

1 S.18

2 Introduced by Senators Ashe, Fox, Sears, and Snelling

3 Referred to Committee on

4 Date:

5 Subject: Motor vehicles; automated license plate recognition systems

6 Statement of purpose: This bill proposes to authorize and regulate the use of
7 automated license plate recognition systems and to establish limitations on the
8 use, dissemination, and retention of information obtained through automated
9 license plate recognition systems.

10 An act relating to automated license plate recognition systems

11 It is hereby enacted by the General Assembly of the State of Vermont:

12 Sec. 1. 23 V.S.A. § 1607 is added to read:

13 § 1607. AUTOMATED LICENSE PLATE RECOGNITION SYSTEMS

14 (a) Definitions. As used in this section:

15 (1) “Automated license plate recognition system” means a system of one
16 or more mobile or fixed high-speed cameras combined with computer
17 algorithms to convert images of registration plates into computer-readable
18 data.

19 (2) “Law enforcement officer” means a state police officer, municipal
20 police officer, motor vehicle inspector, capitol police officer, constable, sheriff,

1 or deputy sheriff certified by the Vermont Criminal Justice Training Council as
2 having satisfactorily completed the approved training programs required to
3 meet the minimum training standards applicable to that person under
4 20 V.S.A. § 2358.

5 (b) Prohibition on use; exception.

6 (1) Except as provided in subdivision (2) of this subsection (b), a person
7 shall not use an automated license plate recognition system.

8 (2) A law enforcement officer may use an automated license plate
9 recognition system for a legitimate law enforcement purpose.

10 (c) Confidentiality.

11 (1) Except as provided in subdivision (2) of this subsection (c),
12 information obtained through use of an automated license plate recognition
13 system is confidential and is exempt from public inspection and copying under
14 the Public Records Act.

15 (2) Information obtained through use of an automated license plate
16 recognition system may be used by a law enforcement officer for a legitimate
17 law enforcement purpose.

18 (d) Retention.

19 (1) Except as provided in subdivision (2) of this subsection (d),
20 information obtained through use of an automated license plate recognition
21 system shall only be retained for 180 days after the date it was obtained. When

1 the permitted 180-day period for retention of the information has expired, any
2 law enforcement agency that has custody of the information shall destroy it.

3 (2) The state's attorney in the county where information was obtained
4 through use of an automated license plate recognition system may apply to the
5 criminal division of the superior court in that county for an extension of the
6 180-day retention period established by subdivision (1) of this subsection (d).
7 If it finds based on individual facts particular to the information at issue that
8 there is good cause for an extension, the court may grant the petition and
9 authorize the information to be retained for an additional 90 days. Successive
10 applications for extensions may be filed pursuant to this subdivision.

11 (e) Oversight; rulemaking.

12 (1) The Department of Public Safety shall establish a review process to
13 ensure that information obtained through use of automated license plate
14 recognition systems is used only for the purposes permitted by this section.
15 The Department shall report the results of this review annually by January 15
16 to the Senate and House Committees on Judiciary and on Transportation.

17 (2) The Department of Public Safety may adopt rules to implement this
18 section.

19 Sec. 2. EFFECTIVE DATE

20 This act shall take effect on July 1, 2013.