

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.