

By: Hall

S.B. No. 91

A BILL TO BE ENTITLED

AN ACT

relating to the use of automatic license plate readers by a law enforcement agency.

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. (a) In this section, "automatic license plate reader" means a system that reads and records license plate numbers taken from digital photographs.

(b) A law enforcement agency or a municipal parking enforcement authority may use an automatic license plate reader.

(c) Images and any related data produced from an automatic license plate reader under Subsection (b) may be used only:

(1) for a law enforcement purpose; or

(2) by a municipal parking enforcement authority to issue a citation at the time of an alleged violation of a vehicle parking ordinance.

(d) All images and data produced from an automatic license plate reader under this section shall be destroyed not later than the first anniversary of the date of collection unless the image or data is evidence in a criminal investigation or prosecution.

(d-1) A law enforcement agency may not enter into an agreement to provide images or any related data produced from an

1 automatic license plate reader for a commercial purpose.

2 (e) The department shall adopt rules as necessary to
3 implement this section.

4 SECTION 2. This Act takes effect September 1, 2017.