annual or semi-annual requirements for calibration by an independent laboratory, monthly or bimonthly calibration by a trained technician, or daily internal calibration procedures to ensure proper functioning of the equipment.

As of 2025, Virginia law required that speed cameras be calibrated on an annual basis.³²⁷ However, a bill passed during the 2026 Regular Session of the Virginia General Assembly requires, in addition to annual calibration, a daily test of an operational speed camera's accuracy and an annual report of the aggregate results of such daily tests to the VSP.³²⁸ Of note, speed measurement devices, other than speed cameras, used by Virginia law enforcement officers must be calibrated at least every six (6) months.³²⁹ As a matter of practice, officers generally conduct tests of this equipment at the beginning and end of each shift.³³⁰

Annual Report

Under Virginia law, law enforcement agencies utilizing speed cameras are required to submit specific data to the VSP by January 15 of each year. The VSP is then required to publish an aggregate annual report by February 15 of each year. Currently, Virginia's required annual report on speed cameras only requires law enforcement agencies to report on the number of violations prosecuted (citations mailed), number of violations successfully prosecuted (citations paid), and amount of civil penalties collected. A bill passed during the 2026 Regular Session of the Virginia General Assembly amended the speed camera statute to require the submission of additional data, as well as earlier reporting deadlines to ensure that information is available to the General Assembly prior to the start of Session.³³¹

³²⁶ California, Iowa, Pennsylvania (Philadelphia). See Appendix B.

³²⁷ VA. CODE ANN. § 46.2-882 (2025).

³²⁸ 2026 Va. Acts ch. 967. Senate Bill 84, 2026 Regular Session of the Virginia General Assembly. (Sen. Angelia Williams Graves). <https://lis.virginia.gov/bill-details/20261/SB84>.

³²⁹ VA. CODE ANN. § 46.2-882 (2025).

³³⁰ See e.g., Virginia Commonwealth University Police Department. (2013, September 20). *8-5 Speed measuring devices*. <https://police.vcu.edu/facts/policies/8-5-speed-measuring-devices/>.

³³¹ 2026 Va. Acts ch. 964. House Bill 1220, 2026 Regular Session of the Virginia General Assembly. (Del. Karrie K. Delaney). <https://lis.virginia.gov/bill-details/20261/HB1220>.

Sixteen other states and Washington, D.C., require some form of reporting related to speed camera use.³³² In some states, statutes governing the use of speed cameras require more extensive reporting. These additional requirements may include documentation of stated safety objectives and measurable outcomes,³³³ gross and net revenue generated by the speed camera program,³³⁴ an itemized list or description of how revenue is being spent,³³⁵ or a detailed accounting of administrative costs.³³⁶ Certain states also require a more comprehensive breakdown of violation data, such as the number of violations reviewed but not affirmed or certified by law enforcement personnel, number of violations categorized by speed threshold, number of repeat or habitual offending vehicles, or number of violations categorized by the offending vehicles' state of registration.³³⁷ In addition, some states require reporting on the number of violations that were rejected or dismissed and the reasons for those determinations.³³⁸

AUTOMATED ENFORCEMENT GENERALLY

Speed cameras are one form of automated enforcement authorized by the Virginia Code. Other technologies authorized in Virginia include red light,³³⁹ toll,³⁴⁰ and school bus stop arm³⁴¹ enforcement systems, as well as bus obstruction³⁴² and noise abatement³⁴³ monitoring systems authorized during the 2026 Regular Session of the Virginia General Assembly. The current statutes governing these technologies are not fully aligned and could benefit from a comprehensive review of automated enforcement legislation in Virginia.

Technology used to conduct the automated traffic enforcement of other types of violations is also expanding. Emerging applications of this technology include cameras used to enforce distracted driving and seat belt laws,³⁴⁴ as well as illegal turning³⁴⁵ and parking laws.³⁴⁶ In addition, autonomous vehicle technology is increasingly being deployed on public roadways, introducing further technological developments that may intersect with existing traffic enforcement frameworks and statutory schemes.

³³² California, Connecticut, Delaware, Florida, Illinois, Indiana, Iowa, Maryland, Michigan, New York, Oregon, Pennsylvania, Rhode Island, Utah, Vermont, Washington, Washington, D.C. See Appendix B.

³³³ See Appendix B.

³³⁴ *Id.*

³³⁵ *Id.*

³³⁶ *Id.*

³³⁷ *Id.*

³³⁸ *Id.*

³³⁹ VA. CODE ANN. § 15.2-968.1 (2025).

³⁴⁰ VA. CODE ANN. §§ 46.2-819.1 and 46.2-819.3:1 (2025).

³⁴¹ VA. CODE ANN. § 46.2-844 (2025).

³⁴² 2026 Va. Acts ch. 632. House Bill 564, 2026 Regular Session of the Virginia General Assembly. (Del. David A. Reid). Senate Bill 583, 2026 Regular Session of the Virginia General Assembly. (Sen. Saddam Azlan Salim). <https://lis.virginia.gov/bill-details/20261/SB583>.

³⁴³ 2026 Va. Acts ch. 56. House Bill 55, 2026 Regular Session of the Virginia General Assembly. (Del. Richard C. "Rip" Sullivan, Jr.). <https://lis.virginia.gov/bill-details/20261/HB55>.

³⁴⁴ Governors Highway Safety Association. (2023). *Automated enforcement in a new era*. (p. 13). https://www.ghsa.org/sites/default/files/2024-12/AF_newera_12-5-23_0.pdf.

³⁴⁵ See, e.g., StopForKids. (n.d.). *Solution: Automated traffic enforcement for illegal left, right, and u-turns*. <https://stopforkids.com/solutions/improper-turn-enforcement>.

³⁴⁶ See, e.g., City of Pittsburgh. (n.d.). *Stationary automated curb enforcement*. <https://engage.pittsburghpa.gov/stationary-automated-curb-enforcement>.

Virginia could consider prohibiting the use of automated enforcement technology that is not expressly authorized by statute. Such a limitation would provide time to align the existing statutory framework with developing technologies and ensure that new applications are appropriately regulated before deployment. Legislation concerning automated enforcement technology could also be referred to the Crime Commission for further review and evaluation.

2026 AMENDMENTS TO VIRGINIA'S SPEED CAMERA STATUTE

During the 2026 Regular Session of the Virginia General Assembly, several bills that substantively amended the speed camera statute were enacted into law. The majority of these amendments take effect on July 1, 2026, unless otherwise noted in the following subsections.

The amendments expand the speed camera statute as follows:

- Types of roadway locations where speed cameras can be placed;
- Types of automated traffic enforcement that can be placed in certain authorized locations;
- Length of time that cameras can operate in school crossing zones;³⁴⁷
- Who may affirm or certify alleged violations; and,
- Minimum number of signs to indicate camera use.

In addition, the speed camera statute was also amended to restrict:

- When cameras can operate in certain authorized locations;
- How revenue generated from paid civil penalties can be allocated;
- Fees that private vendors may impose on the recipients of camera violations; and,
- How long data captured from cameras can be retained.

Further, the amendments also require:

- Implementation of a 30-day warning period prior to enforcement in authorized locations;
- Development and approval of a training certificate course for employees who swear to or affirm various automated enforcement technologies;
- Creation of a uniform citation format for camera violations;
- Public posting of various information about camera violations by law enforcement agencies; and,
- Additional calibration testing for operating speed cameras.

Finally, the 2026 amendments impose penalties on private vendors that fail to deliver proof of calibration within a certain time period, as well as require that damages be paid by law enforcement

³⁴⁷ While this amendment is not directly related to the speed camera statute, it increases the time that a roadway location can be identified as a "school crossing zone" from 30 minutes to up to 60 minutes before and after regular school hours. As such, this amendment expanded when speed cameras can be active in school crossing zones. 2026 Va. Acts ch. 337. Senate Bill 221, 2026 Regular Session of the Virginia General Assembly. (Sen. Michael J. Jones). <https://lis.virginia.gov/bill-details/20261/SB221>.

agencies using cameras and reallocate excess money generated from civil penalties away from localities if the speed camera statute is not followed.

Placement of Speed Cameras

The Virginia General Assembly expanded the types of roadway locations where speed cameras can be placed and operate inside the Commonwealth, as well as expanded the types of automated traffic enforcement that can operate in certain authorized locations. It also expanded the length of time that speed cameras can operate in school crossing zones but restricted when speed cameras can operate in highway work zones.

The Virginia General Assembly authorizes speed cameras to be placed in the following locations:

- School crossing zones;³⁴⁸
- Highway work zones;³⁴⁹
- High-risk intersection segments;³⁵⁰
- Safety red zones within Planning District 8;³⁵¹ and,
- National Park highways, if authorized by the federal government or National Park Service.³⁵²

A bill passed by the Virginia General Assembly also authorizes state and local law enforcement agencies to place and operate two additional types of automated traffic enforcement systems, i.e., pedestrian crossing violation monitoring and stop sign violation monitoring systems, within school crossing zones or highway work zones.³⁵³

In addition, a bill passed by the Virginia General Assembly authorizes the governing body of a locality the ability to pass an ordinance to increase the duration that a roadway location can be identified as a “school crossing zone” from 30 minutes before and after regular school hours to up to 60 minutes before and after such hours.³⁵⁴ By increasing the amount of time that a school crossing zone can be active, the time that a speed camera within such zone can enforce speed camera violations is increased.

Further, a bill passed by the Virginia General Assembly requires that cameras be used in a highway work zone when one or more highway maintenance or construction workers are present within said zone.³⁵⁵

³⁴⁸ VA. CODE § 46.2-882.1(B) (2025).

³⁴⁹ *Id.*

³⁵⁰ *Id.*

³⁵¹ 2026 Va. Acts ch. 968. HB 994, 2026 Regular Session of the Virginia General Assembly. (Del. Holly M. Seibold). <https://lis.virginia.gov/bill-details/20261/HB994>.

³⁵² 2026 Va. Acts ch. 1033. HB 77, 2026 Regular Session of the Virginia General Assembly. (Del. Paul E. Krizek). <https://lis.virginia.gov/bill-details/20261/HB77>. 2026 Va. Acts ch. 1033. SB 81, 2026 Regular Session of the Virginia General Assembly. (Sen. Scott A. Surovell). <https://lis.virginia.gov/bill-details/20261/SB81>.

³⁵³ 2026 Va. Acts ch. 967. Senate Bill 84, 2026 Regular Session of the Virginia General Assembly. (Sen. Angelia Williams Graves). <https://lis.virginia.gov/bill-details/20261/SB84>.

³⁵⁴ 2026 Va. Acts ch. 337. Senate Bill 221, 2026 Regular Session of the Virginia General Assembly. (Sen. Michael J. Jones). <https://lis.virginia.gov/bill-details/20261/SB221>.

³⁵⁵ 2026 Va. Acts ch. 970. Senate Bill 436, 2026 Regular Session of the Virginia General Assembly. (Sen. Lamont Bagby). <https://lis.virginia.gov/bill-details/20261/SB436>.

Under this amendment, it is not required for one or more workers to be visible to drivers in the zone for an alleged violation to be captured; instead, one or more workers need only to be present within the zone for an alleged violation to be captured.

Signage Placement

Bills passed by the Virginia General Assembly increase the number of conspicuous signs indicating use of cameras within an authorized location.³⁵⁶

The bills specifically require that at least two conspicuous signs that indicate use of a speed, pedestrian crossing, or stop sign monitoring camera be placed within 1,000 feet of an authorized location prior to July 1, 2027.³⁵⁷ Effective July 1, 2027, the bills require that at least two conspicuous signs, one of which must display the speed of passing vehicles if a speed camera is in operation, be placed before the authorized location or may instead be placed at any point within 1,000-feet of an authorized location, including immediately adjacent to, or even after, such location.³⁵⁸

Officer Certification of Speed Camera Violations

The Virginia General Assembly passed bills that expanded who could swear to or affirm alleged camera violations.³⁵⁹ Effective July 1, 2027, employees of the locality where the alleged camera violation was captured and who hold the following positions are authorized to swear to or affirm such violations:

- Law enforcement officer;³⁶⁰
- Retired sworn law enforcement officer;³⁶¹
- Registered special conservator of the peace;³⁶² and,
- Technician.³⁶³

The bill also requires the Department of Criminal Justice Services to develop and approve a training certificate course for employees of the locality to affirm and certify alleged red light, speed camera, and bus stop sign violations no later than January 1, 2027.³⁶⁴

The legislation did not amend the maximum number of days (30) that employees of the locality must swear to or affirm alleged speed camera violations.

³⁵⁶ 2026 Va. Acts ch. 967. Senate Bill 84, 2026 Regular Session of the Virginia General Assembly. (Sen. Angelia Williams Graves). <https://lis.virginia.gov/bill-details/20261/SB84>. 2026 Va. Acts ch. 964. House Bill 1220, 2026 Regular Session of the Virginia General Assembly. (Del. Karrie K. Delaney). <https://lis.virginia.gov/bill-details/20261/HB1220>.

³⁵⁷ *Id.*

³⁵⁸ *Id.*

³⁵⁹ 2026 Va. Acts ch. 965. Senate Bill 59, 2026 Regular Session of the Virginia General Assembly. (Sen. J.D. “Danny” Diggs). <https://lis.virginia.gov/bill-details/20261/SB59>. 2026 Va. Acts ch. 963. House Bill 684, 2026 Regular Session of the Virginia General Assembly. (Del. C.E. Cliff Hayes, Jr.). <https://lis.virginia.gov/bill-details/20261/HB684>.

³⁶⁰ VA. CODE § 46.2-882.1(C) (2025).

³⁶¹ *Id.*

³⁶² 2026 Va. Acts ch. 965. Senate Bill 59, 2026 Regular Session of the Virginia General Assembly. (Sen. J.D. “Danny” Diggs). <https://lis.virginia.gov/bill-details/20261/SB59>. 2026 Va. Acts ch. 963. House Bill 684, 2026 Regular Session of the Virginia General Assembly. (Del. C.E. Cliff Hayes, Jr.). <https://lis.virginia.gov/bill-details/20261/HB684>.

³⁶³ *Id.*

³⁶⁴ *Id.*

Citation Format for Speed Camera Violations

Bills passed by Virginia General Assembly require the Supreme Court of Virginia to create a uniform summons for camera violations by October 1, 2026.³⁶⁵

These bills also expand what information should be included in mailings with a camera summons.³⁶⁶ Specifically, a mailing with the summons is required to include the following items:

- Notice that an affidavit may be filed if the recipient of the summons alleges that another person was operating the vehicle when the affirmed violation was captured;³⁶⁷
- Instructions for filing an affidavit for an affirmed violation;³⁶⁸
- Information about the process for contesting an affirmed violation;³⁶⁹ and,
- Information about how to pay the civil penalty for a camera violation.³⁷⁰

Another bill requires that a second summons be mailed if the recipient of the camera citation fails to appear in court on the specified date to contest the camera violation or pay the imposed civil penalty.³⁷¹ This second summons must have a court contesting or payment date that is more than 30 days after its mailing.³⁷²

Warning Periods

Bills passed by the Virginia General Assembly require that a 30-day warning period be initiated when new cameras are placed and operating within authorized locations after July 1, 2026.³⁷³

Alleged speed camera violations that are captured during the warning period are reviewed by employees of the locality where the new speed camera is placed and operating. If the alleged violation is sworn to or affirmed by employees of the locality, a warning - not a citation - must be issued by the law enforcement agency operating the camera, and no civil penalty can be assessed for a camera violation during the warning period.³⁷⁴

³⁶⁵ 2026 Va. Acts ch. 964. House Bill 1220, 2026 Regular Session of the Virginia General Assembly. (Del. Karrie K. Delaney). <https://lis.virginia.gov/bill-details/20261/HB1220>. 2026 Va. Acts ch. 968. HB 994, 2026 Regular Session of the Virginia General Assembly. (Del. Holly M. Seibold). <https://lis.virginia.gov/bill-details/20261/HB994>. 2026 Va. Acts ch. 967. Senate Bill 84, 2026 Regular Session of the Virginia General Assembly. (Sen. Angelia Williams Graves). <https://lis.virginia.gov/bill-details/20261/SB84>.

³⁶⁶ *Id.*

³⁶⁷ VA. CODE § 46.2-882.1(G-2) (2025).

³⁶⁸ *Id.*

³⁶⁹ 2026 Va. Acts ch. 964. House Bill 1220, 2026 Regular Session of the Virginia General Assembly. (Del. Karrie K. Delaney). <https://lis.virginia.gov/bill-details/20261/HB1220>. 2026 Va. Acts ch. 968. HB 994, 2026 Regular Session of the Virginia General Assembly. (Del. Holly M. Seibold). <https://lis.virginia.gov/bill-details/20261/HB994>. 2026 Va. Acts ch. 967. Senate Bill 84, 2026 Regular Session of the Virginia General Assembly. (Sen. Angelia Williams Graves). <https://lis.virginia.gov/bill-details/20261/SB84>.

³⁷⁰ *Id.*

³⁷¹ 2026 Va. Acts ch. 969. Senate Bill 219, 2026 Regular Session of the Virginia General Assembly. (Sen. Michael J. Jones). <https://lis.virginia.gov/bill-details/20261/SB219>.

³⁷² *Id.*

³⁷³ 2026 Va. Acts ch. 964. House Bill 1220, 2026 Regular Session of the Virginia General Assembly. (Del. Karrie K. Delaney). <https://lis.virginia.gov/bill-details/20261/HB1220>. 2026 Va. Acts ch. 968. HB 994, 2026 Regular Session of the Virginia General Assembly. (Del. Holly M. Seibold). <https://lis.virginia.gov/bill-details/20261/HB994>. 2026 Va. Acts ch. 967. Senate Bill 84, 2026 Regular Session of the Virginia General Assembly. (Sen. Angelia Williams Graves). <https://lis.virginia.gov/bill-details/20261/SB84>.

³⁷⁴ *Id.*

Fees Imposed by Private Vendors

Private vendors are authorized to enter into a contract with law enforcement agencies to administer and support the deployment and operation of cameras within authorized roadway locations.

The Virginia General Assembly passed a bill that restricts private vendors who administer and support a law enforcement agency's camera program from imposing or collecting additional fees, including administrative fees, on recipients of camera summons.³⁷⁵ The bill, however, authorizes private vendors to impose and collect a postage or convenience fee for electronic payments that does not to exceed five (5) percent of the imposed civil penalty.³⁷⁶

Revenue Usage

Bills passed by the Virginia General Assembly place restrictions on how revenue generated from camera violations can be used. These bills require that civil penalties generated from camera citations operated by local law enforcement be directed to a local fund used for administrative costs incurred by camera programs and various traffic safety initiatives.³⁷⁷

Civil penalties generated from camera citations operated by the VSP must first be deposited in a fund designated solely to pay administrative costs associated with the camera program and then be paid to Commonwealth Transportation Board for the Virginia Highway Safety Improvement Program.³⁷⁸

Refusal to Renew Vehicle Registration or License Plate for Nonpayment

A bill passed by the Virginia General Assembly requires the DMV to refuse to issue or renew the vehicle registration certificate or the license plate for a vehicle assessed a civil penalty for a camera violation if the recipient of the violation fails to pay the civil penalty and administrative fees after a second summons related to such violation has been mailed.³⁷⁹

Public Awareness

Bills passed by the Virginia General Assembly require state and local law enforcement agencies that place and operate cameras to publicly post³⁸⁰ the following information on its website and social media accounts:

- Procedures for contesting an alleged camera violation;³⁸¹

³⁷⁵ *Id.*

³⁷⁶ *Id.*

³⁷⁷ *Id.*

³⁷⁸ *Id.*

³⁷⁹ 2026 Va. Acts ch. 969. Senate Bill 219, 2026 Regular Session of the Virginia General Assembly. (Sen. Michael J. Jones). <https://lis.virginia.gov/bill-details/20261/SB219>.

³⁸⁰ The public posting requirement is satisfied if the law enforcement agency placing and operating the speed camera include a link on its website and social media accounts to their contracted private vendor. 2026 Va. Acts ch. 967. Senate Bill 84, 2026 Regular Session of the Virginia General Assembly. (Sen. Angelia Williams Graves). <https://lis.virginia.gov/bill-details/20261/SB84>.

³⁸¹ 2026 Va. Acts ch. 964. House Bill 1220, 2026 Regular Session of the Virginia General Assembly. (Del. Karrie K. Delaney). <https://lis.virginia.gov/bill-details/20261/HB1220>. 2026 Va. Acts ch. 968. HB 994, 2026 Regular Session of the Virginia General Assembly. (Del. Holly M. Seibold). <https://lis.virginia.gov/bill-details/20261/HB994>. 2026 Va. Acts ch. 967. Senate Bill 84, 2026 Regular Session of the Virginia General Assembly. (Sen. Angelia Williams Graves). <https://lis.virginia.gov/bill-details/20261/SB84>.

- Process for paying a civil penalty for a camera violation;³⁸²
- A method for answering questions about camera violations;³⁸³ and,
- Any changes to the use of cameras, including their placement in additional authorized locations.³⁸⁴

Privacy Restrictions

Bills passed by the Virginia General Assembly require data collected to enforce camera violations to be destroyed and unrecoverable 21 days following the date that such alleged violations were captured when a citation is not issued.³⁸⁵ However, when a citation is issued, data collected to enforce camera violations can be retained until either the imposed civil penalty has been paid or, if the alleged violation is contested, the final disposition of the related court proceeding.³⁸⁶

Calibration Requirements

Bills passed by the Virginia General Assembly require, in addition to annual calibration, a daily test of an operational speed camera's accuracy and an annual report of the aggregate results of such daily tests to the VSP.³⁸⁷

In addition, bills passed by the Virginia General Assembly require private vendors that are compensated to calibrate speed cameras for a law enforcement agency whom they are under contract with to complete such calibration of speed cameras using devices that detect vehicle speed.³⁸⁸

Recipients of a speed camera citation by mail who contest such citation may request that a private vendor provide proof of calibration for the speed camera that captured the alleged violation.³⁸⁹ A private vendor who fails to deliver this proof of calibration by mail or electronically within 10 days is subject to a civil penalty of \$1,000.³⁹⁰

Annual Report

Bills passed by the Virginia General Assembly amended the speed camera statute to require the submission of additional data, as well as earlier reporting deadlines to ensure that information is available to the General Assembly prior to the start of each Session.³⁹¹

The speed camera statute requires state and local law enforcement agencies to report the following data elements:

³⁸² *Id.*

³⁸³ *Id.*

³⁸⁴ *Id.*

³⁸⁵ *Id.*

³⁸⁶ *Id.*

³⁸⁷ *Id.*

³⁸⁸ *Id.*

³⁸⁹ *Id.*

³⁹⁰ *Id.*

³⁹¹ *Id.*

- Number of traffic violations prosecuted;³⁹²
- Number of successful prosecutions;³⁹³
- Total amount of monetary civil penalties collected;³⁹⁴ and,
- Operating costs for the speed camera program.³⁹⁵

In addition, the passed bills require local law enforcement agencies that place and operate speed cameras to report on the following data elements:

- Projects and initiatives funded by excess money generated from civil penalties for violations placed in the local fund created to improve traffic safety outcomes;³⁹⁶
- Change in the number of summonses issued between the current reporting period and prior reporting periods;³⁹⁷
- Number of unsuccessful prosecutions and dismissed summons;³⁹⁸ and,
- Percentage of vehicles receiving a summons as compared to the total vehicle throughput.³⁹⁹

State and local enforcement agencies must submit the required data elements to the VSP no later than November 15 of each calendar year.⁴⁰⁰ By December 15 of each calendar year, the VSP is required to aggregate the responses from law enforcement agencies in a published report to the Virginia General Assembly.⁴⁰¹

As of April 2026, the VSP has updated its speed camera reporting requirements to include the additional data elements required under the passed bills.⁴⁰²

Damages for Willful Disregard

Bills passed by the Virginia General Assembly add Virginia Code § 46.2-882.2.⁴⁰³ Under this section, recipients of camera citations may bring a civil action against law enforcement agencies that willingly fail to follow the camera statute.⁴⁰⁴ This section also reallocates excess revenue generated from speed camera civil penalties away from the locality and into the Virginia Highway Safety Improvement Program if the camera statute is not followed.⁴⁰⁵ This section authorizes the filing of any such civil action in the

³⁹² VA. CODE § 46.2-882.1(K) (2025).

³⁹³ *Id.*

³⁹⁴ *Id.*

³⁹⁵ 2026 Va. Acts ch. 964. House Bill 1220, 2026 Regular Session of the Virginia General Assembly. (Del. Karrie K. Delaney).

<https://lis.virginia.gov/bill-details/20261/HB1220>. 2026 Va. Acts ch. 968. HB 994, 2026 Regular Session of the Virginia General Assembly. (Del. Holly M. Seibold). <https://lis.virginia.gov/bill-details/20261/HB994>. 2026 Va. Acts ch. 967. Senate Bill 84, 2026 Regular Session of the Virginia General Assembly. (Sen. Angelia Williams Graves). <https://lis.virginia.gov/bill-details/20261/SB84>.

³⁹⁶ *Id.*

³⁹⁷ *Id.*

³⁹⁸ *Id.*

³⁹⁹ *Id.*

⁴⁰⁰ *Id.*

⁴⁰¹ *Id.*

⁴⁰² Virginia State Police. (2026, 30 April). "Photo Speed Monitoring (PSM) Documentation." *Data Analysis and Reporting Team (DART)*, version 3.0. <https://vsp.virginia.gov/wp-content/uploads/2026/05/PSME-Reporting-Requirements-v3.pdf>.

⁴⁰³ 2026 Va. Acts ch. 969. Senate Bill 219, 2026 Regular Session of the Virginia General Assembly. (Sen. Michael J. Jones). <https://lis.virginia.gov/bill-details/20261/SB219>. 2026 Va. Acts ch. 964. House Bill 1220, 2026 Regular Session of the Virginia General Assembly. (Del. Karrie K. Delaney). <https://lis.virginia.gov/bill-details/20261/HB1220>.

⁴⁰⁴ *Id.*

⁴⁰⁵ *Id.*

general district court of the locality where the related camera citation was issued and allows a locality to appeal the final judgement of the civil action against it.⁴⁰⁶

CONCLUSION

The use of speed cameras in Virginia has increased significantly since 2020, including the number of cameras in use, the number of citations issued, and the total civil penalties collected. While speed cameras have been shown to be one effective countermeasure to address speeding, a number of concerns persist about the use of this technology. Crime Commission staff identified a variety of policy considerations to amend Virginia’s speed camera statute to address these concerns. While the Crime Commission did not endorse any legislation on speed cameras for the 2026 Regular Session of the General Assembly, a number of bills from individual legislators related to speed cameras were introduced and enacted into law. These amendments to Virginia’s speed camera statute will take effect beginning July 1, 2026, or later.

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Virginia Association of Counties

Virginia Department of State Police

Virginia Department of Transportation

Virginia Municipal League

Vision Zero Network

⁴⁰⁶ *Id.*

APPENDIX A: PHOTO SPEED MONITORING DEVICE LEGISLATION IN VIRGINIA, 2026 REGULAR SESSION

Bill	Title	Status
HB 77	Law-enforcement officers, state and local; enforcement of federal traffic infractions.	Enacted
HB 311	Photo speed monitoring devices; summons by mail, certain information to be included.	Left in House Transportation
HB 684	Photo speed monitoring devices; photo-monitoring systems for traffic signals, proof of violation.	Enacted
HB 818	Photo speed monitoring devices; reduced-speed segments.	Left in House Transportation
HB 821	Photo speed monitoring devices; historic district segments.	Left in House Transportation
HB 994	Photo speed monitoring devices; placement and operation.	Enacted
HB 1220	Photo speed monitoring devices; placement and operation.	Enacted
SB 59	Photo speed monitoring devices; photo-monitoring systems for traffic signals, proof of violation.	Enacted
SB 81	Law-enforcement officers, state and local; enforcement of federal traffic infractions.	Enacted
SB 84	Photo speed monitoring devices, etc.; placement and operation, civil penalty, report.	Enacted
SB 219	Photo speed monitoring devices; placement and operations.	Enacted
SB 297	Photo speed monitoring devices; law-enforcement agencies to report to VSP number of summonses, etc.	Passed by indefinitely in Senate Finance and Appropriations
SB 436	Photo speed monitoring devices; highway work zones, workers present.	Enacted

APPENDIX B: SPEED CAMERA STATUTES IN THE UNITED STATES

State	Statute
Statewide Law	
Alabama	ALA. CODE §§ 45-21A-10.02 and 45-37A-331.33 (2025)
Arizona	ARIZ. REV. STAT. §§ 28-601; 28-701 et seq.; 29-1201 et seq. (2025)
Arkansas	ARK. CODE ANN. §§ 27-52-110 and 111 (2025)
California	CAL. GOV'T CODE § 70615; CAL. VEH. CODE 22425 et seq. (2025)
Colorado	COLO. REV. STAT. § 42-4-110.5 (2025)
Connecticut	CONN. GEN. STAT. §§ 13a-261 et seq.; 14-307c et seq. (2025)
Delaware	DEL. CODE ANN. tit. 21, § 4170A (2025)
Florida	FLA. STAT. ANN. § 316.1896 (2025)
Georgia	GA. CODE ANN. § 40-14-18 (2025)
Hawaii	HAW. REV. STAT. § 291L-1 et. seq. (2025)
Illinois	625 ILL COMP. STAT. 5/11-208.8 and 625 ILL. COMP. STAT. 5/11-605.1 (2025)
Indiana	IND. CODE § 8-23-32-1 et seq. (2025)
Iowa	IOWA CODE § 321P.1 et seq. (2025)
Kentucky	KY. REV. STAT. ANN. § 189.2326 (2025)
Louisiana	LA. STAT. ANN. § 32:41 et seq. (2025)
Maryland	MD. CODE ANN., Transp. §§ 21-809 and 810 (2025)
Michigan	MICH. COMP. LAWS §§ 257.2c and 257.627c (2025)
Minnesota	MINN. STAT. § 169.147 (2025)
New York	N.Y. VEH. & TRAF. LAW § 1180-b (2025)
North Carolina	N.C. GEN. STAT. § 160A-300.4 (2025)
Ohio	OHIO REV. CODE ANN. § 4511.093 et seq. (2025)
Oregon	OR. REV. STAT. §§ 810.437; 810.438 et seq.; 810.441 et seq. (2025)
Pennsylvania	75 PA. CONS. STAT. §§ 3369 to 3371 (2025)
Rhode Island	31 R.I. GEN. LAWS § 31-41.3-2 et seq. (2025)
Tennessee	TENN. CODE ANN. § 55-8-198 (2025)
Utah	UTAH CODE ANN. § 41-6a-608 (2025)
Vermont	VT. STAT. ANN. tit. 23, § 1605 et seq. (2025)
Virginia	VA. CODE ANN. § 46.2-882.1 (2025)
Washington	WASH. REV. CODE §§ 46.63.200; 46.63.220; 46.63.250 (2025)
Washington D.C.	D.C. CODE § 50-2209.01 et seq. (2025)
Statutory Ban	
Maine	ME. STAT. tit. 29-A, § 2117 (2025)
Mississippi	MISS. CODE ANN. § 17-25-19 (2025)
Montana	MONT. CODE ANN. § 61-8-203(5)(a) (2025)
New Hampshire	N.H. REV. STAT. ANN. §§ 236:130 and 131 (2025)
New Jersey	N.J. STAT. ANN. § 39:4-103.1 (2025)
South Carolina	S.C. CODE ANN. § 56-7-35 (2025)
South Dakota	S.D. CODIFIED LAWS § 32-28-20 et seq.
Texas	TEX. TRANSP. CODE ANN. § 542.2035 (2025)
West Virginia	W. VA. CODE § 17C-6-7a (2025)

APPENDIX C: TRAFFIC VIOLATIONS PROSECUTED (CITATIONS MAILED) FROM SPEED CAMERAS BY REPORTING LAW ENFORCEMENT AGENCY, CY22-CY25

	Agency	Number of Traffic Violations Prosecuted by Calendar Year (CY)				Total Number of Violations Prosecuted, CY22-CY25
		2022 (Zone not specified)	2023 (Zone specified)	2024 (Zone specified)	2025 (Zone not specified by law enforcement agency, Zone specified in aggregate)	
1	Albermarle County PD			4,023	10,988	15,011
2	Alexandria PD		24,200	47,744	29,873	101,817
3	Altavista PD	55	1,656	1,485	1,126	4,322
4	Arlington County PD			13,627	47,914	61,541
5	Bland County SO			6,211	8,316	14,527
6	Bluefield PD			333	487	820
7	Bridgewater PD		1,031	1,027	893	2,951
8	Bristol PD		1,754	4,599	788	7,141
9	Buckingham County SO			727	1,872	2,599
10	Charles City SO				493	493
11	Chesapeake PD	63,462	70,656	42,396	30,646	207,160
12	Chesterfield County PD				25,722	25,722
13	Fairfax (City) PD	16,074	34,716	21,714	44,920	117,424
14	Fairfax County PD		22,867	27,368	55,510	105,745
15	Falls Church PD			4,171	8,525	12,696
16	Fauquier County SO			25,738	22,724	48,462
17	Fredericksburg PD				9,551	9,551
18	Front Royal PD			10,387	7,463	17,850
19	Glade Spring PD			892	677	1,569
20	Gloucester County SO ^				0	0
21	Greene County SO			3,479	3,343	6,822
22	Hampton Police Division			17,408	45,627	63,035
23	Harrisonburg PD		22,103	40,143	35,681	97,927
24	Hopewell PD			9,793	17,676	27,469
25	Hurt PD			106	222	328
26	James City County SO				6,363	6,363
27	King William County SO				1,772	1,772

	Agency	Number of Traffic Violations Prosecuted by Calendar Year (CY)				Total Number of Violations Prosecuted, CY22-CY25
		2022 (Zone not specified)	2023 (Zone specified)	2024 (Zone specified)	2025 (Zone not specified by law enforcement agency, Zone specified in aggregate)	
28	Leesburg PD				1,676	1,676
29	Manassas Park PD	12,210	10,004	9,294	3,513	35,021
30	Manassas PD			6,963	4,014	10,977
31	Martinsville PD			6,417	6,904	13,321
32	Montgomery County SO				8,416	8,416
33	New Kent County SO			2,455	106,113	108,568
34	Norfolk PD *			-	21,399	21,399
35	Petersburg Bureau of Police			45,268	21,011	66,279
36	Portsmouth PD			44,089	19,521	63,610
37	Prince William County PD			13,963	32,728	46,691
38	Rappahannock County SO				394	394
39	Remington PD			172	176	348
40	Richmond City PD			25,413	102,350	127,763
41	Saltville PD		256	217	181	654
42	Smyth County SO		1,009	2,710	787	4,506
43	Southampton County SO			2,429	13,847	16,276
44	Spotsylvania County SO				8,660	8,660
45	Suffolk PD		132,818	105,892	116,806	355,516
46	Sussex County SO			24,229	12,695	36,924
47	Winchester PD			8,898	7,163	16,061
48	Wythe County SO	261	3,544	3,315	44,905	52,025
49	York-Poquoson SO			3,275	5,349	8,624
Total		92,062	School zones: 192,657	School zones: 466,076	School zones: 656,268	1,964,826
			Work zones: 133,957	Work zones: 122,294	Work zones: 301,512	
			Total: 326,614	Total: 588,370	Total: 957,780	

Source: Virginia State Police (VSP), *Report on photo speed monitoring device usage by local and state law enforcement*, calendar years (CYs) 2022 to 2025. Table prepared by Virginia State Crime Commission staff. Notes: PD means Police Department. SO means Sherrif’s Office. ^ Gloucester County Sheriff’s Office reported prosecuting zero (0) traffic violations because it did not start their violation period in 2025 (Virginia Sheriff’s Association, 2025, “Protecting students where it matters most: Gloucester County Sheriff’s Office launched school zone safety initiative”, <https://vasheriff.org/2025/11/12/protecting-students-where-it-matters-most-gloucester-county-sheriffs-office-launches-school-zone-safety-initiative/>, accessed 18 June 2026). * Norfolk Police Department contained a value of “-” in CY 2024 because it had “temporarily suspended its [speed camera] program” (VSP, 2025 report for calendar year 2024, p. 38, emphasis removed).

APPENDIX D: TRAFFIC VIOLATIONS FROM SPEED CAMERAS THAT WERE SUCCESSFULLY PROSECUTED (CITATIONS PAID) BY REPORTING LAW ENFORCEMENT AGENCY, CY22-CY25

	Agency	Number of Traffic Violations Successfully Prosecuted by Calendar Year (CY)				Total Number of Violations Successfully Prosecuted, CY22-CY25
		2022 (Zone not specified)	2023 (School crossing & highway work zones)	2024 (School crossing & highway work zones)	2025 (Zone not specified by law enforcement agency, Zone specified in aggregate)	
1	Albermarle County PD			2,005	8,819	10,824
2	Alexandria PD		13,401	31,896	19,176	64,473
3	Altavista PD	8	945	1,165	796	2,914
4	Arlington County PD			7,135	36,153	43,288
5	Bland County SO			5,361	9,339	14,700
6	Bluefield PD			160	367	527
7	Bridgewater PD		755	800	621	2,176
8	Bristol PD		576	2,662	551	3,789
9	Buckingham County SO			296	1,268	1,564
10	Charles City SO				325	325
11	Chesapeake PD	28,057	44,354	31,380	18,330	122,121
12	Chesterfield County PD				16,311	16,311
13	Fairfax (City) PD	7,631	34,664	18,460	19,443	80,198
14	Fairfax County PD		13,838	18,330	47,175	79,343
15	Falls Church PD			2,314	6,717	9,031
16	Fauquier County SO			10,483	16,362	26,845
17	Fredericksburg PD				6,753	6,753
18	Front Royal PD			5,435	4,766	10,201
19	Glade Spring PD			271	386	657
20	Gloucester County SO ^				0	0
21	Greene County SO			2,459	2,611	5,070
22	Hampton Police Division			5,362	26,069	31,431
23	Harrisonburg PD		12,377	35,136	29,472	76,985
24	Hopewell PD			3,814	8,465	12,279
25	Hurt PD			70	123	193
26	James City County SO				3,968	3,968
27	King William County SO				983	983
28	Leesburg PD				1,327	1,327
29	Manassas Park PD	9,066	9,798	6,505	3,202	28,571

Agency	Number of Traffic Violations Successfully Prosecuted by Calendar Year (CY)				Total Number of Violations Successfully Prosecuted, CY22-CY25
	2022 (Zone not specified)	2023 (School crossing & highway work zones)	2024 (School crossing & highway work zones)	2025 (Zone not specified by law enforcement agency, Zone specified in aggregate)	
30 Manassas PD			4,759	2,661	7,420
31 Martinsville PD			1,178	4,056	5,234
32 Montgomery County SO				6,122	6,122
33 New Kent County SO			1,539	71,118	72,657
34 Norfolk PD *			-	9,759	9,759
35 Petersburg Bureau of Police			15,590	8,837	24,427
36 Portsmouth PD			19,299	9,144	28,443
37 Prince William County PD			5,921	24,750	30,671
38 Rappahannock County SO				189	189
39 Remington PD			95	130	225
40 Richmond City PD			11,187	52,253	63,440
41 Saltville PD		110	102	82	294
42 Smyth County SO		550	1,987	440	2,977
43 Southampton County SO			1,127	9,239	10,366
44 Spotsylvania County SO				5,857	5,857
45 Suffolk PD		86,699	80,362	65,782	232,843
46 Sussex County SO			13,039	7,882	20,921
47 Winchester PD			6,177	5,913	12,090
48 Wythe County SO	208	2,506	2,306	28,951	33,971
49 York-Poquoson SO			1,787	4,856	6,643
Total	44,970	School zones: 131,789	School zones: 258,631	School zones: 407,646	1,231,396
		Work zones: 88,784	Work zones: 99,323	Work zones: 200,253	
		Total: 220,573	Total: 357,954	Total: 607,899	

Source: Virginia State Police (VSP), *Report on photo speed monitoring device usage by local and state law enforcement*, calendar years (CYs) 2022 to 2025. Table prepared by Virginia State Crime Commission staff. Notes: PD means Police Department. SO means Sheriff's Office. ^ Gloucester County Sheriff's Office reported successfully prosecuting zero (0) traffic violations because it did not start their violation period in 2025 (Virginia Sheriff's Association, 2025, "Protecting students where it matters most: Gloucester County Sheriff's Office launched school zone safety initiative", <https://vasheriff.org/2025/11/12/protecting-students-where-it-matters-most-gloucester-county-sheriffs-office-launches-school-zone-safety-initiative/>, accessed 18 June 2026). * Norfolk Police Department contained a value of "-" in CY 2024 because it had "temporarily suspended its [speed camera] program" (VSP, 2025 report for calendar year 2024, p. 38, emphasis removed).

APPENDIX E: MONETARY CIVIL PENALTIES COLLECTED FROM SPEED CAMERA VIOLATIONS BY REPORTING LAW ENFORCEMENT AGENCY, CY22-CY25

	Agency	Amount of Monetary Civil Penalties Collected by Calendar Year (CY)				Total Revenue CY22-CY25
		2022 (Zone not specified)	2023 (School crossing & highway work zones)	2024 (School crossing & highway work zones)	2025 (Zone not specified by law enforcement agency, Zone specified in aggregate)	
1	Albermarle County PD			\$200,110.00	\$879,216.00	\$1,079,326.00
2	Alexandria PD		\$1,340,100.00	\$3,504,734.00	\$1,916,359.00	\$6,761,193.00
3	Altavista PD	\$800.00	\$94,004.00	\$115,770.00	\$83,745.00	\$294,319.00
4	Arlington County PD			\$713,525.00	\$3,612,755.00	\$4,326,280.00
5	Bland County SO			\$473,378.41	\$932,812.55	\$1,406,190.96
6	Bluefield PD			\$11,587.10	\$36,700.00	\$48,287.10
7	Bridgewater PD		\$75,500.00	\$76,931.40	\$62,100.00	\$214,531.40
8	Bristol PD		\$57,600.00	\$273,907.41	\$55,100.00	\$386,607.41
9	Buckingham County SO			\$19,053.50	\$126,800.00	\$145,853.50
10	Charles City SO				\$32,500.00	\$32,500.00
11	Chesapeake PD	\$2,834,018.45	\$5,532,676.05	\$3,149,000.52	\$1,833,000.00	\$13,348,695.02
12	Chesterfield County PD				\$1,621,548.28	\$1,621,548.28
13	Fairfax (City) PD	\$464,160.00	\$1,055,368.16	\$1,226,967.00	\$1,039,383.00	\$3,785,878.16
14	Fairfax County PD		\$800,691.00	\$1,073,015.00	\$1,980,247.00	\$3,853,953.00
15	Falls Church PD			\$150,900.00	\$671,136.00	\$822,036.00
16	Fauquier County SO			\$1,009,426.13	\$1,617,600.00	\$2,627,026.13
17	Fredericksburg PD				\$672,618.70	\$672,618.70
18	Front Royal PD			\$541,036.41	\$476,600.00	\$1,017,636.41
19	Glade Spring PD			\$27,329.40	\$38,600.00	\$65,929.40
20	Gloucester County SO ^				\$-	\$-
21	Greene County SO			\$245,300.00	\$260,701.00	\$506,001.00
22	Hampton Police Division			\$536,220.00	\$2,606,167.00	\$3,142,387.00
23	Harrisonburg PD		\$1,237,419.00	\$3,500,971.86	\$2,938,971.00	\$7,677,361.86
24	Hopewell PD			\$381,400.00	\$831,895.00	\$1,213,295.00
25	Hurt PD			\$7,000.00	\$11,650.00	\$18,650.00
26	James City County SO				\$396,800.00	\$396,800.00
27	King William County SO				\$98,300.00	\$98,300.00
28	Leesburg PD				\$145,908.00	\$145,908.00

	Agency	Amount of Monetary Civil Penalties Collected by Calendar Year (CY)				Total Revenue CY22-CY25
		2022 (Zone not specified)	2023 (School crossing & highway work zones)	2024 (School crossing & highway work zones)	2025 (Zone not specified by law enforcement agency, Zone specified in aggregate)	
29	Manassas Park PD	\$906,600.00	\$688,700.00	\$650,500.00	\$401,700.01	\$2,647,500.01
30	Manassas PD			\$475,900.00	\$266,100.00	\$742,000.00
31	Martinsville PD			\$66,594.80	\$405,600.00	\$472,194.80
32	Montgomery County SO				\$612,200.00	\$612,200.00
33	New Kent County SO			\$146,019.92	\$7,111,900.00	\$7,257,919.92
34	Norfolk PD *			\$-	\$973,770.00	\$973,770.00
35	Petersburg Bureau of Police			\$1,546,364.93	\$866,804.30	\$2,413,169.23
36	Portsmouth PD			\$1,860,420.05	\$897,948.15	\$2,758,368.20
37	Prince William County PD			\$592,100.00	\$2,002,265.00	\$2,594,365.00
38	Rappahannock County SO				\$18,900.00	\$18,900.00
39	Remington PD			\$9,566.10	\$13,000.00	\$22,566.10
40	Richmond City PD			\$575,534.00	\$2,962,235.00	\$3,537,769.00
41	Saltville PD		\$11,000.00	\$8,637.71	\$8,200.00	\$27,837.71
42	Smyth County SO		\$55,000.00	\$203,928.01	\$44,000.00	\$302,928.01
43	Southampton County SO			\$19,832.50	\$923,900.00	\$943,732.50
44	Spotsylvania County SO				\$320,538.00	\$320,538.00
45	Suffolk PD		\$8,667,384.01	\$7,988,505.95	\$6,533,276.79	\$23,189,166.75
46	Sussex County SO			\$1,289,330.90	\$788,200.00	\$2,077,530.90
47	Winchester PD			\$613,099.95	\$588,095.00	\$1,201,194.95
48	Wythe County SO	\$20,800.00	\$250,600.00	\$229,581.51	\$2,895,200.00	\$3,396,181.51
49	York-Poquoson SO			\$178,700.00	\$483,118.97	\$661,818.97
Total		\$4,226,378.45	School zones: \$10,964,277.65	School zones: \$23,865,538.31	School zones: \$34,459,071.33	\$111,880,763.89
			Work zones: \$8,901,764.57	Work zones: \$9,826,641.16	Work zones: \$19,637,092.42	
			Total: \$19,866,042.22	Total: \$33,692,179.47	Total: \$54,096,163.75	

Source: Virginia State Police (VSP), *Report on photo speed monitoring device usage by local and state law enforcement*, calendar years (CYs) 2022 to 2025. Table prepared by Virginia State Crime Commission staff. Notes: PD means Police Department. SO means Sheriff's Office. ^ Gloucester County Sheriff's Office reported collecting no civil penalties because it did not start their violation period in 2025 (Virginia Sheriff's Association, 2025, "Protecting students where it matters most: Gloucester County Sheriff's Office launched school zone safety initiative", <https://vasheriff.org/2025/11/12/protecting-students-where-it-matters-most-gloucester-county-sheriffs-office-launches-school-zone-safety-initiative/>, accessed 18 June 2026). * Norfolk Police Department contained a value of "\$-" in CY 2024 because it had "temporarily suspended its [speed camera] program" (VSP, 2025 report for calendar year 2024, p. 38, emphasis removed).



SEALING OF CRIMINAL RECORDS UPDATE

SEALING OF CRIMINAL RECORDS UPDATE

SEALING BEGINS IN VIRGINIA ON JULY 1, 2026

On July 1, 2026, a series of statutes will take effect in Virginia authorizing the automatic and petition sealing of numerous offenses.⁴⁰⁷

Processes will begin to automatically seal the following types of offenses:

- Misdemeanor convictions (petit larceny, shoplifting, trespassing, instigating trespass, trespass on posted property, distribution of marijuana, and disorderly conduct);⁴⁰⁸
- Possession of marijuana offenses (criminal and civil);⁴⁰⁹
- Misdemeanor non-convictions at case conclusion (acquittal and dismissal with prejudice);⁴¹⁰
- Felony non-convictions at case conclusion (upon verbal request by the defendant and concurrence of the Commonwealth's Attorney) (acquittal and dismissal with prejudice);⁴¹¹
- Previously concluded misdemeanor non-convictions (acquittal, nolle prosequi, and dismissal, excluding deferred dismissal);⁴¹² and,
- Traffic infractions.⁴¹³

In addition, the following two petition processes will become available to seal certain offenses:

- Petition sealing of misdemeanor and felony convictions, deferred dismissals,⁴¹⁴ and related ancillary matters, with the exception of several categories of offenses, such as Class 1, 2, 3, and 4 felonies, sex crimes, violent felonies, sex trafficking, felonies involving the use of a firearm, protective order violations, hate crimes, animal cruelty, election laws, date rape drug offenses, not guilty by reason of insanity dispositions, dangerous or vicious dogs offenses, and crimes against family or household members;⁴¹⁵ and,
- Automatic petition sealing of misdemeanor convictions and deferred dismissals that are eligible for automatic sealing but were not sealed through the automatic process, certain other misdemeanor convictions and deferred dismissals not eligible for automatic sealing, and related ancillary matters.⁴¹⁶

⁴⁰⁷ 2025 Va. Acts ch. 634 and 671. Senate Bill 1466, 2025 Regular Session of the General Assembly, Governor's Recommendation Adopted. <https://lis.virginia.gov/bill-details/20251/SB1466>. House Bill 2723, 2025 Regular Session of the General Assembly, Governor's Recommendation Adopted. <https://lis.virginia.gov/bill-details/20251/HB2723>. See VA. CODE ANN. § 19.2-392.5 *et seq.* (2025).

⁴⁰⁸ VA. CODE ANN. § 19.2-392.6 (2025). *But see* 2025 Va. Acts ch. 634 and 671, enactment clauses 8 and 13. The Virginia State Police has until October 1, 2026, to transmit the first list of convictions eligible for automatic sealing. See note 1.

⁴⁰⁹ VA. CODE ANN. § 19.2-392.6:1 (2025).

⁴¹⁰ VA. CODE ANN. § 19.2-392.8(A) (2025).

⁴¹¹ VA. CODE ANN. § 19.2-392.8(B) (2025).

⁴¹² VA. CODE ANN. § 19.2-392.11 (2025).

⁴¹³ VA. CODE ANN. § 19.2-392.17 (2025).

⁴¹⁴ A deferred dismissal refers to a circumstance where a charge is dismissed after the defendant completes certain terms or conditions ordered by the court. See Virginia State Crime Commission. (2008). *Deferred disposition*, <https://vsc.virginia.gov/documents/deferred%20dispositon.pdf>.

⁴¹⁵ VA. CODE ANN. § 19.2-392.12 (2025).

⁴¹⁶ VA. CODE ANN. § 19.2-392.12:1 (2025).

SEALING IS ON SCHEDULE FOR IMPLEMENTATION ON JULY 1, 2026

The Crime Commission heard presentations from the Virginia State Police (VSP),⁴¹⁷ the Office of the Executive Secretary of the Supreme Court of Virginia (OES),⁴¹⁸ the Virginia Department of Motor Vehicles (DMV),⁴¹⁹ the Virginia Court Clerks Association, the Virginia Association of Commonwealth's Attorneys (VACA), and the Virginia Indigent Defense Commission (VIDC) at its August 2025 Commission meeting. Each entity advised that implementation is proceeding as scheduled for the sealing statutes to take effect on July 1, 2026. In addition, the Virginia Department of Criminal Justice Services (DCJS) notified Crime Commission staff prior to the meeting that the sealing regulations are in progress.⁴²⁰

Further, VSP provided a subsequent update to the Crime Commission at its December 2025 Commission meeting.⁴²¹ VSP informed Commission members that it is in the process of terminating its contract with the vendor for its new criminal history record system; however, VSP is undertaking internal system modifications to meet the requirements of the sealing legislation in time for the July 1, 2026, implementation.

Finally, the Clerk of the Fairfax County Circuit Court advised Crime Commission staff, VSP, and OES during sealing implementation meetings that his office plans to be prepared to implement sealing by July 1, 2026.⁴²²

SEALING RESOURCES AND TRAINING HAVE BEEN PROVIDED

The 2025 sealing legislation directed the Crime Commission to identify methods to educate and assist the public, provide practitioner training, determine workload and resource needs, and assess any additional matters that arise in relation to sealing.⁴²³ Pursuant to this legislative directive, and with guidance from the Crime Commission, staff engaged in numerous sealing-related activities during 2025.

Sealing Informational Brochure Created

Staff collaborated with stakeholders to develop an informational brochure explaining the sealing laws and associated processes.⁴²⁴ The brochure is available on the Crime Commission's website to

⁴¹⁷ Virginia State Police. (2025, August 19). *Progress on automated sealing*. <https://vscc.virginia.gov/2025/Aug19VSCCmtg/VSP%20-%20Sealing%20Update.pdf>.

⁴¹⁸ Office of the Executive Secretary of the Supreme Court of Virginia. (2025, August 19). *Update on implementation of sealing criminal records*. <https://vscc.virginia.gov/2025/Aug19VSCCmtg/OES%20-%20Criminal%20Sealing%20Update.pdf>.

⁴¹⁹ Virginia Department of Motor Vehicles. (2025, August 19). *DMV conviction record sealing implementation update*. <https://vscc.virginia.gov/2025/Aug19VSCCmtg/Sealing%20Presentation%20DMV%20Aug%202025.pdf>.

⁴²⁰ Virginia Department of Criminal Justice Services (personal communication, August 13, 2025).

⁴²¹ Virginia State Police. (2025, December 2). *Progress on automated sealing*. <https://vscc.virginia.gov/2025/Dec2VSCCmtg/Virginia%20State%20Police%20Sealing%20Update.pdf>.

⁴²² Clerk of the Fairfax County Circuit Court (personal communications, January 7 and 9, 2026).

⁴²³ 2025 Va. Acts ch. 634 and 671, enactment clauses 16 and 17. See note 1.

⁴²⁴ Virginia State Crime Commission. *Sealing of criminal records in Virginia*. <https://vscc.virginia.gov/Sealing/VSCC%20Sealing%20Brochure%20July%202025.pdf>.

download, print, and distribute to the public. The informational brochure contains a QR code that links directly to the Crime Commission's sealing webpage.

Sealing Webpage Developed

A webpage was created on the Crime Commission website to provide the public with detailed information about sealing.⁴²⁵ The webpage includes frequently asked questions about sealing, past reports and presentations, resources, and the sealing informational brochure, as well as information on expungement from the VIDC.⁴²⁶

Training Provided by Crime Commission Staff

Crime Commission staff delivered multiple presentations on sealing across the Commonwealth, with content tailored to each specific audience, including the following:

- Criminal Record Sealing for Law Enforcement Agencies (virtual – in coordination with the Virginia State Police);
- Leroy Rountree Hassell, Sr. Indigent Criminal Defense Seminar - Advanced Skills for the Experienced Practitioner (Richmond);⁴²⁷
- Virginia Association of Chiefs of Police and Virginia Association of Campus Law Enforcement Administrators Joint Winter Conference (Henrico County);⁴²⁸
- Virginia Court Clerks Association Annual Conference (Bristol);⁴²⁹
- Virginia Indigent Defense Commission Annual Public Defender Conference (Virginia Beach);
- Virginia Sheriffs' Institute Spring Conference (Norfolk);⁴³⁰ and,
- Virginia State Bar Pro Bono Conference (virtual).⁴³¹

In addition, staff provided information on sealing to the Virginia Municipal League to be distributed to city and county attorneys.

Staff Attended Trainings and Informational Sessions Provided by Other Entities

In addition to providing training, staff also attended sealing trainings and informational sessions provided by various other entities.⁴³² Specifically, staff attended the following sessions:

⁴²⁵ Virginia State Crime Commission. *Sealing of criminal records*. <https://vscc.virginia.gov/sealing.asp>.

⁴²⁶ Virginia Indigent Defense Commission. (2025). *Expungement FAQs*. <https://vscc.virginia.gov/Sealing/Expungement%20FAQ%20-%20VIDC.pdf>.
Virginia Indigent Defense Commission. (2025, November 1). *Virginia expungement overview*.
<https://vscc.virginia.gov/Sealing/Expungement%20Brochure%20-%20VIDC.pdf>.

⁴²⁷ Agenda available at [https://vsbwebstorage.blob.core.windows.net/\\$web/AgendasandMeetingMaterials/2025/ICDS%20Agenda%20Sept26-25.pdf](https://vsbwebstorage.blob.core.windows.net/$web/AgendasandMeetingMaterials/2025/ICDS%20Agenda%20Sept26-25.pdf).

⁴²⁸ Agenda available at <https://assets.noviams.com/novi-file-uploads/vacp/events/agendas/2026-vacp-winter-conference-agenda-draft-1.pdf>.

⁴²⁹ Agenda available at https://vccaonline.org/?page_id=990.

⁴³⁰ Agenda available at <https://web.cvent.com/event/64be5aa5-c5c5-49cf-b0e5-daf5169d20e1/websitePage:645d57e4-75eb-4769-b2c0-f201a0bfc6ce>.

⁴³¹ Agenda available at <https://event.gotowebinar.com/event/175e32fc-70fb-41af-8855-c007b5e1073f>.

⁴³² Justice Forward created a webpage to provide information on expungement and sealing. Justice Forward Virginia Foundation. (2025). *Criminal record expungement and record sealing*. <https://www.justiceforwardvafoundation.org/expungementsealing-2>.

- “Understanding the Virginia Sealing Criminal Records Statute” (Virginia CLE);⁴³³
- “Virtual Criminal Record Expungement and Sealing Informational Workshop” (Nolef Turns, Justice Forward, EmpowerAll, and Newport News NAACP);⁴³⁴
- “Criminal Conviction Sealing in 2026” (Virginia Association of Commonwealth’s Attorneys);⁴³⁵
- “The State of Record Clearance in the Commonwealth of Virginia” (Virginia Association of Criminal Defense Lawyers);⁴³⁶
- Virginia Justice Conference (Nolef Turns);⁴³⁷
- “Seal the Deal: Preparing Clients for Record Sealing in Virginia” (VIDC);⁴³⁸
- Judicial Conference of Virginia (Roanoke); and,
- Sealing Legislation Learning Sessions for Circuit Court Clerks (Chesapeake and Spotsylvania County).

CRIME COMMISSION CONTINUES TO COLLABORATE WITH STAKEHOLDERS

Expungement and Sealing Resource Attorney at VIDC

The 2025 sealing legislation created a new expungement and sealing resource attorney position at the VIDC.⁴³⁹ Staff collaborated with the VIDC resource attorney to develop public information on expungement.⁴⁴⁰ In addition, the VIDC resource attorney co-presented with Crime Commission staff on sealing at the VIDC Annual Public Defender Conference.

Sealing Implementation Work Group

Staff continued to engage with stakeholders and advocates during 2025. Staff created a sealing implementation work group comprised of numerous state and local agencies, organizations, and interested groups. Members heard updates from state agencies on the status of their implementation efforts (VSP, OES, DMV, DCJS, VIDC), discussed logistical and operational challenges, trainings and informational materials for stakeholders, and public awareness and outreach measures. No legislative

⁴³³ This was a virtual course and is available for replay at <https://www.vacle.org/product/understanding-the-virginia-sealing-criminal-records-statute-od/>. The course first aired in April 2025.

⁴³⁴ This was a virtual event held on June 26, 2025. The event announcement is available at <https://x.com/noleftturnsinc/status/1937330322062082411>.

⁴³⁵ This was an in-person course on held August 1, 2025.

⁴³⁶ This was a virtual training on August 6, 2025, by Rob Poggenklass, Executive Director of Justice Forward.

⁴³⁷ This was an in-person event held on September 11 and 12, 2025, and included an informational class on sealing led by Rob Poggenklass, Executive Director of Justice Forward, and an expungement clinic. Information on the conference is available at <https://www.virginiajusticeconference.com/>. Staff attended in-person on September 11.

⁴³⁸ This was a virtual course held on November 5, 2025.

⁴³⁹ 2025 Va. Acts ch. 634 and 671, enactment clause 3. See note 1. See also House Bill 1600. Budget Amendments Conference Report. Item 40 #1c. <https://budget.lis.virginia.gov/amendment/2025/1/HB1600/Introduced/CR/40/1c/>.

⁴⁴⁰ See Virginia Indigent Defense Commission. (2025). *Expungement FAQs*. <https://vscc.virginia.gov/Sealing/Expungement%20FAQ%20-%20VIDC.pdf>. See also Virginia Indigent Defense Commission. (2025, November 1). *Virginia expungement overview*. <https://vscc.virginia.gov/Sealing/Expungement%20Brochure%20-%20VIDC.pdf>.

changes were identified that need to be made to the sealing statutes during the 2026 Regular Session. This work group will continue to meet in 2026.

Sealing Resource Needs Work Group

Staff also created a sealing resource needs work group to discuss and evaluate workload, staffing, and resource needs, as directed by the 2025 legislation.⁴⁴¹ Because resources for sealing were allocated in the 2025 budget,⁴⁴² no additional resources were identified at this time. Staff will continue to consult with these stakeholders to identify workload, staffing, and resource needs after the sealing statutes take effect. This work group will continue to meet in 2026.

CONCLUSION

Automatic and petition sealing takes effect in Virginia on July 1, 2026. All stakeholders advise that implementation is on schedule. Crime Commission staff will continue consulting with stakeholders and interested groups to monitor implementation, support public outreach, identify resource needs, collect sealing data, and provide training upon request.

⁴⁴¹ 2025 Va. Acts ch. 634 and 671, enactment clause 16. See note 1.

⁴⁴² See Virginia State Crime Commission. (2025). *Sealing of criminal records update*.
<https://vscc.virginia.gov/Annual%20Reports/2024%20VSCC%20Annual%20Report%20-Sealing%20of%20Criminal%20Records%20Update.pdf>.

