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KENTUCKY GENERAL ASSEMBLY AMENDMENT FORM
2026 REGULAR SESSION

Amend printed copy of **HB 58/SCS 1**

On page 1, line 5, to page 5, line 9, delete the text in its entirety and insert in lieu thereof the following:

"(1) As used in this section:

(a) "Alert" means a notification generated by an ALPR indicating that a vehicle passed an ALPR with a license plate that matches data held by the National Crime Information Center or other comparable database;

(b) "Automated license plate reader" or "ALPR" means a system of one (1) or more automated high-speed cameras used in combination with data processing to convert images of vehicles and license plates into computer-readable data;

(c) "Captured license plate data" means the vehicle characteristics captured by an ALPR, including the:

1. Global positioning system device coordinates;

2. Date and time;

3. Photographs of the license plate and vehicle;

4. License plate number; and

5. Vehicle make, model, and color;

(d) "Law enforcement agency" has the same meaning as in KRS 61.298;

(e) "Public agency" has the same meaning as in KRS 61.870; and

Amendment No. SFA

Rep. Sen. Jimmy Higdon

Committee Amendment _____

Signed: _____

Floor Amendment _____

LRD Drafter: _____

Adopted: _____

Date: _____

Rejected: _____

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- (f) "Secured area" means an area, enclosed by clear boundaries, where access is or may be limited.
- (2) It is unlawful for an individual, entity, partnership, corporation, association, or this Commonwealth, its agencies, and political subdivisions to use an ALPR except as provided in this section.
- (3) An ALPR may only be deployed or maintained:
- (a) For purposes of:
1. Regulating parking;
 2. Controlling access to secured areas; or
 3. Promoting public safety, deterring crime, and addressing auto theft;
- (b) By a public agency or law enforcement agency or its agents solely for purposes of:
1. Law enforcement, including but not limited to conducting criminal investigations or ensuring compliance with local, state, or federal law; and
 2. Commercial vehicle:
 - a. Permitting and credentialing enforcement;
 - b. Safety enforcement and monitoring;
 - c. Violation disputes;
 - d. Compliance investigations;
 - e. Audits; and
 - f. Research for the purpose of applying to commercial vehicle enforcement funding grants; and
- (c) By the Transportation Cabinet or its agents solely for purposes of:
1. Toll collection;
 2. Road fund revenue collection; and
 3. Commercial vehicle;

- a. Permitting and credentialing enforcement;
 - b. Safety enforcement and monitoring;
 - c. Violation disputes;
 - d. Compliance investigations;
 - e. Audits; and
 - f. Research for the purpose of applying to commercial vehicle enforcement funding grants.
- (4) Captured license plate data obtained for a purpose described under this section:
- (a) Shall not be preserved for more than ninety (90) days unless it:
 - 1. Is retained for a lawful purpose described in subsection (3)(b) and (c) of this section;
 - 2. Is retained by a law enforcement agency for:
 - a. Use as evidence in a criminal or insurance claim investigation;
 - b. Training purposes, provided that dates, times, and license plate numbers are redacted; or
 - c. Auditing; or
 - 3. Has become subject to a subpoena duces tecum or preservation of evidence notification;
 - (b) If the exemption described in paragraph (a)1. of this subsection applies, shall be retained and destroyed in accordance with the applicable agency's record retention policy;
 - (c) Shall only be used by the entity deploying the ALPR, directly for the lawful purposes described in subsection (3) of this section, except as described in paragraph (d) of this subsection; and
 - (d) Shall not be sold, shared, accessed, or transferred for any other purpose, except:

1. To a law enforcement officer or agency, or a third-party entity contracted with a law enforcement officer or agency, solely for purposes of protecting public safety or conducting criminal investigations;
2. In response to a subpoena duces tecum;
3. To the National Insurance Crime Bureau or its successor organization solely for purposes of investigating insurance fraud, assisting in vehicle recovery, or adjudicating insurance claims;
4. a. To an insurance carrier, its agents, or an insurance support organization solely for purposes of investigating insurance fraud, assisting in vehicle recovery, adjudicating insurance claims, and preventing insurance fraud.
 - b. Notification of potential use of ALPR data shall not be required for vehicle owners who have entered into an insurance contract or submitted an insurance application prior to January 1, 2027. Individuals applying for insurance on or after January 1, 2027, shall be notified by the insurance carrier of the potential use of ALPR data to enforce the contract by either:
 - i. The privacy statement found on the insurance carrier's website;
 - ii. The disclaimer section of the insurance application; or
 - iii. Both;
5. a. To a financial institution or its agents or successors solely for purposes of collateral recovery, enforcement of a lien, recovery of defaulted funds, or verification of information provided within a loan application, provided that the vehicle owner has:
 - i. Entered into an agreement or submitted a loan application with

- the financial institution; or*
- ii. Given written consent to use ALPR data in a binding insurance or financial contract.*
- b. Notification of potential use of ALPR data shall not be required for individuals who have taken an action described in subdivision a.i. or ii. of this subparagraph prior to January 1, 2027. Individuals applying for financing on or after January 1, 2027, shall be notified by the financial institution of the potential use of ALPR data to enforce the contract by either:*
- i. The privacy statement found on the financial institution's website;*
- ii. The disclaimer section of the financing application; or*
- iii. Both; or*
- 6. Otherwise in furtherance of the lawful purposes described in subsection (3)(b) and (c) of this section.*
- (5) Prior to the deployment of an ALPR, a law enforcement agency shall adopt and make publicly available a written policy governing the use of the ALPR that includes:*
- (a) A list of databases used to compare with captured license plate data;*
- (b) Rules for retention and destruction of captured license plate data;*
- (c) Training protocol for ALPR systems;*
- (d) Supervisory oversight of the ALPR system;*
- (e) Rules for access to and security of captured license plate data; and*
- (f) An audit schedule and process to ensure that the system is used in accordance with this section and agency policy to occur every ninety (90) days.*
- (6) Upon receipt of an alert and prior to performing a traffic stop, a law enforcement officer or dispatcher shall visually confirm that the:*

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- (a) Scanned plate provided in the captured license plate data matches the alert; and**
- (b) Stop meets the criteria in the policies of the law enforcement agency and applicable law.**
- (7) The Transportation Cabinet shall establish a permit process for the installation of ALPR systems on highway rights-of-way and shall promulgate administrative regulations in accordance with KRS Chapter 13A to implement this section."**