

- (2) "Authorized user" means an employee of the participating law enforcement agency or an employee of the other entity authorized by that entity to use the system for a legitimate purpose.
- (3) "Automatic license plate recognition system" means a system of one or more mobile or fixed high-speed cameras combined with computer algorithms to convert images of registration plates into computer-readable data. This definition does not include a traffic camera as referenced in present law.
- (4) "Captured plate data" means the global positioning system coordinates, date and time, photograph, license plate number, and any other data captured by or derived from an automatic license plate recognition system, and includes both historical and active data.
- (5) "Historical data" means any data collected by an individual automatic license plate reader system unit and stored in a database.
- (6) "Law enforcement agency", except as provided elsewhere in proposed law, includes a district attorney's office of any parish, the sheriff's office of any parish, the police department of any municipality, the attorney general's office, the Dept. of Public Safety and Corrections, office of state police and office of motor vehicles, and the Dept. of Wildlife and Fisheries.
- (7) "Legitimate purpose" for law enforcement agencies means access to collected data for the investigation, detection, analysis, or enforcement of the law regarding a criminal offense.
- (8) "Legitimate purpose" for the entities that are a party to an agreement or contract with the participating law enforcement agencies includes the collection and storage of data to assist the participating law enforcement agency in developing, utilizing, and managing the pilot program.
- (9) "Other entity" means an entity with which a participating law enforcement agency contracts to implement and administer the pilot program.
- (10) "Participating law enforcement agency" means the law enforcement agency operating the pilot program in one of the pilot program parishes established by proposed law, and is limited to the respective sheriff's offices and district attorney's offices in the pilot program parishes.
- (11) "Pilot program" or "program" means the State Motor Vehicle Theft and Uninsured Motorists Identification Program.

Proposed law provides that a central database for the collection, storage, and dissemination of data captured by an automatic license plate recognition system is to be established and operated by the participating law enforcement agencies, which database must be located in a secure area. Proposed law further provides that the central database must fully comply with all National Law Enforcement Telecommunications System (Nlets) and FBI hosting and security standards, and access to the

database is to be restricted to authorized law enforcement agency users and to entities with whom the law enforcement agencies contract to establish and operate the program.

Proposed law provides that the Dept. of Public Safety and Corrections, public safety services, are to allow access to the vehicle registration and compulsory motor vehicle insurance databases to be used only in connection with the automatic license plate recognition system established pursuant to proposed law.

Proposed law requires the Dept. of Public Safety and Corrections, public safety services to allow access to the data from the databases in accordance with a memorandum of understanding to be executed between the department, sheriffs, and district attorneys in the state.

Proposed law provides that data collected or retained through the use of an automated license plate recognition system may be retained by a law enforcement agency for not more than 60 days, except when the data is being used as evidence of a violation of the compulsory motor vehicle insurance law or for felonies being investigated, including motor vehicle theft, homicide, kidnaping, and burglary, or for the purpose of AMBER Alerts and Blue Alerts.

Proposed law provides that data collected or retained through the use of an automated license plate recognition system cannot be used by any individual or agency for purposes other than law enforcement.

Proposed law provides that no law enforcement agency or other entity authorized to operate under this program may sell captured plate data for any purpose, or share it for any purpose not expressly authorized by proposed law. Proposed law further provides that a participating law enforcement agency may provide data to another law enforcement agency upon written request when that agency is engaged in an ongoing investigation or prosecution of a felony.

Proposed law further provides that any and all data collected, retained, or shared through the use of an automated license plate recognition system, except data retained as evidence of a violation of compulsory motor vehicle insurance law or a felony shall be exempt from disclosure under present law (Public Records Law).

Proposed law provides that any person who violates any provision of proposed law relative to use of automated license plate recognition system and use of data may be imprisoned for up to six months, or fined up to \$1,000, or both.

Proposed law specifies that, except for the prohibition on use to enforce civil traffic citations, proposed law applies only to law enforcement agencies, other entities, and authorized users and does not apply to or be construed or interpreted in a manner to prohibit the use of any other automated license plate recognition system by an individual or private legal entity for purposes not otherwise prohibited by present law or proposed law.

Proposed law provides that on or before 1/15/17 and annually thereafter, the Dept. of Public Safety and Corrections is to submit a written report concerning the program created by proposed law to the

Senate Select Committee on Homeland Security and the House Special Committee on Homeland Security. Proposed law further provides that this report is to be comprised of an evaluation of program operations, and may include any information and recommendations for improvement of the program deemed appropriate by the secretary of the department.

Proposed law makes proposed law subject to certain exemptions contained in present law (Public Records Law).

Proposed law terminates on 1/1/22.

Effective August 1, 2016.

(Amends R.S. 44:4.1(B)(19); adds R.S. 32:46)