

By: Hall

S.B. No. 78

A BILL TO BE ENTITLED

AN ACT

relating to the use of automatic license plate readers by a law enforcement agency or municipal parking enforcement authority.

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

SECTION 1. Chapter 750, Transportation Code, is amended by adding Section 750.004 to read as follows:

Sec. 750.004. 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 municipal parking enforcement authority may use an automatic license plate reader.

(c) Images and any related data produced from an automatic license plate reader used by a law enforcement agency may be used only for a law enforcement purpose.

(d) Images and any related data produced from an automatic license plate reader used by a municipal parking enforcement authority may be used only by the authority to issue a citation at the time of an alleged violation of a vehicle parking ordinance.

(e) Images and any related data produced from an automatic license plate reader under this section must be destroyed promptly after collection unless the image or data is from a motor vehicle that:

(1) is involved in a criminal offense or an ongoing criminal investigation; or

1           (2) is registered to a person who is involved in a  
2 criminal offense or an ongoing criminal investigation.

3           (f) A law enforcement agency or municipal parking  
4 enforcement authority may not enter into an agreement with a  
5 private person to provide images or any related data produced from  
6 an automatic license plate reader to the person for a commercial  
7 purpose.

8           SECTION 2. This Act takes effect September 1, 2019.