

GENERAL ASSEMBLY OF NORTH CAROLINA
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SENATE DRS25045-ML-51A (01/29)

Short Title: Automatic License Plate Readers. (Public)

Sponsors: Senators McKissick, Barefoot, and Daniel (Primary Sponsors).

Referred to:

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).

16 (2) Law enforcement agency. – Any agency or officer of the State of North
17 Carolina or any political subdivision thereof who is empowered by the laws
18 of this State to conduct investigations or to make arrests, and any attorney,
19 including the Attorney General of North Carolina, authorized by the laws of
20 this State to prosecute or participate in the prosecution of those persons
21 arrested or persons who may be subject to civil actions related to or
22 concerning an arrest.

23 **"§ 20-183.23. Regulation of use.**

24 Any State or local law enforcement agency using an automatic license plate reader system
25 must adopt a written policy governing its use before the automatic license plate reader system
26 is operational. The policy shall address all of the following:

27 (1) Databases used to compare data obtained by the automatic license plate
28 reader system.

29 (2) Data retention.

30 (3) Sharing of data with other law enforcement agencies.

31 (4) Training of automatic license plate reader system operators.

32 (5) Supervisory oversight of automatic license plate reader system use.

33 (6) Internal data security and access.

34 (7) Annual or more frequent auditing and reporting of automatic license plate
35 reader system use and effectiveness to the head of the agency responsible for
36 operating the system.



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(8) Any other subjects related to automatic license plate reader system use by the agency.

"§ 20-183.24. Preservation and disclosure of records.

(a) Data obtained by an automatic license plate reader system shall not be preserved for more than 90 days unless there is a written, articulable, and recorded basis that the data has intelligence or investigatory value or is or may become evidence in a specific criminal action. In that event, the specific case and parties involved shall be identified.

(b) Data obtained by an automatic license plate reader system is confidential and not a public record as that term is defined in G.S. 132-1. Data shall not be disclosed except to a federal, State, or local law enforcement agency for a legitimate law enforcement or public safety purpose pursuant to a written request from the requesting agency. Written requests may be in electronic format."

SECTION 2. This act becomes effective December 1, 2015.