

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in enforcement, providing for registration plate
3 reader devices.

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

6 Section 1. Title 75 of the Pennsylvania Consolidated
7 Statutes is amended by adding a section to read:

8 § 6314 Registration plate reading devices.

9 (a) General rule.--A registration plate reading device may
10 only be used by a police officer in accordance with the
11 following provisions:

12 (1) The authority to obtain and issue an RPR, to
13 administer a documented training process for the operation of
14 an RPR and to ensure compliance with Federal, State and other
15 applicable regulations is vested in the head of a law
16 enforcement agency or his or her designee. A law enforcement
17 agency may only use an RPR that has been approved for use by
18 the head of the law enforcement agency or his or her

1 designee.

2 (2) A law enforcement agency shall maintain an RPR in
3 accordance with the recommendations of the manufacturer of
4 the RPR.

5 (3) Before using an RPR, the head of the law enforcement
6 agency shall attest to all of the following:

7 (i) The RPR meets all requirements of this section.

8 (ii) The law enforcement agency has a policy in
9 effect governing the use of an RPR.

10 (iii) The law enforcement agency has a documented
11 training process to train each police officer who will be
12 using an RPR.

13 (4) A law enforcement agency shall ensure that the lists
14 against which the law enforcement agency compares the
15 registration plate numbers scanned by an RPR are kept current
16 by entering data into the RPR daily through either a hard
17 link or a wireless upload. If a police officer becomes aware
18 that a new bulletin is issued or a bulletin is canceled, the
19 police officer shall manually change the list against which
20 registration plate numbers scanned by the RPR are being
21 compared. A police officer may enter into an RPR a partial
22 registration plate number that has been reported as a result
23 of a serious crime to identify suspected vehicles used in
24 connection with that crime.

25 (5) The operation of an RPR and access to data collected
26 by an RPR is restricted to law enforcement agencies for
27 official law enforcement purposes only. A law enforcement
28 agency shall use an RPR only to scan, detect and identify
29 registration plate numbers that appear on lists or broadcasts
30 of any of the following:

- 1 (i) Stolen vehicles.
- 2 (ii) Vehicles believed to be driven or occupied by
3 wanted, missing or endangered individuals.
- 4 (iii) Individuals who are in default for failure to
5 make required court appearances.
- 6 (iv) Individuals for whom a criminal warrant is
7 pending or in effect.
- 8 (v) Individuals whose operator's licenses, driving
9 privileges or vehicle registrations have been suspended
10 or revoked.
- 11 (vi) individuals who are suspected of committing
12 criminal or terrorist acts, transporting stolen items or
13 contraband or committing violations of this title.
- 14 (vii) Commercial trucking enforcement information.
- 15 (viii) Criminal investigative surveillance for a
16 specific case.
- 17 (ix) Registration plate canvasses in homicides,
18 shootings or other major crimes or incidents.
- 19 (6) A positive match between a registration plate number
20 scanned by an RPR and information on any of the items listed
21 in paragraph (5) constitutes reasonable suspicion for a
22 police officer to stop a vehicle and temporarily detained the
23 vehicle and its occupants to confirm or dispel the
24 information provided by the RPR.
- 25 (b) Duty to purge records.--A law enforcement agency shall
26 purge records of registration plates read by an RPR from the
27 system no later than 150 days after they were collected.
- 28 (c) Access to RPR records.--
- 29 (1) A law enforcement agency may allow access to RPR
30 records for legitimate law enforcement investigative,

1 prosecution or audit verification purposes.

2 (2) A law enforcement agency shall keep a record of all
3 inquiries for RPR records and shall maintain those records in
4 the same manner as the law enforcement agency maintains
5 criminal history records.

6 (3) To ensure compliance with this section or to
7 investigate complaints of misuse of RPR devices, the Attorney
8 General or a designee of the Attorney General, including a
9 district attorney or a police officer acting at the request
10 of the Attorney General, may examine and audit an RPR, a
11 server used to store RPR data or records related to the use
12 of an RPR maintained by a law enforcement agency.

13 (4) The Attorney General or a designee of the Attorney
14 General may seek an injunction banning the use of an RPR by a
15 law enforcement agency found to have used an RPR in repeated
16 violation of this section and requiring the confiscation of
17 an RPR if necessary to prevent ongoing violations or deter
18 future violations of this section.

19 (d) Definitions.--As used in this section, the following
20 words and phrases shall have the meanings given to them in this
21 subsection unless the context clearly indicates otherwise:

22 "Registration plate reading device" or "RPR." A device that
23 satisfies all of the following:

24 (1) Is hand-held, stationary or mounted to a vehicle.

25 (2) Uses automated high-speed camera and optical
26 character recognition technology.

27 (3) Passively reads a registration plate number,
28 instantaneously compares the registration plate number
29 against a list, sends an audible or visual alarm to the
30 operator of the device if the registration plate number

1 matches information on that list and stores a record of each
2 registration plate number read by the device for a prescribed
3 period of time.

4 Section 2. This act shall take effect in 60 days.