
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1076 Session of
2015

INTRODUCED BY PILEGGI, VULAKOVICH AND TARTAGLIONE,
DECEMBER 11, 2015

REFERRED TO TRANSPORTATION, DECEMBER 11, 2015

AN ACT

1 Amending Title 44 (Law and Justice) of the Pennsylvania
2 Consolidated Statutes, restricting the use of automatic
3 license plate reader systems; providing for disclosure of
4 data; and imposing a penalty.

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

7 Section 1. Title 44 of the Pennsylvania Consolidated
8 Statutes is amended by adding a part to read:

9 PART V

10 LAW ENFORCEMENT

11 Chapter

12 81. Automatic license plate reader systems

13 CHAPTER 81

14 AUTOMATIC LICENSE PLATE READER SYSTEMS

15 Sec.

16 8101. Definitions.

17 8102. Restrictions on use.

18 8103. Preservation and disclosure of captured data.

19 8104. Penalties.

1 § 8101. Definitions.

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

5 "Automatic license plate reader system." A system of one or
6 more mobile or fixed high-speed cameras combined with computer
7 algorithms to convert images of registration plates into
8 computer-readable data.

9 "Captured data." The global positioning system coordinates,
10 dates and times, photographs, license plate numbers and any
11 other data collected by or derived from an automatic license
12 plate reader.

13 "Government entity." An office, agency, board, bureau,
14 department, commission or authority funded or established by a
15 State, county or local government to carry out a government
16 function.

17 "Secured area." An area, enclosed by clear boundaries, to
18 which access is limited and not open to the public and entry is
19 only obtainable through specific access-control points.

20 § 8102. Restrictions on use.

21 (a) General rule.--Except as otherwise provided in
22 subsection (b), it is unlawful for an individual, partnership,
23 corporation, association or other entity to use an automatic
24 license plate reader system.

25 (b) Exceptions.--An automatic license plate reader may be
26 used by any of the following:

27 (1) Any State, county or municipal law enforcement
28 agency for the purpose of protecting public safety,
29 conducting criminal investigations or ensuring compliance
30 with Federal, State and local laws.

1 (2) A government entity for the purpose of enforcing
2 State and local parking laws.

3 (3) A government entity for the purpose of monitoring
4 and collecting an electronic toll.

5 (4) A government entity for the purpose of controlling
6 access to a secured area.

7 § 8103. Preservation and disclosure of captured data.

8 (a) Confidentiality of data.--Captured data collected or
9 retained through the use of an automatic license plate reader
10 system in accordance with section 8102(b) (relating to
11 restrictions on use) is confidential and is only available for
12 use by a law enforcement agency in carrying out its functions,
13 by a government entity collecting information for its intended
14 purpose and for any related civil or criminal proceeding.

15 (b) Disclosure prohibited.--Except as provided in subsection
16 (c), a law enforcement agency or government entity authorized to
17 use an automatic license plate reader system shall not sell,
18 trade or exchange captured plate data for any purpose.

19 (c) Sharing of data.--Captured plate data that indicates
20 evidence of an offense or provides information to protect the
21 public may be shared with law enforcement agencies and with
22 criminal justice agencies in the performance of their official
23 duties.

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

29 § 8104. Penalties.

30 A violation of this chapter constitutes a misdemeanor of the

1 second degree.

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