November 2026 Version



Local Automatic License Plate Reader Guardrails Model Bill

Section 1. Definitions.

(A) "Automatic License Plate Reader (ALPR) system" shall mean a system, software, or computer algorithm, whether used independently or in combination with one or more mobile or fixed automated cameras, that is used to convert images of license plates into computer-readable data. An ALPR system shall not include cameras whose collection of images and other data is only activated when a vehicle within its field of view engages in a specific unlawful driving behavior, such as speeding or driving through a red light.

(B) "Captured plate data" shall mean the GPS coordinates, date and time, photograph, license plate number, and any other data captured by, derived, or inferred from any automatic license plate reader system, including but not limited to make, model, color, and other automobile characteristics.

(C) "End-To-End Encryption" shall mean a security standard in which collected data is encrypted and stored on the system of the person or entity on whose behalf the data was collected and which can only be decrypted by a specific intended recipient, leaving the content unreadable to service providers, intermediaries, and any other unauthorized person or entity during its storage and transit.

(D) "Secured area" shall mean an area, enclosed by clear boundaries, to which access is limited and not open to the public and entry is only obtainable through specific access-control points.

(E) "Specifically identified ALPR data" shall mean ALPR data that is identified by (1) the specific ALPR camera that captured the data or a specific, non-citywide geographic location within which the ALPR camera was located, not to exceed one square mile, and (2) the specific time period during which the data was recorded, not to exceed 48 hours.

(F) "Government entity" shall mean a department or agency of the City of [insert City name] or an individual acting for or on behalf of the City or a department or agency thereof.

Section 2. Restrictions on use.

(A) Except as provided for in Section 2(B), it shall be unlawful for any City government entity to operate or use an automatic license plate reader system or the data therefrom.

(B) An automatic license plate reader system and the data therefrom may be operated or used by a city government entity:

(1) For the comparison of captured plate data with data held by the Department of Motor Vehicles, the state Criminal Justice Information System, the FBI Kidnappings and Missing Persons list, [insert identifier for state missing persons list], and with license plate numbers that have been manually entered into a state or local automatic license plate reader system database upon an officer's determination that the license plate numbers are relevant and material to an investigation of a vehicle that is:

(a) Unregistered or uninsured;

(b) In violation of the inspection requirements set forth in section [insert citation to state vehicle inspection law];

(c) Registered to an individual for whom there is an outstanding felony warrant;

(d) Associated with a missing person;

(e) Stolen; or

(f) Related to or involved in a felony.

(2) By parking enforcement entities for regulating the use of parking facilities;

(3) For the purpose of controlling access to secured areas; or

(4) For the purpose of electronic toll collection.

(C) For the allowed uses under Section 2(B)(1)(a) and (b), it shall be unlawful to intentionally target enforcement towards a population based on race, ethnicity, or income level in a manner that exceeds that group's proportion of the overall population within the enforcing government entity's jurisdiction.

(D) It shall be unlawful to operate or utilize any ALPR system whose operation is not fully compliant with the provisions of this Act, and any existing contracts that are inconsistent with this Act shall be promptly amended or terminated to the extent permitted by law.

Section 3. Protections.

(A) Captured plate data collected by or on behalf of a city government entity, as authorized pursuant to Section 2(B), shall not be used, shared, or made

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available or accessible for any other purpose and shall be deleted after 48 hours, except that such data may be retained:

(1) For as long as such captured plate data is needed to support the assessment and collection of a toll pursuant to Section 2(B)(4);
(2) For as long as such captured plate data is needed by a [insert name of city] government entity as evidence of specific unlawful conduct enumerated in Section 2(B)(1);
(3) If a non-[insert name of city] government entity requests specifically identified data be retained, and such a request is accompanied by a signed affidavit attesting that the data is relevant to a specific, active investigation or prosecution of specific unlawful conduct enumerated in Section 2(B)(1), for the earlier of the time period set forth in the request or until the investigation or prosecution is no longer active; or
(4) Pursuant to a valid, court issued, probable cause warrant.

(B) Any government entity that uses an automatic license plate reader system pursuant to Section 2(B)(1) must update that system from the databases enumerated in Section 2(B)(1) in real-time, at the beginning of each shift, or whenever such updates are available.

(C) The security of all data collected by an automatic license plate readers system by or on behalf of a law enforcement agency shall be protected in storage and in transit using end-to-end encryption.

Section 4. Private ALPR Use-Related Limitations

(A) A government entity shall not request or demand a private operator or user of an ALPR system provide access to an ALPR camera, ALPR data, a searchable ALPR system, or the search results generated by an ALPR system unless the government entity has a judicially-issued, probable cause warrant for specific ALPR data which is related to a specific, ongoing criminal investigation for which ALPR use is authorized under this Act.

(B) A government entity may not accept access to private ALPR cameras, data, or systems, or the search results generated therefrom from a private person or entity, unless:

(1) The private person or entity was the party on whose behalf the ALPR data was collected;

(2) The private person or entity wishes to voluntarily provide the data for no monetary or other compensation;

(3) The private person or entity, in providing the data, asserts that the ALPR data may be relevant to the investigation of a specific crime; and

(4) The specific crime to which the ALPR data may be relevant was committed:

(a) On the private person's or entity's property;

(b) Against private person's or entity's customer; or

(c) Against the private person's or entity's employee.

(C) Any private person or entity who operates an ALPR camera or ALPR system in a place of public accommodation within the borders of [insert name of city] shall place an easily readable sign within 10 feet of each camera location notifying the public that an ALPR camera is in use in the area and that it is scanning and capturing information about every vehicle within its viewing range.

Section 5. Data Sharing and ALPR access.

(A) Any government entity that uses an automatic license plate reader system pursuant to Section 2(B) shall:

(1) Not share or otherwise provide or allow access to any ALPR data collected by or on behalf of [insert name of city] unless the requesting party requests access to specifically identified ALPR data from [insert name of city], and:

(a) Is a government entity located within the State of [insert name of state] that agrees not to further share the data or access thereto unless otherwise required by law;

(b) Is a government entity located within 25 miles of [insert name of city] that agrees not to further share the data or access thereto unless otherwise required by law; or

(c) Has a judicially issued, probable cause warrant for the specifically identified ALPR data.

(2) Not provide or allow any other entity to access any ALPR data, or any data produced therefrom, that was collected by or on behalf of [insert name of city] and is stored on or is otherwise accessible via an ALPR system, unless allowed pursuant to Section 4(A)(1).

(a) Section 4(A)(2) shall not apply to any vendor that is operating an ALPR system on behalf of [insert name of city], provided the vendor does not share or otherwise provide any other person or entity with access to [insert name of city] ALPR data without the express permission from [insert name of city] to share specific ALPR data in a manner that is fully consistent with the provisions of this Act.

Section 6. No captured plate data and no evidence derived therefrom may be received in evidence in any trial, hearing, or other proceeding in or before any City court, grand jury, department, officer, agency, regulatory body, legislative committee, or other authority of the City of [insert City name], if the collection or

disclosure of that information was or would be in violation of this Act, unless such evidence is exculpatory in a criminal trial or proceeding.

Section 7. Penalties.

(A) Any person who violates the provisions of this Act shall be subject to legal action for damages, to be brought by any other person claiming that a violation of this Act has injured his business, his person, or his reputation. A person so injured shall be entitled to actual damages, including mental pain and suffering endured by him on account of violation of the provisions of this Act, or liquidated damages of one thousand dollars, and a reasonable attorney's fee and other costs of litigation.

Section 8. Severability:

The provisions in this Act are severable. If any part or provision of this Act, or the application of this Act to any person, entity, or circumstance, is held invalid, the remainder of this Act, including the application of such part or provision to other persons, entities, or circumstances, shall not be affected by such holding and shall continue to have force and effect.

Section 9. Effective Date:

This Act shall take effect upon passage.