

1 AN ACT relating to automated license plate readers.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 189 IS CREATED TO  
4 READ AS FOLLOWS:

5 *(1) As used in this section:*

6 *(a) "Automated license plate reader" or "ALPR" means a system of one (1) or*  
7 *more mobile or fixed high-speed cameras combined with computer*  
8 *algorithms to convert images of license plates into data that is readable by a*  
9 *computer system; and*

10 *(b) "Entity" means any law enforcement agency, unit of local government,*  
11 *school district, public charter school, school certified pursuant to KRS*  
12 *156.160(3), postsecondary education institution, homeowner's association,*  
13 *company, or individual that deploys and maintains ALPRs.*

14 *(2) An ALPR shall only be deployed and maintained by:*

15 *(a) An entity for the sole purpose of protecting public safety, conducting*  
16 *criminal investigations, or ensuring compliance with local, state, or federal*  
17 *law; or*

18 *(b) The Kentucky Transportation Cabinet for the sole purpose of toll collection*  
19 *activities on highways and bridges.*

20 *(3) License plate data captured by an ALPR shall not be retained for more than*  
21 *ninety (90) days, except when the data is captured by:*

22 *(a) An entity and is being used as evidence in a criminal prosecution or*  
23 *administrative investigation;*

24 *(b) An entity and has become subject to a subpoena duces tecum or*  
25 *preservation of evidence notification;*

26 *(c) An entity and is being used as evidence by the National Insurance Crime*  
27 *Bureau or its successor organization; or*

- 1        *(d) The Kentucky Transportation Cabinet and is being used for toll collection*  
2                    *activities on highways and bridges.*
- 3        *(4) An entity or the Kentucky Transportation Cabinet shall not sell any recorded*  
4                    *images or data captured by an ALPR for any purpose and shall not make the data*  
5                    *available, except:*
- 6                    *(a) To another law enforcement officer or agency;*  
7                    *(b) In response to a subpoena duces tecum;*  
8                    *(c) To the National Insurance Crime Bureau or its successor organization; or*  
9                    *(d) As needed for toll collection activities on highways and bridges.*