

## **BILL ANALYSIS**

H.B. 5005  
By: Cook  
State Affairs  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Under state public information law, vehicle license plates captured on video are considered confidential, despite being readily visible in the public domain on roadways. Law enforcement agencies across the state spend numerous hours redacting vehicle license plates from police dashcam footage, body worn camera recordings, and building surveillance footage. Officers have noted that redaction of one hour of video footage from the scene of an auto accident may take five to 10 hours to redact. Additionally, due to constant movement, body worn camera footage must be redacted by a skilled specialist as automatic redaction is insufficient. Both forms of redaction are incredibly costly and time-consuming. Law enforcement agencies with limited or no redaction capabilities may be forced to withhold video recordings solely on the basis that the footage contains a license plate. Individuals may not be able to obtain recordings of witness statements captured on body worn cameras or recordings of the accident itself captured by surveillance cameras. H.B. 5005 seeks to clarify that license plates captured in law enforcement video footage are not considered confidential, are not required to be redacted, and may be disclosed in response to a public information request.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 5005 amends the Government Code to establish that the license plate number of a motor vehicle captured in a video recording maintained by a law enforcement agency is not confidential under the Motor Vehicle Records Disclosure Act or the exception to disclosure under state public information law for certain motor vehicle records and may be included in a video recording disclosed under state public information law. A law enforcement agency is expressly not precluded from asserting other exceptions to the disclosure of the information available under state public information law.

H.B. 5005 amends the Transportation Code to authorize a law enforcement agency to release under the Motor Vehicle Records Disclosure Act a video recording maintained by the agency that includes the license plate number of a motor vehicle captured in the video in response to a public information request. The agency is not required to redact any license plate numbers before releasing the video.

### **EFFECTIVE DATE**

September 1, 2023.