

By: Williams
(Miller of Erath)

S.B. No. 1696

A BILL TO BE ENTITLED

AN ACT

relating to the creation of an automatic license plate reader pilot program.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter A, Chapter 411, Government Code, is amended by adding Section 411.0094 to read as follows:

Sec. 411.0094. AUTOMATIC LICENSE PLATE READER PILOT PROGRAM. (a) In this section, "automatic license plate reader" means a system that reads and records license plate numbers taken from digital photographs.

(b) The department shall establish a pilot program in which automatic license plate readers may be installed in law enforcement motor vehicles used by the department for law enforcement.

(c) The program must include a request for proposal process to select a contractor for the installation of automatic license plate readers.

(d) The department shall adopt rules as necessary to implement the program.

(e) An automatic license plate reader installed under this section:

(1) may be used only to record information necessary to identify a motor vehicle; and

(2) may not be used to record an image of a person in a motor vehicle.

1 (f) The images and any related data produced from an
2 automatic license plate identification camera system can be queried
3 or disseminated only for a law enforcement purpose.

4 (g) All data produced from an automatic license plate reader
5 shall be destroyed within one year of collection unless the data is
6 evidence in a criminal investigation or prosecution.

7 (h) Any agreement or memorandum of understanding concerning
8 data-sharing related to an automatic license plate identification
9 camera system between law enforcement entities collecting,
10 sharing, or gaining access to data under this section is subject to
11 the provisions of Chapter 552.

12 (i) Not later than December 1, 2012, the department shall
13 file a report with the committee in each house of the legislature
14 having primary jurisdiction over homeland security matters. The
15 report must include:

16 (1) information regarding the use of automatic license
17 plate readers by the department; and

18 (2) any other information that would assist the
19 legislature in evaluating the effectiveness of the use of automatic
20 license plate readers by the department.

21 (j) This section expires September 1, 2013.

22 SECTION 2. This Act takes effect September 1, 2011.