The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1.  Section 6506(b)(1) of Title 75 of the Pennsylvania Consolidated Statutes is amended and subsection (a) is amended by adding a paragraph to read:

§ 6506.  Surcharge.
(a) Levy and imposition.--In addition to any fines, fees or penalties levied or imposed as provided by law, under this title or any other statute, a surcharge shall be levied for disposition in accordance with subsection (b) as follows:

* * *
(10) Upon conviction for a violation of Chapter 13 (relating to registration of vehicles), a surcharge of $25.

* * *
(b) Disposition.--
(1) Notwithstanding any other statutory provision:

   (i) All surcharges levied and collected under subsection (a)(1) by any division of the unified judicial system shall be remitted to the Commonwealth for deposit in the General Fund.

   (ii) All surcharges levied and collected under subsections (a)(2), (3), (4), (5), (6) and (7) by any division of the unified judicial system shall be remitted to the Commonwealth for deposit in the Public Transportation Trust Fund.

   (iii) All surcharges levied and collected under subsection (a)(8) and (9) by any division of the unified judicial system shall be remitted to the appropriate towing and storage agent as set forth in section 6309.2(e) (relating to immobilization, towing and storage of vehicle for driving without operating privileges or registration) for purposes of funding its costs associated with Subchapter A of Chapter 63 (relating to general provisions).

   (iv) All surcharges levied and collected under subsection (a)(10) by any division of the unified judicial system shall be remitted to the State Treasury for deposit in the ALPR Equipment Fund.

   (v) If the fines, fees or penalties are being paid in installments, the surcharge shall be remitted on each installment on a pro rata basis.

   * * *

Section 2. Part VI of Title 75 is amended by adding a chapter to read:

CHAPTER 70
§ 7001. Definitions.

The following words and phrases when used in this chapter shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"ALPR" An automated license plate reader.

"Automated license plate reader system."

(1) A system:

(i) of one or more mobile or fixed high-speed cameras combined with computer algorithms to convert images of registration plates into computer-readable data; and

(ii) used by a State, county or local law enforcement agency or a government entity.

(2) The term does not include a violation enforcement system as defined in 74 Pa.C.S. § 8102 (relating to definitions) or a system used in electronic toll collection.

(3) The term does not include an automated red light enforcement system as defined in section 102 (relating to definitions) and used under sections 3116 (relating to automated red light enforcement systems in first class cities) and 3117 (relating to automated red light enforcement systems in other cities).
systems in certain municipalities).

"Captured data." The global positioning system coordinates, dates and times, photographs, registration plate numbers and any other data collected by or derived from an automated license plate reader system.

"Government entity." An office, agency, board, bureau, department, commission or authority established by statute, or a private entity under contract with an office, agency, board, bureau, department, commission or authority established by statute, to carry out a government function.

"Private entity." A person, entity, group or organization that is not the Federal Government, the Commonwealth or a municipal authority.

"Secured area." An area, enclosed by clear boundaries, to which access is limited and entry is only obtainable through specific access-control points.

§ 7002. Use of automated license plate reader systems.

(a) Authorized purposes.--

(1) A State, county or local law enforcement agency may only use an automated license plate reader system for legitimate law enforcement purposes, conducting criminal investigations or ensuring compliance with Federal, State and local laws.

(2) In addition to the purposes under paragraph (1), a government entity may use an automated license plate reader system for the purpose of:

(i) Enforcing State and local parking laws.

(ii) Controlling access to a secured area.

(b) Prohibition.--Except as authorized under subsection (a), the use of an automated license plate reader system is
prohibited.

(c) Manual entries.--Any State, county or local law enforcement agency or government entity that manually enters license plate numbers into an automated license plate reader system must document the reason for the entry to ensure use for a legitimate law enforcement purpose, conducting criminal investigations or ensuring compliance with Federal, State and local laws.

(d) Training required.--

(1) Prior to using an automated license plate reader system for a purpose identified in subsection (a)(1), an individual shall complete a training course approved by the Pennsylvania State Police and the Municipal Police Officers' Education and Training Commission.

(2) Prior to using an automated license plate reader system for a purpose identified in subsection (a)(2), an individual shall complete a training course to be publicly accessible under the policy outlined in section 7005 (relating to automated license plate reader system policy).

(3) Individuals who use an automated license plate reader system in the discharge of their official duties for a purpose identified in subsection (a) on the effective date of this section and have not previously completed a similar training course shall have six months from the effective date of this section, or six months from the date the Pennsylvania State Police certifies that a training course is available to such individuals, whichever is later, to complete the required training course.

(e) Use of registered vehicle owner information.--Notwithstanding any other provision of law, registered vehicle owner information,
owner information as described in section 1305 (relating to application for registration) obtained as a result of the operation of an automated license plate reader system shall not be the property of the manufacturer nor vendor of the automated license plate reader system and may not be used for any purpose other than prescribed in this section.

(f) Further restrictions.--Notwithstanding any other provision of law, camera equipment deployed as part of an automated license plate reader system may not be used for automated or user-controlled remote surveillance by means of recorded video images. The restrictions specified in this subsection shall not be deemed to preclude a court of competent jurisdiction from issuing an order directing that information obtained through the use of an automated license plate reader system be provided to law enforcement officials if the information is reasonably described and is requested solely in connection with a criminal law enforcement action or criminal investigation.

§ 7003. Preservation and disclosure of captured data.

(a) Location of captured data.--

(1) The Pennsylvania State Police shall determine how all captured data collected through the use of an automated license plate reader system shall be stored within a secure data-hosting environment that is designated by and under the control of the Pennsylvania State Police.

(2) To carry out its responsibilities under paragraph (1), the Pennsylvania State Police may contract with a private third party for the purpose of administering a system which allows the storage of captured data in accordance with this chapter. The Pennsylvania State Police are authorized to
pay a reasonable fee to a third party to administer the
system. Information received under this section by a third
party shall remain confidential as specified under this
chapter.

(3) Law enforcement agencies maintaining a separate
database on the effective date of this section shall have one
year from the effective date of this section to arrange for
the sharing of captured data in accordance with paragraph
(1).

(b) Confidentiality of captured data.—

(1) Except as provided in paragraph (2) or (3):

(i) A law enforcement agency or government entity
authorized to use an automated license plate reader
system may not sell, trade, disseminate or exchange
captured data for any purpose.

(ii) Captured data collected or retained through the
use of an automated license plate reader system is
confidential and is only available for use by a law
enforcement agency in carrying out its functions, by a
government entity collecting information for its intended
purpose and in any related civil or criminal proceeding.

(2) The restrictions specified in this subsection shall
not be deemed to preclude a court of competent jurisdiction
from issuing an order directing that captured data obtained
through the use of an automated license plate reader system
be provided to law enforcement officials if the information
is reasonably described and is requested solely in connection
with a criminal law enforcement action.

(3) Law enforcement agencies may only share, sell,
trade, disseminate or exchange captured data with other law
enforcement agencies or criminal justice agencies in the
performance of their official duties.

(c) Applicability of Right-to-Know Law.--Captured data
collected or retained through the use of an automated license
plate reader system is not subject to disclosure under the act
of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know
Law.

§ 7004. Destruction of captured data.

(a) Destruction of captured data.--The following apply:

(1) Except as otherwise provided for under 18 Pa.C.S.
Ch. 91 (relating to criminal history record information),
captured data obtained through the use of automated license
plate reader systems deployed shall be destroyed upon the
later of:

(i) one year of final judgment of any case involving
a recorded event; or

(ii) one year of any recorded event which is not
directly related to a violation or an active or ongoing
criminal investigation.

(2) (Reserved).

(b) Captured data previously collected.--Captured data
collected before the effective date of this section must be
destroyed, if required by this section, no later than one year
after the effective date of this section.

(c) Shared data.--If captured data collected by an automated
license plate reader system are shared with another law
enforcement agency or government entity, the agency or entity
that receives the data must comply with the requirements of this
section.

(d) Notification.--The law enforcement agency or government
entity which obtained recorded images through the use of an automated license plate reader system shall annually file notice with the Pennsylvania Commission on Crime and Delinquency that the records have been destroyed in accordance with this section no later than December 15 of each year.

§ 7005. Automated license plate reader system policy.

The Pennsylvania State Police may develop a policy related to the use of an automated license plate reader system which includes the basic protocol, guidelines or written policies governing the implementation, use, maintenance or storage of automated license plate reader systems which a State, county or local law enforcement agency or government entity must adopt. The basic protocol, guidelines or written policies must include, at a minimum, the following:

(1) An audit process to ensure that information obtained through the use of an automated license plate reader system is used only as outlined in section 7002(a) (relating to use of automated license plate reader systems), including audits of requests made by individual law enforcement agencies or government entities or individual law enforcement or government entity personnel.

(2) Procedures and safeguards to ensure that other employees with access to the automated license plate reader system database are adequately screened and trained.

(3) A copy of the training course used under section 7002(d)(2), if applicable.

§ 7006. Penalties.

(a) Prohibited use of automated license plate reader systems.--An individual who knowingly or intentionally violates section 7002(b) (relating to use of automated license plate
reader systems) commits a misdemeanor of the second degree.

(b) Other violations.--An individual who knowingly or intentionally violates section 7002(c), (d), (e) or (f) commits a misdemeanor of the third degree.

§ 7007. Grant funding.

(a) Establishment of ALPR equipment fund.--The ALPR Equipment Fund is established as a special fund in the State Treasury to procure ALPR equipment for use by law enforcement agencies and to assist and provide equipment support for State and local law enforcement. The money in the fund is appropriated on a continuing basis to the commission for the purposes of this section. Costs of the commission required for the administration of this section shall be paid out of the fund.

(b) Allocation.--

(1) Upon completion and approval of a municipal application, the commission shall award a grant to a municipality seeking reimbursement from the fund.

(2) The commission, in accordance with the provisions of this chapter, shall establish guidelines for applications and approval of applications from municipalities for the grants.

(3) Upon notification of a grant award, a municipality is required to execute a reimbursement agreement, submit invoices and provide project updates to the commission.

(4) Financial assistance for the procurement and maintenance of ALPR equipment under this section shall not require a match of municipal funds.

(5) Except for maintenance costs, ALPR equipment purchased by a municipality prior to notification of a grant award and an executed reimbursement agreement shall not be eligible for reimbursement from the fund.
(c) Definitions.--As used in this section, the following words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:


"Fund." The ALPR Equipment Fund established under subsection (a).

Section 3. Unless specifically provided in 75 Pa.C.S. Ch. 70, nothing in 75 Pa.C.S. Ch. 70 shall be construed to apply to captured data obtained before the effective date of this section.

Section 4. This act shall take effect in six months.