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SENATE BILL 182
PROPOSED COMMITTEE SUBSTITUTE S182-PCS25247-TG-15

Short Title: Automatic License Plate Readers.   (Public)

Sponsors:

Referred to:

March 5, 2015

1	A BILL TO BE ENTITLED
2	AN ACT TO REGULATE THE USE OF AUTOMATIC LICENSE PLATE READER
3	SYSTEMS.
4	The General Assembly of North Carolina enacts:
5	**SECTION 1.** Chapter 20 of the General Statutes is amended by adding a new
6	Article to read:
7	"Article 3D.
8	"Automatic License Plate Reader Systems.
9	"**§ 20-183.22. Definitions.**
10	The following definitions apply in this Article:
11	(1) Automatic license plate reader system. – A system of one or more mobile or
12	fixed automated high-speed cameras used in combination with computer
13	algorithms to convert images of license plates into computer-readable data.
14	This term shall not include a traffic control photographic system, as that
15	term is defined in G.S. 160A-300.1(a), or an open road tolling system, as
16	that term is defined in G.S. 136-89.210(3).
17	(2) Law enforcement agency. – Any agency or officer of the State of North
18	Carolina or any political subdivision thereof who is empowered by the laws
19	of this State to conduct investigations or to make arrests, and any attorney,
20	including the Attorney General of North Carolina, authorized by the laws of
21	this State to prosecute or participate in the prosecution of those persons
22	arrested or persons who may be subject to civil actions related to or
23	concerning an arrest.
24	"**§ 20-183.23. Regulation of use.**
25	Any State or local law enforcement agency using an automatic license plate reader system
26	must adopt a written policy governing its use before the automatic license plate reader system
27	is operational. The policy shall address all of the following:
28	(1) Databases used to compare data obtained by the automatic license plate
29	reader system.
30	(2) Data retention.
31	(3) Sharing of data with other law enforcement agencies.
32	(4) Training of automatic license plate reader system operators.
33	(5) Supervisory oversight of automatic license plate reader system use.
34	(6) Internal data security and access.

1   (7)   Annual or more frequent auditing and reporting of automatic license plate
2   reader system use and effectiveness to the head of the agency responsible for
3   operating the system.
4   (8)   Any other subjects related to automatic license plate reader system use by
5   the agency.
6 "**§ 20-183.24. Preservation and disclosure of records.**
7   (a)   Data obtained by an automatic license plate reader system shall not be preserved for
8 more than 90 days unless there is a written, articulable, and recorded basis that the data has
9 intelligence or investigatory value, is or may become evidence in a specific criminal action, or
10 is needed to prove a violation of a motor carrier safety regulation. In that event, the specific
11 case and parties involved shall be identified.
12   (b)   Data obtained by an automatic license plate reader system is confidential and not a
13 public record as that term is defined in G.S. 132-1. Data shall not be disclosed except to a
14 federal, State, or local law enforcement agency for a legitimate law enforcement or public
15 safety purpose pursuant to a written request from the requesting agency. Written requests may
16 be in electronic format."
17   **SECTION 2.** This act becomes effective December 1, 2015.