

HB3289



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB3289

by Rep. Peter Breen

SYNOPSIS AS INTRODUCED:

New Act

Creates the Automated License Plate Recognition System Act. Defines "automated license plate recognition system" and limits the use of such systems to use by law enforcement personnel and their agencies for use in an ongoing investigation. Provides that data collected from use of the system may only be kept for 30 days after it was obtained unless necessary for an ongoing investigation. Provides that a violation of the Act is a Class A misdemeanor.

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CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the
5 Automated License Plate Recognition System Act.

6 Section 5. Definition. As used in this Act:

7 "Automated license plate recognition system" means a
8 system of one or more mobile or fixed high-speed cameras
9 combined with computer algorithms to convert images of
10 registration plates into computer-readable data. "Automated
11 license plate recognition system" does not include the use of
12 photo surveillance under the Toll Highway Act.

13 Section 10. Authorization; permitted use.

14 (a) A law enforcement agency may employ an automated
15 license plate recognition system subject to the restrictions
16 under this Act.

17 (b) The data collected under this Act may only be:

18 (1) collected by an employee of a law enforcement
19 agency in the course of his or her official duties; and

20 (2) used by law enforcement in an ongoing
21 investigation.

22 Information obtained under this Act may be admissible in

1 any administrative or judicial proceeding unless obtained in
2 violation of this Act.

3 Section 15. Retention. Each law enforcement agency that
4 uses an automated license plate recognition system shall retain
5 the information collected from that system for no more than 30
6 days after the information was obtained. If the information is
7 necessary in an ongoing criminal investigation, then it shall
8 be retained until no longer needed for evidentiary purposes or
9 for purposes of appeal.

10 Section 20. Penalty. A violation of this Act is a Class A
11 misdemeanor.