

**APPENDIX A TO PART 1300 –
CERTIFICATIONS AND ASSURANCES
FOR HIGHWAY SAFETY GRANTS
(23 U.S.C. CHAPTER 4; SEC. 1906, PUB. L. 109-59,
AS AMENDED BY SEC. 4011, PUB. L. 114-94)**

[Each fiscal year, the Governor’s Representative for Highway Safety must sign these Certifications and Assurances affirming that the State complies with all requirements, including applicable Federal statutes and regulations, that are in effect during the grant period. Requirements that also apply to subrecipients are noted under the applicable caption.]

State: Virginia

Fiscal Year: 2018

By submitting an application for Federal grant funds under 23 U.S.C. Chapter 4 or Section 1906, the State Highway Safety Office acknowledges and agrees to the following conditions and requirements. In my capacity as the Governor’s Representative for Highway Safety, I hereby provide the following Certifications and Assurances:

GENERAL REQUIREMENTS

The State will comply with applicable statutes and regulations, including but not limited to:

- 23 U.S.C. Chapter 4 – Highway Safety Act of 1966, as amended
- Sec. 1906, Pub. L. 109-59, as amended by Sec. 4011, Pub. L. 114-94
- 23 CFR part 1300 – Uniform Procedures for State Highway Safety Grant Programs
- 2 CFR part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards
- 2 CFR part 1201 – Department of Transportation, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards

INTERGOVERNMENTAL REVIEW OF FEDERAL PROGRAMS

The State has submitted appropriate documentation for review to the single point of contact designated by the Governor to review Federal programs, as required by Executive Order 12372 (Intergovernmental Review of Federal Programs).

FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT (FFATA)

The State will comply with FFATA guidance, OMB Guidance on FFATA Subaward and Executive Compensation Reporting, August 27, 2010, (https://www.fsrs.gov/documents/OMB_Guidance_on_FFATA_Subaward_and_Executive_Compensation_Reporting_08272010.pdf) by reporting to FSRS.gov for each sub-grant awarded:

- Name of the entity receiving the award;
- Amount of the award;

- Information on the award including transaction type, funding agency, the North American Industry Classification System code or Catalog of Federal Domestic Assistance number (where applicable), program source;
- Location of the entity receiving the award and the primary location of performance under the award, including the city, State, congressional district, and country; and an award title descriptive of the purpose of each funding action;
- A unique identifier (DUNS);
- The names and total compensation of the five most highly compensated officers of the entity if:
 - (i) the entity in the preceding fiscal year received—
 - (I) 80 percent or more of its annual gross revenues in Federal awards;
 - (II) \$25,000,000 or more in annual gross revenues from Federal awards; and
 - (ii) the public does not have access to information about the compensation of the senior executives of the entity through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986;
- Other relevant information specified by OMB guidance.

NONDISCRIMINATION

(applies to subrecipients as well as States)

The State highway safety agency will comply with all Federal statutes and implementing regulations relating to nondiscrimination (“Federal Nondiscrimination Authorities”). These include but are not limited to:

- **Title VI of the Civil Rights Act of 1964** (42 U.S.C. 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin) and 49 CFR part 21;
- **The Uniform Relocation Assistance and Real Property Acquisition Policies Act** of 1970, (42 U.S.C. 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- **Federal-Aid Highway Act of 1973**, (23 U.S.C. 324 *et seq.*), **and Title IX of the Education Amendments of 1972**, as amended (20 U.S.C. 1681-1683 and 1685-1686) (prohibit discrimination on the basis of sex);
- **Section 504 of the Rehabilitation Act of 1973**, (29 U.S.C. 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability) and 49 CFR part 27;
- **The Age Discrimination Act of 1975**, as amended, (42 U.S.C. 6101 *et seq.*), (prohibits discrimination on the basis of age);
- **The Civil Rights Restoration Act of 1987**, (Pub. L. 100-209), (broadens scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal aid recipients, sub-recipients and contractors, whether such programs or activities are Federally-funded or not);
- **Titles II and III of the Americans with Disabilities Act** (42 U.S.C. 12131-12189) (prohibits discrimination on the basis of disability in the operation of public entities,

public and private transportation systems, places of public accommodation, and certain testing) and 49 CFR parts 37 and 38;

- **Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations** (prevents discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations); and
- **Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency** (guards against Title VI national origin discrimination/discrimination because of limited English proficiency (LEP) by ensuring that funding recipients take reasonable steps to ensure that LEP persons have meaningful access to programs (70 FR at 74087 to 74100)).

The State highway safety agency—

- Will take all measures necessary to ensure that no person in the United States shall, on the grounds of race, color, national origin, disability, sex, age, limited English proficiency, or membership in any other class protected by Federal Nondiscrimination Authorities, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any of its programs or activities, so long as any portion of the program is Federally-assisted.
- Will administer the program in a manner that reasonably ensures that any of its subrecipients, contractors, subcontractors, and consultants receiving Federal financial assistance under this program will comply with all requirements of the Non-Discrimination Authorities identified in this Assurance;
- Agrees to comply (and require any of its subrecipients, contractors, subcontractors, and consultants to comply) with all applicable provisions of law or regulation governing US DOT's or NHTSA's access to records, accounts, documents, information, facilities, and staff, and to cooperate and comply with any program or compliance reviews, and/or complaint investigations conducted by US DOT or NHTSA under any Federal Nondiscrimination Authority;
- Acknowledges that the United States has a right to seek judicial enforcement with regard to any matter arising under these Non-Discrimination Authorities and this Assurance;
- Insert in all contracts and funding agreements with other State or private entities the following clause:

“During the performance of this contract/funding agreement, the contractor/funding recipient agrees—

- a. To comply with all Federal nondiscrimination laws and regulations, as may be amended from time to time;

- b. Not to participate directly or indirectly in the discrimination prohibited by any Federal non-discrimination law or regulation, as set forth in Appendix B of 49 CFR part 21 and herein;
- c. To permit access to its books, records, accounts, other sources of information, and its facilities as required by the State highway safety office, US DOT or NHTSA;
- d. That, in event a contractor/funding recipient fails to comply with any nondiscrimination provisions in this contract/funding agreement, the State highway safety agency will have the right to impose such contract/agreement sanctions as it or NHTSA determine are appropriate, including but not limited to withholding payments to the contractor/funding recipient under the contract/agreement until the contractor/funding recipient complies; and/or cancelling, terminating, or suspending a contract or funding agreement, in whole or in part; and
- e. To insert this clause, including paragraphs a through e, in every subcontract and subagreement and in every solicitation for a subcontract or sub-agreement, that receives Federal funds under this program.

THE DRUG-FREE WORKPLACE ACT OF 1988 (41 U.S.C. 8103)

The State will provide a drug-free workplace by:

- a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- b. Establishing a drug-free awareness program to inform employees about:
 - The dangers of drug abuse in the workplace.
 - The grantee's policy of maintaining a drug-free workplace.
 - Any available drug counseling, rehabilitation, and employee assistance programs.
 - The penalties that may be imposed upon employees for drug violations occurring in the workplace.
 - Making it a requirement that each employee engaged in the performance of the grant be given a copy of the statement required by paragraph (a).
- c. Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will –
 - Abide by the terms of the statement.
 - Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.
- d. Notifying the agency within ten days after receiving notice under subparagraph (c)(2) from an employee or otherwise receiving actual notice of such conviction.
- e. Taking one of the following actions, within 30 days of receiving notice under subparagraph (c)(2), with respect to any employee who is so convicted –

- Taking appropriate personnel action against such an employee, up to and including termination.
 - Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency.
- f. Making a good faith effort to continue to maintain a drug-free workplace through implementation of all of the paragraphs above.

POLITICAL ACTIVITY (HATCH ACT)
(applies to subrecipients as well as States)

The State will comply with provisions of the Hatch Act (5 U.S.C. 1501-1508), which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

CERTIFICATION REGARDING FEDERAL LOBBYING
(applies to subrecipients as well as States)

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all sub-award at all tiers (including subcontracts, subgrants, and contracts under grant, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who

fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

RESTRICTION ON STATE LOBBYING
(applies to subrecipients as well as States)

None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

CERTIFICATION REGARDING DEBARMENT AND SUSPENSION
(applies to subrecipients as well as States)

Instructions for Primary Certification (States)

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR Parts 180 and 1300.
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default or may pursue suspension or debarment.
4. The prospective primary participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms *covered transaction*, *debarment*, *suspension*, *ineligible*, *lower tier*, *participant*, *person*, *primary tier*, *principal*, and *voluntarily excluded*, as used in this clause, have the

meaning set out in the Definitions and coverage sections of 2 CFR Part 180. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.

6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by NHTSA.

7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR Parts 180 and 1300.

8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the list of Parties Excluded from Federal Procurement and Non-procurement Programs.

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, the department or agency may disallow costs, annul or terminate the transaction, issue a stop work order, debar or suspend you, or take other remedies as appropriate.

Certification Regarding Debarment, Suspension, and Other Responsibility Matters-Primary Covered Transactions

(1) The prospective primary participant certifies to the best of its knowledge and belief, that its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;

- (b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of record, making false statements, or receiving stolen property;
- (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
- (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

(2) Where the prospective primary participant is unable to certify to any of the Statements in this certification, such prospective participant shall attach an explanation to this proposal.

Instructions for Lower Tier Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR Parts 180 and 1300.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms *covered transaction*, *debarment*, *suspension*, *ineligible*, *lower tier*, *participant*, *person*, *primary tier*, *principal*, and *voluntarily excluded*, as used in this clause, have the meanings set out in the Definition and Coverage sections of 2 CFR Part 180. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by NHTSA.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Certification" including the "Certification

Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR Parts 180 and 1300.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Non-procurement Programs.

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, the department or agency with which this transaction originated may disallow costs, annul or terminate the transaction, issue a stop work order, debar or suspend you, or take other remedies as appropriate.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion -- Lower Tier Covered Transactions:

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

BUY AMERICA ACT

(applies to subrecipients as well as States)

The State and each subrecipient will comply with the Buy America requirement (23 U.S.C. 313) when purchasing items using Federal funds. Buy America requires a State, or subrecipient, to purchase only steel, iron and manufactured products produced in the United States with Federal funds, unless the Secretary of Transportation determines that such domestically produced items would be inconsistent with the public interest, that such materials are not reasonably available and of a satisfactory quality, or that inclusion of domestic materials will increase the cost of the overall project contract by more than 25 percent. In order to use Federal funds to purchase

foreign produced items, the State must submit a waiver request that provides an adequate basis and justification to and approved by the Secretary of Transportation.

PROHIBITION ON USING GRANT FUNDS TO CHECK FOR HELMET USAGE
(applies to subrecipients as well as States)

The State and each subrecipient will not use 23 U.S.C. Chapter 4 grant funds for programs to check helmet usage or to create checkpoints that specifically target motorcyclists.

POLICY ON SEAT BELT USE

In accordance with Executive Order 13043, Increasing Seat Belt Use in the United States, dated April 16, 1997, the Grantee is encouraged to adopt and enforce on-the-job seat belt use policies and programs for its employees when operating company-owned, rented, or personally-owned vehicles. The National Highway Traffic Safety Administration (NHTSA) is responsible for providing leadership and guidance in support of this Presidential initiative. For information on how to implement such a program, or statistics on the potential benefits and cost-savings to your company or organization, please visit the Buckle Up America section on NHTSA's website at www.nhtsa.dot.gov. Additional resources are available from the Network of Employers for Traffic Safety (NETS), a public-private partnership headquartered in the Washington, D.C. metropolitan area, and dedicated to improving the traffic safety practices of employers and employees. NETS is prepared to provide technical assistance, a simple, user-friendly program kit, and an award for achieving the President's goal of 90 percent seat belt use. NETS can be contacted at 1 (888) 221-0045 or visit its website at www.trafficsafety.org.

POLICY ON BANNING TEXT MESSAGING WHILE DRIVING

In accordance with Executive Order 13513, Federal Leadership On Reducing Text Messaging While Driving, and DOT Order 3902.10, Text Messaging While Driving, States are encouraged to adopt and enforce workplace safety policies to decrease crashes caused by distracted driving, including policies to ban text messaging while driving company-owned or -rented vehicles, Government-owned, leased or rented vehicles, or privately-owned when on official Government business or when performing any work on or behalf of the Government. States are also encouraged to conduct workplace safety initiatives in a manner commensurate with the size of the business, such as establishment of new rules and programs or re-evaluation of existing programs to prohibit text messaging while driving, and education, awareness, and other outreach to employees about the safety risks associated with texting while driving.

SECTION 402 REQUIREMENTS

1. To the best of my personal knowledge, the information submitted in the Highway Safety Plan in support of the State's application for a grant under 23 U.S.C. 402 is accurate and complete.
2. The Governor is the responsible official for the administration of the State highway safety program, by appointing a Governor's Representative for Highway Safety who shall be responsible for a State highway safety agency that has adequate powers and is suitably

equipped and organized (as evidenced by appropriate oversight procedures governing such areas as procurement, financial administration, and the use, management, and disposition of equipment) to carry out the program. (23 U.S.C. 402(b)(1)(A))

3. The political subdivisions of this State are authorized, as part of the State highway safety program, to carry out within their jurisdictions local highway safety programs which have been approved by the Governor and are in accordance with the uniform guidelines promulgated by the Secretary of Transportation. (23 U.S.C. 402(b)(1)(B))
4. At least 40 percent of all Federal funds apportioned to this State under 23 U.S.C. 402 for this fiscal year will be expended by or for the benefit of political subdivisions of the State in carrying out local highway safety programs (23 U.S.C. 402(b)(1)(C)) or 95 percent by and for the benefit of Indian tribes (23 U.S.C. 402(h)(2)), unless this requirement is waived in writing. (This provision is not applicable to the District of Columbia, Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.)
5. The State's highway safety program provides adequate and reasonable access for the safe and convenient movement of physically handicapped persons, including those in wheelchairs, across curbs constructed or replaced on or after July 1, 1976, at all pedestrian crosswalks. (23 U.S.C. 402(b)(1)(D))
6. The State will provide for an evidenced-based traffic safety enforcement program to prevent traffic violations, crashes, and crash fatalities and injuries in areas most at risk for such incidents. (23 U.S.C. 402(b)(1)(E))
7. The State will implement activities in support of national highway safety goals to reduce motor vehicle related fatalities that also reflect the primary data-related crash factors within the State, as identified by the State highway safety planning process, including:
 - Participation in the National high-visibility law enforcement mobilizations as identified annually in the NHTSA Communications Calendar, including not less than 3 mobilization campaigns in each fiscal year to –
 - Reduce alcohol-impaired or drug-impaired operation of motor vehicles; and
 - Increase use of seatbelts by occupants of motor vehicles;
 - Submission of information regarding mobilization participation in accordance with 23 CFR part 1300.11(d)(6)(ii);
 - Sustained enforcement of statutes addressing impaired driving, occupant protection, and driving in excess of posted speed limits;
 - An annual Statewide seat belt use survey in accordance with 23 CFR part 1340 for the measurement of State seat belt use rates, except for the Secretary of Interior on behalf of Indian tribes;
 - Development of Statewide data systems to provide timely and effective data analysis to support allocation of highway safety resources;
 - Coordination of Highway Safety Plan, data collection, and information systems with the State strategic highway safety plan, as defined in 23 U.S.C. 148(a). (23 U.S.C. 402(b)(1)(F))

8. The State will actively encourage all relevant law enforcement agencies in the State to follow the guidelines established for vehicular pursuits issued by the International Association of Chiefs of Police that are currently in effect. (23 U.S.C. 402G))
9. The State will not expend Section 402 funds to carry out a program to purchase, operate, or maintain an automated traffic enforcement system. (23 U.S.C. 402(c)(4))

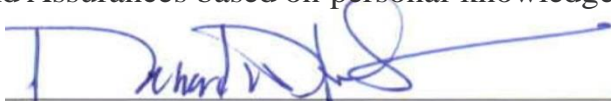
The State: *[CHECK ONLY ONE]*

Certifies that automated traffic enforcement systems are not used on any public road in the State;

OR

Is unable to certify that automated traffic enforcement systems are not used on any public road in the State, and therefore will conduct a survey meeting the requirements of 23 CFR 1300.13(d)(3) AND will submit the survey results to the NHTSA Regional office no later than March 1 of the fiscal year of the grant.

I understand that my statements in support of the State's application for Federal grant funds are statements upon which the Federal Government will rely in determining qualification for grant funds, and that knowing misstatements may be subject to civil or criminal penalties under 18 U.S.C. 1001. I sign these Certifications and Assurances based on personal knowledge, and after appropriate inquiry.



Signature Governor's Representative for Highway Safety

6-28-17

Date

Richard D. Holcomb

Printed name of Governor's Representative for Highway Safety

COMMONWEALTH OF VIRGINIA
FIXING AMERICA'S SURFACE TRANSPORTATION (FAST)
Special Funding Conditions for Section 402 Grants
Biennial Survey of State Automated Traffic Enforcement Systems

February 26, 2018

In Virginia, under Code of Virginia §15.2-968.10, certain jurisdictions are permitted to use red light camera systems to conducted automated traffic enforcement. As of the date of this 2018, only 7 jurisdictions have active systems.

Below are the summarized results of the 2018 survey:

General

1. Name of Jurisdiction/Political Subdivision and Population:

Arlington County	223, 000
City Of Alexandria	155, 810
City of Chesapeake	239, 399
City of Fairfax	23, 825
City of Falls Church	15, 000
City of Newport News	183, 000
City of Virginia Beach	450, 000

2. Type of Government Entity (city, state, etc.): Counties: **1** Cities: **6**

3. Population: see above

4. Number of jurisdictions using a Red Light Camera Automated Enforcement system: **7**

5. Jurisdictions/political subdivisions referring to and following FHWA "*Red Light Camera Systems Operational Guidelines*" when implementing its automated enforcement system: Yes **5** No **0** Don't Know **2**
One wrote: "We began our program before the implementation of the guidelines however we comply with much of the document."

6. Ownership of Red Light system (camera & equipment): Jurisdiction-owned **0** Contracted/leased **7**

Transparency

1. Are placement locations of automated enforcement publicly available? Yes **7** No **0**

2. Is information regarding automated enforcement revenue publicly available? Yes **5** No **2**

3. Is information regarding the disbursement of this revenue publicly available? Yes **5** No **2**

4. Is the number of automated enforcement citations issued publicly available? Yes **5** No **2**

5. Upon deployment at a specific location, is there a warning period before citations are issued? Yes **6** No **1**

One indicated that information in questions 2-4 can be requested and released through FOIA.

Accountability

1. Are citations reviewed and signed by a sworn law enforcement officer? Yes **7** No **0**

2. Is there a process in place for dispute resolution? Yes **7** No **0**

3. Is the automated enforcement program audited? Yes **5** No **2**

If yes, how often? Annually: 2; Quarterly: 1; Constant: 1; As needed, no set schedule 1

Safety Attributes

1. Is traffic data (engineering & crash) utilized to determine placement of Red Light cameras? Yes **7** No **0**
2. Does the jurisdiction/political subdivision analyze traffic data to determine its Red Light Camera impact on safety elements (i.e. crashes, speed, etc.)? Yes **7** No **0**

Additional information is attached including:

Code of Virginia §15.2-968.10

Virginia Department of Transportation *Red Light Running Camera (Photo Enforcement) Engineering Safety Analysis Guidelines*

Virginia Department of Transportation *Frequently Asked Questions on Red Light Photo Enforcement* (available online)

VDOT

Traffic Signal Photo Enforcement Engineering Analysis Template

Local Jurisdiction: _____ VDOT District: _____
 (County/City/Town)

Intersection: _____
 Street Name (Route #) at Street Name (Route #)

Intersection approaches under consideration for photo enforcement:

This Study performed under the direction of _____
 (licensed professional engineer)

A. INTERSECTION & SIGNAL DATA (Include information on all approaches not just those under consideration for photo enforcement)

1. Signal Visibility

a. Minimum Sight Distance to Signal

Approach	Grade	Speed Limit (mph)	Measure (ft)	Required (ft)*

*See attached table of minimum sight distance requirements from the MUTCD.

- b. Are "SIGNAL AHEAD" signs present? Yes No
 Are "SIGNAL AHEAD" signs needed? Yes No
 Are other warning signs present in the vicinity of the intersection? Yes No
 Explain: _____

c. Information on Signal Heads

Approach	Lens Size	Lens Type (LED or Bulb)	Back Plates (Yes or No)

2. Pavement and Markings Data

- a. Stop bars in "good" condition? Yes No
 Explain: _____

- b. Lane lines "clearly" visible? Yes No
 Explain: _____

c. Crosswalks “clearly” marked? Yes No

Explain: _____

d. Pavement conditions (ruts, potholes, cracking, etc.)?

Good Explain: _____

Fair Explain: _____

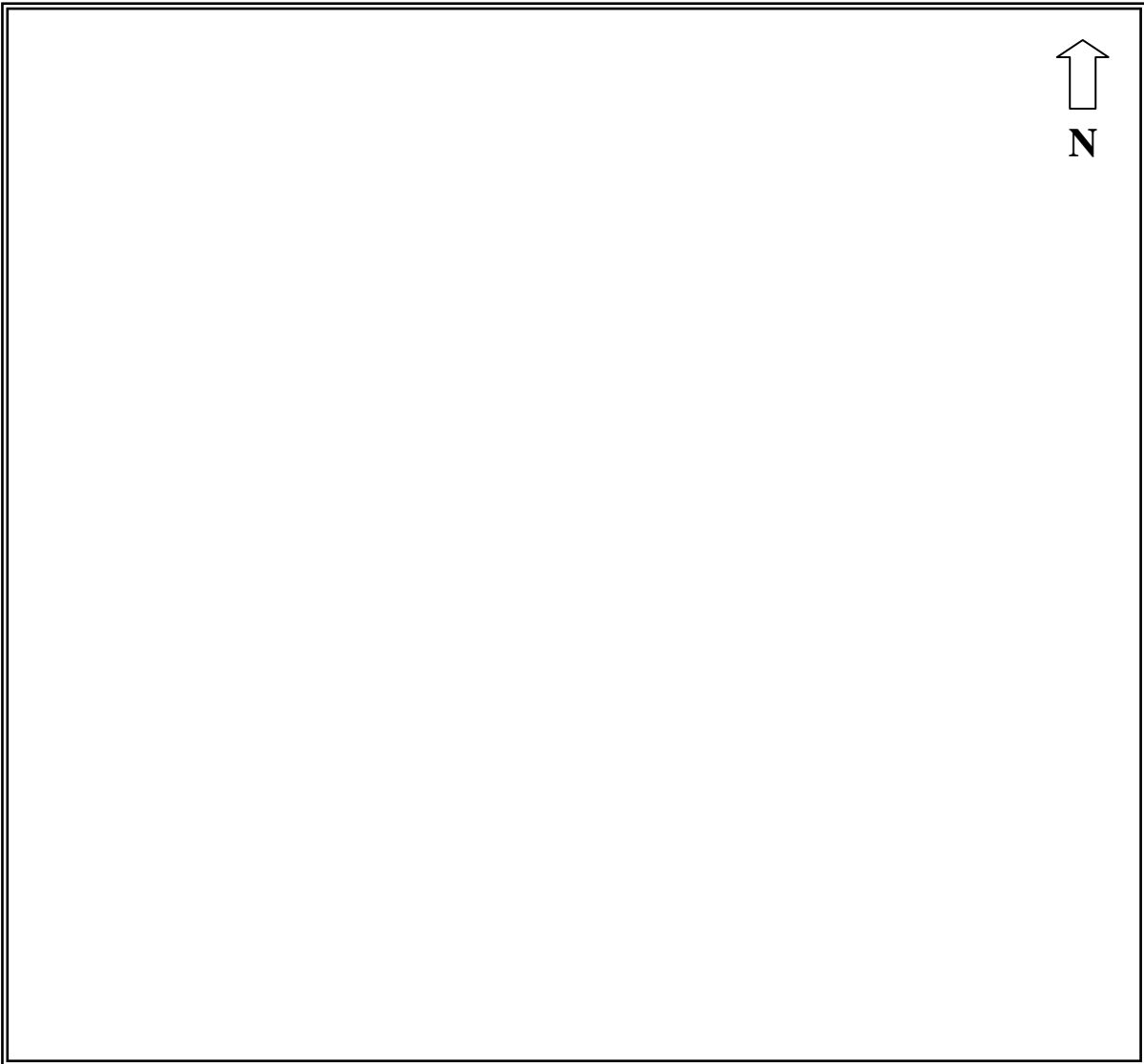
Poor Explain: _____

e. Pavement surface treatments exist? (rumble strips, texturing, pavers, etc.)

Yes Explain: _____

No

3. Provide scaled diagram of intersection including: pavement markings, width of lanes and medians, location of signal heads and signs, locations of loops/detectors, and grades.



B. SIGNAL TIMING & TRAFFIC DATA (Include information on all approaches not just those under consideration for photo enforcement)

1. Clearance Intervals

Approach	Posted Speed Limit	Grade	Width of Intersection	Yellow Interval		All Red Interval	
				Existing	Calculated*	Existing	Calculated*

*Reference TE Memo 306.1 provided in Appendix F for calculation of Clearance Intervals

2. Include existing controller settings for each phase and each time-of-day. Information should include applicable settings such as minimum green, max 1 & 2, passage, minimum gap/ext, protected-permissive, lead-lag, yellow and all red, walk and ped clearance time, recall settings, offsets, cycle length, etc. Include analysis of peak hour conditions and discuss whether signal timings (phasing, cycle length, progression, coordination, etc) are contributing to red-light running problem.

a. Do signal timings or phasing factor in as a possible contributor to RLR at this intersection?

Yes Explain: _____

No Explain: _____

b. List comments or recommendations on potential signal timing or phasing changes:

3. Vehicle Detection Data

Approach and Movement	Detection Type (loop, video, etc.)	Detector Location (measured from stop bar)

4. 48-Hour Traffic Volume & Classification Data (Concurrent with 12- hour violation survey)

Approach and Movement	Daily Volumes		Peak Hour Volumes	
	Total	Heavy Vehicles	Total	Heavy Vehicles

C. CRASH & ENFORCEMENT DATA (Include information on all approaches not just those under consideration for photo enforcement)

1. Most Recent Three-Year Crash Data

Collision Type	3-year Total	Number of Injury Crashes	Number of Fatal Crashes	Crashes Associated With Red-Light-Running
Angle				
Rear End				
Head On				
Sideswipe				
Pedestrian				
Bicyclist				
TOTAL				

2. Crash Rate

a. Number of crashes per million entering vehicles: _____

b. Locality rate for comparison (if available): _____

3. Violation Rate

a. Number of red light running citations per year issued by law enforcement at the evaluated intersection, if available.

Number: _____ Year: _____

b. 12-hour observed violation rate (conducted concurrently with traffic count survey)

Date: _____

Time Period: _____

Approach and Movement	Traffic Volume	Number of Violations

*per 1000 vehicles

4. Enforcement and Operational Issues

a. Describe the difficulty experienced by law enforcement officers in patrol cars or on foot in apprehending violators.

b. Describe the ability of law enforcement officers to apprehend violators safely within a reasonable distance from the violation.

c. Are pedestrians at risk due to violations? Yes No

Explain: _____

Number of pedestrians per hour? _____

Pedestrian crosswalk provided? Yes No

- d. Have there been any changes to the operations of the intersection (signal timing, restriping, or increased enforcement) within the past three years? Yes No

Explain: _____

Minimum Sight Distance

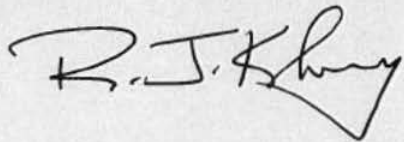
85 th Percentile Speed (mph)	Minimum Sight Distance (ft)
20	175
25	215
30	270
35	325
40	390
45	460
50	540
55	625
60	715

Table 4D-2 *Manual on Uniform Traffic Control Devices*, (2009 Edition) Transportation Research Board (TRB), Washington, DC, 2003

APPENDIX F

CLEARANCE INTERVAL TIMING (TE MEMO 306.1)

VIRGINIA DEPARTMENT OF TRANSPORTATION
TRAFFIC ENGINEERING DIVISION
MEMORANDUM

GENERAL SUBJECT: Traffic Signal	NUMBER: TE-306.1
	TO SUPERSEDE: TE-306 inclusive of all addendum
SPECIFIC SUBJECT: Yellow Change Intervals and Red Clearance Intervals	DATE: January 7, 2013
	SUNSET DATE: N/A
DIRECTED TO: District Administrators Regional Operations Directors Regional Traffic Engineers Regional Operations Maintenance Managers Regional Traffic Operations Managers State Location and Design Engineer	SIGNATURE: State Traffic Engineer 

PURPOSE and NEED This memorandum will govern the method in which the timing of yellow change and red clearance intervals will be established for traffic signals operated by or for the Virginia Department of Transportation.

AUTHORITY Code of Virginia § 46.2-830

BACKGROUND The yellow change interval is the interval following a steady green, flashing yellow arrow or flashing red arrow interval during which a steady yellow signal is displayed. The purpose of the yellow change interval is to warn traffic of an impending change in the right-of-way assignment.

The red clearance interval is the interval that follows the steady yellow interval during which a steady red signal is displayed to potentially conflicting traffic movements at an intersection. The purpose of the red clearance interval is to provide additional time before conflicting traffic movements are released.

STANDARD The yellow change and red clearance intervals shall be applied for all signal timings in accordance with the procedures described in the following sections.

**STANDARD
(cont.)**

**YELLOW CHANGE INTERVAL
(Equation 1)**

$$Y = t + \frac{1.47 * V}{2a + 64.4g}$$

where:

Y =	yellow change interval, in seconds (s)
t =	perception-reaction time, in seconds (s)
V =	vehicle approach speed, in miles per hour (mph)
a =	deceleration rate, in feet per second squared (ft/s ²)
g =	approach grade, in percent divided by 100 to the nearest whole percent (negative for downgrade)

**RED CLEARANCE INTERVAL
(Equation 2)**

$$R = \frac{w + L}{1.47 * V} - 1$$

where:

R =	red clearance interval, in seconds (s)
w =	intersection width, in feet (ft)
L =	length of vehicle, in feet (ft)
V =	vehicle approach or turning speed, in miles per hour (mph)

CALCULATION FOR THROUGH MOVEMENTS

Yellow Change Intervals shall be calculated using Equation 1 where:

t	is 1 s
V	is the 85th percentile vehicle approach speed as determined under free flow conditions, if known or as determined by a speed study*
a	is 10 ft/s ²
g	is measured approximately 400 feet upstream from the stop line, rounded to the nearest whole percent, and applied to all movements on the measured approach

Red Clearance Intervals shall be calculated using Equation 2 where:

w	is measured as defined in the Appendix
L	is 20 ft, unless a longer length design vehicle is appropriate based on a classification study and engineering judgment (see Engineering Judgment section)
V	is the same vehicle approach speed as used in the yellow change interval calculation for through movements

**If the 85th percentile value is not available, the posted speed limit plus 7 mph should be used as the vehicle approach speed value. For approaches with no posted speed limit, engineering judgment (see Engineering Judgment section) should be applied in determining the appropriate vehicle approach speed to be used in the calculation.*

**STANDARD
 (cont.)**

CALCULATION FOR TURNING MOVEMENTS

Left-Turn Applications

Yellow Change Intervals shall be calculated using Equation 1 where:

t	is 1 s
V	is the left-turn vehicle approach speed, which should be the posted speed limit** minus 5 mph, unless the 85th percentile left-turn vehicle approach speed is determined by a speed study
a	is 10 ft/s ²
g	is measured approximately 400 feet upstream from the stop line, rounded to the nearest whole percent, and applied to all movements on the measured approach

Red Clearance Intervals shall be calculated using Equation 2 where:

w	is measured as defined in the Appendix
L	is 20 ft, unless a longer length design vehicle is appropriate based on a classification study and engineering judgment (see Engineering Judgment section)
V	is the left-turn vehicle turning speed, which should be 20 mph, unless a higher left-turn vehicle turning speed is appropriate based on engineering judgment (see Engineering Judgment section)

****For approaches with no posted speed limit, engineering judgment (see Engineering Judgment section) should be applied in determining the appropriate left-turn vehicle approach speed to be used in the calculation.**

Right-Turn Applications

When right-turn termination occurs with an adjacent movement on the same approach, the yellow change and red clearance intervals shall be the same duration as calculated for that movement.

**STANDARD
(cont.)**

SIGNAL PHASING CONSIDERATIONS

Yellow change and red clearance interval calculations shall be performed for through and turning movements as specified above. The calculated intervals shall be applied to signal phasing as follows:

- For a protected left-turn movement phase (leading and/or lagging), the yellow change and red clearance intervals shall be implemented as calculated. The intervals do not have to be the same duration for the adjacent through movement phase or opposing approach phases.
- For split phasing where a shared signal face is used to control a left-turn and through movement, the implemented yellow change and red clearance intervals shall be the longer of the calculated values for the left-turn and through movements to ensure motorists are presented with simultaneous termination. The intervals do not have to be the same duration for the opposing approach.

When a shared signal face is not used, the protected left-turn movement phase guidance shall be applied.

- For a permissive or protected/permissive (leading and/or lagging) left-turn movement phase, the implemented yellow change and red clearance intervals shall be the longer of the calculated values for the left-turn and through movement phases. The intervals shall be the same duration for the left-turn and through movement phases on opposing approaches to ensure motorists are presented with simultaneous termination. This guidance also applies to flashing yellow arrow applications.
- For right-turn overlaps where termination occurs with an overlapping left-turn phase, the right-turn yellow change and red clearance intervals shall be the same duration as the overlapping left-turn phase intervals.

**STANDARD
(cont.)**

MINIMUMS, MAXIMUMS, AND ROUNDING

The yellow change interval shall be no less than 3 seconds.

The red clearance interval shall be no less than 1 second.

There are no maximum yellow change and red clearance intervals. However, when the calculated interval for a specific movement at a given intersection is considered detrimental to intersection operations, engineering judgment (see Engineering Judgment section) should be applied to determine the appropriate value.

The calculated values for both yellow change and red clearance intervals shall be rounded to no less than the nearest one tenth (0.1) second.

ENGINEERING JUDGMENT

Engineering judgment may be exercised in situations that warrant the use of parameters or maximum interval values other than those specified herein. When engineering judgment is applied, the rationale to substantiate the engineering judgment decision shall be documented and maintained with the signed and sealed yellow change and red clearance interval timings required per TE-362.1 or any document that supersedes TE-362.1.

REFERENCE

Code of Virginia §46.2-833

2009 MUTCD, 2011 Virginia Supplement to the MUTCD (24VAC30-315-10)

TE-362.1 or any document that supersedes TE-362.1.

**EFFECTIVE
DATE**

All yellow change and red clearance intervals signed and sealed after the issuance date of this memorandum shall be calculated and applied as specified herein.

CC:

Mr. Greg Whirley
Mr. Charles Kilpatrick, P.E.
Mr. Garrett Moore, P.E.
Mr. Jose Gomez, P.E.
Ms. Martha Kapitanov
Resident Administrators

APPENDIX: INTERSECTION WIDTH MEASUREMENT

This appendix provides guidance for determining the intersection width to be used in calculation of the red clearance interval for through and turning movements.

THROUGH MOVEMENT

The intersection width, w , should be measured from the back (upstream) edge of the approaching movement stop line to the far side of the intersection, as defined by the extension of the curb line or outside edge of the farthest travel lane, in feet. The intersection width should include standard right-turn lanes under signal control. Figure 1 illustrates the intersection width for through movements.

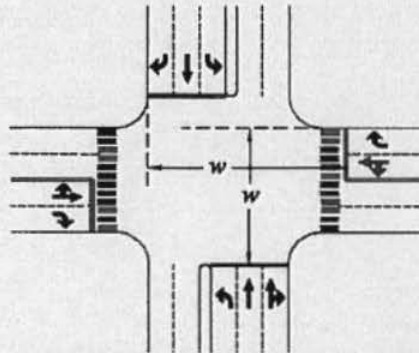


Figure 1 - Intersection Width Measurement for Through Movements

LEFT-TURN MOVEMENT

The intersection width, w , should be the approaching vehicle turning path measured from the back (upstream) edge of the approaching movement stop line to the farthest edge as defined by the extension of the curb line or outside edge of the farthest travel lane, in feet (see previous discussion). If multiple lanes are present (approach and/or receiving), the longest turning distance should be used in the calculation. Figure 2 illustrates the intersection width for left-turn movements.

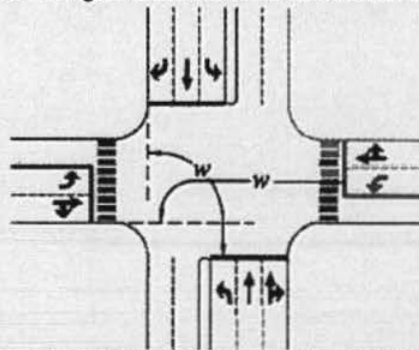


Figure 2 - Intersection Width Measurement for Left-Turn Movements

ENGINEERING JUDGMENT

If unusual geometrics are present (e.g., severe skews, channelized signalized turn lanes, crosswalks considerably offset from the intersection), then engineering judgment (see Engineering Judgment section) should be applied in determining the intersection width.

Signal Change and Clearance Intervals TE-306.1 Attachment
MOC, DRR January 7, 2013

§ 15.2-968.1. Use of photo-monitoring systems to enforce traffic light signals

- A. The governing body of any county, city, or town may provide by ordinance for the establishment of a traffic signal enforcement program imposing monetary liability on the operator of a motor vehicle for failure to comply with traffic light signals in such locality in accordance with the provisions of this section. Each such locality may install and operate traffic light signal photo-monitoring systems at no more than one intersection for every 10,000 residents within each county, city, or town at any one time, provided, however, that within planning District 8, each such locality may install and operate traffic light signal photo-monitoring systems at no more than 10 intersections, or at no more than one intersection for every 10,000 residents within each county, city, or town, whichever is greater, at any one time.
- B. The operator of a vehicle shall be liable for a monetary penalty imposed pursuant to this section if such vehicle is found, as evidenced by information obtained from a traffic light signal violation monitoring system, to have failed to comply with a traffic light signal within such locality.
- C. Proof of a violation of this section shall be evidenced by information obtained from a traffic light signal violation monitoring system authorized pursuant to this section. A certificate, sworn to or affirmed by a law-enforcement officer employed by a locality authorized to impose penalties pursuant to this section, or a facsimile thereof, based upon inspection of photographs, microphotographs, videotape, or other recorded images produced by a traffic light signal violation monitoring system, shall be prima facie evidence of the facts contained therein. Any photographs, microphotographs, videotape, or other recorded images evidencing such a violation shall be available for inspection in any proceeding to adjudicate the liability for such violation pursuant to an ordinance adopted pursuant to this section.
- D. In the prosecution for a violation of any local ordinance adopted as provided in this section, prima facie evidence that the vehicle described in the summons issued pursuant to this section was operated in violation of such ordinance, together with proof that the defendant was at the time of such violation the owner, lessee, or renter of the vehicle, shall constitute in evidence a rebuttable presumption that such owner, lessee, or renter of the vehicle was the person who committed the violation. Such presumption shall be rebutted if the owner, lessee, or renter of the vehicle (i) files an affidavit by regular mail with the clerk of the general district court that he was not the operator of the vehicle at the time of the alleged violation or (ii) testifies in open court under oath that he was not the operator of the vehicle at the time of the alleged violation. Such presumption shall also be rebutted if a certified copy of a police report, showing that the vehicle had been reported to the police as stolen prior to the time of the alleged violation of this section, is presented, prior to the return date established on the summons issued pursuant to this section, to the court adjudicating the alleged violation.
- E. For purposes of this section, "owner" means the registered owner of such vehicle on record with the Department of Motor Vehicles. For purposes of this section, "traffic light signal violation monitoring system" means a vehicle sensor installed to work in conjunction with a traffic light

that automatically produces two or more photographs, two or more microphotographs, video, or other recorded images of each vehicle at the time it is used or operated in violation of § 46.2-833, 46.2-835, or 46.2-836. For each such vehicle, at least one recorded image shall be of the vehicle before it has illegally entered the intersection, and at least one recorded image shall be of the same vehicle after it has illegally entered that intersection.

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

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

H. Information collected by a traffic light signal violation monitoring system installed and operated pursuant to subsection A shall be limited exclusively to that information that is necessary for the enforcement of traffic light violations. On behalf of a locality, a private entity that operates a traffic light signal violation monitoring system may enter into an agreement with the Department of Motor Vehicles, in accordance with the provisions of subdivision B 21 of § 46.2-208, to obtain vehicle owner information regarding the registered owners of vehicles that fail to comply with a traffic light signal. Information provided to the operator of a traffic light signal violation monitoring system shall be protected in a database with security comparable to that of the Department of Motor Vehicles' system, and used only for enforcement against individuals who violate the provisions of this section. Notwithstanding any other provision of law, all photographs, microphotographs, electronic images, or other personal information collected by a traffic light signal violation monitoring system shall be used exclusively for enforcing traffic light violations and shall not (i) be open to the public; (ii) be sold or used for sales, solicitation, or marketing purposes; (iii) be disclosed to any other entity except as may be necessary for the enforcement of a traffic light violation or to a vehicle owner or operator as part of a challenge to the violation; or (iv) be used in a court in a pending action or proceeding unless the action or proceeding relates to a violation of § 46.2-833, 46.2-835, or 46.2-836 or requested upon order from a court of competent jurisdiction. Information collected under this section

pertaining to a specific violation shall be purged and not retained later than 60 days after the collection of any civil penalties. If a locality does not execute a summons for a violation of this section within 10 business days, all information collected pertaining to that suspected violation shall be purged within two business days. Any locality operating a traffic light signal violation monitoring system shall annually certify compliance with this section and make all records pertaining to such system available for inspection and audit by the Commissioner of Highways or the Commissioner of the Department of Motor Vehicles or his designee. Any person who discloses personal information in violation of the provisions of this subsection shall be subject to a civil penalty of \$1,000 per disclosure. Any unauthorized use or disclosure of such personal information shall be grounds for termination of the agreement between the Department of Motor Vehicles and the private entity.

I. A private entity may enter into an agreement with a locality to be compensated for providing the traffic light signal violation monitoring system or equipment, and all related support services, to include consulting, operations and administration. However, only a law-enforcement officer employed by a locality may swear to or affirm the certificate required by subsection C. No locality shall enter into an agreement for compensation based on the number of violations or monetary penalties imposed.

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

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

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

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

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

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

2007, cc. [836](#), [903](#);2010, c. [175](#);2012, cc. [805](#), [836](#);2014, c. [163](#);2015, c. [714](#).

The chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.



How do red light photo enforcement cameras work? A camera is connected to the traffic signal and to sensors at the intersection stop line that monitor traffic flow. The camera is triggered by any vehicle entering the intersection above a preset minimum speed and following a “grace period” of time after the signal has turned red. Virginia legislation states this specified grace period of time must be at least 0.5 seconds. Depending on the particular technology in use at the intersection, a series of photographs and/or video images show the red light violator before entering the intersection on a red signal, as well as the vehicle’s progression through the intersection. Cameras record information such as the date, time, time elapsed since the beginning of the red signal, and vehicle speed. The photographic evidence is reviewed by trained law enforcement. Generally, tickets are sent by mail to owners of violating vehicles.

How will I know which intersections have red light cameras? Legislation enacted by the 2007 and 2012 General Assembly requires localities to place conspicuous signs within 500 feet of the intersection where a red light running camera is installed. Localities also are required to conduct a public awareness program advising the public of the photo enforcement system that is being implemented.

Doesn’t placing signs at the approach to intersections with red light cameras defeat the purpose of installing the cameras? No. The purpose of the red light camera program is to improve intersection safety by reducing the number of red light violations. If the warning signs stop motorists from running red lights rather than the cameras themselves, then the purpose of the program is being met.

Do cameras photograph every vehicle passing through an intersection? No. Cameras are set so that only those vehicles that enter the intersection after the light has turned red are photographed. Vehicles entering the intersection on yellow and still in the intersection when the light turns red are not photographed.

Isn’t the main purpose of red light cameras to make money? No. The objective of the photo enforcement program is to improve intersection safety. Signs and publicity campaigns required by the 2007 and 2012 General Assembly warn motorists that photo enforcement is in use. Revenue is generated by fines paid by drivers who continue to run red lights. Independent audits of red light camera enforcement across the country have found that these programs generally do not generate excess revenue. Camera equipment costs vary based on the type of camera, the complexity of the intersection, and technical requirements. A red light camera system with installation costs more than \$100,000. Fines for red light violations in Virginia are limited to \$50 per violation by the legislation.

Wouldn’t increasing the length of the yellow signal at an intersection decrease the occurrence of red light running? Allowing adequate yellow timing can reduce red light running, but longer yellow time alone does not eliminate the need or potential benefits of red light cameras. Yellow times at signals are determined based on variables such as the posted speed limit, typical deceleration rates of vehicles, the grade of the road (uphill or downhill), and the amount of time it takes a driver to see the yellow signal and react (perception-reaction time). Yellow times are generally in the range of three to six seconds. Increasing the perception-reaction time from 1.0 to 1.5 seconds has shown to reduce the number of red light violations.

Who chooses the intersections for photo enforcement? According to revised 2012 legislation enacted

by the Virginia General Assembly, localities interested in photo enforcement, within their right of way, must conduct an engineering safety analysis for each candidate intersection. Localities desiring photo enforcement at intersections within VDOT's right of way must conduct an engineering safety analysis conforming to the department's safety analysis template and submit it to VDOT for approval. Final approval for intersections located within VDOT's right of way will come from the appropriate district administrator or their designee.