

Senator Todd Weiler proposes the following substitute bill:

**LICENSE PLATE READER AMENDMENTS**

2013 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Todd Weiler**

House Sponsor: Daniel McCay

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**LONG TITLE**

**General Description:**

This bill modifies provisions relating to automatic license plate reader systems.

**Highlighted Provisions:**

This bill:

- ▶ defines terms;
- ▶ provides that a person or governmental entity may not use an automatic license plate reader system except in certain circumstances;
- ▶ specifies circumstances when an automatic license plate reader system may be used by a person or governmental entity;
- ▶ provides that captured plate data is a protected record under the Government Records Access and Management Act;
- ▶ provides that captured plate data may only be shared for specified purposes, may only be preserved for a certain time, and may only be disclosed pursuant to a disclosure order or a warrant;
- ▶ prohibits a person from selling captured plate data for any purpose;
- ▶ establishes procedures for a governmental entity to submit a preservation request for captured plate data; and
- ▶ provides a penalty for violating the provisions relating to automatic license plate



26 reader systems.

27 **Money Appropriated in this Bill:**

28 None

29 **Other Special Clauses:**

30 None

31 **Utah Code Sections Affected:**

32 AMENDS:

33 **63G-2-305**, as last amended by Laws of Utah 2012, Chapters 331 and 377

34 ENACTS:

35 **41-6a-2001**, Utah Code Annotated 1953

36 **41-6a-2002**, Utah Code Annotated 1953

37 **41-6a-2003**, Utah Code Annotated 1953

38 **41-6a-2004**, Utah Code Annotated 1953

39 **41-6a-2005**, Utah Code Annotated 1953

40 **41-6a-2006**, Utah Code Annotated 1953



42 *Be it enacted by the Legislature of the state of Utah:*

43 Section 1. Section **41-6a-2001** is enacted to read:

44 **Part 20. Automatic License Plate Reader System Act**

45 **41-6a-2001. Title.**

46 This part is known as the "Automatic License Plate Reader System Act."

47 Section 2. Section **41-6a-2002** is enacted to read:

48 **41-6a-2002. Definitions.**

49 As used in this section:

50 (1) "Automatic license plate reader system" means a system of one or more mobile or  
51 fixed automated high-speed cameras used in combination with computer algorithms to convert  
52 an image of a license plate into computer-readable data.

53 (2) "Captured plate data" means the global positioning system coordinates, date and  
54 time, photograph, license plate number, and any other data captured by or derived from an  
55 automatic license plate reader system.

56 (3) "Governmental entity" has the same meaning as defined in Section 63G-2-103.

57           (4) "Secured area" means an area, enclosed by clear boundaries, to which access is  
58 limited and not open to the public and entry is only obtainable through specific access-control  
59 points.

60           Section 3. Section **41-6a-2003** is enacted to read:

61           **41-6a-2003. Automatic license plate reader systems -- Restrictions.**

62           (1) Except as provided in Subsection (2), a person or governmental entity may not use  
63 an automatic license plate reader system.

64           (2) An automatic license plate reader system may be used:

65           (a) by a law enforcement agency for the purpose of protecting public safety, conducting  
66 criminal investigations, or ensuring compliance with local, state, and federal laws;

67           (b) by a parking enforcement entity for regulating the use of a parking facility;

68           (c) for the purpose of controlling access to a secured area;

69           (d) for the purpose of collecting an electronic toll; or

70           (e) for the purpose of enforcing motor carrier laws.

71           Section 4. Section **41-6a-2004** is enacted to read:

72           **41-6a-2004. Captured plate data -- Preservation and disclosure.**

73           (1) Captured plate data obtained for the purposes described in Section 41-6a-2003:

74           (a) in accordance with Section 63G-2-305, is a protected record under Title 63G,

75 Chapter 2, Government Records Access and Management Act;

76           (b) may not be used or shared for any purpose other than the purposes described in

77 Section 41-6a-2003;

78           (c) may not be preserved for more than six months except pursuant to:

79           (i) a preservation request under Section 41-6a-2005;

80           (ii) a disclosure order under Subsection 41-6a-2005(2); or

81           (iii) a warrant issued under the Utah Rules of Criminal Procedure or an equivalent  
82 federal warrant; and

83           (d) may only be disclosed:

84           (i) in accordance with the disclosure requirements for a private record under Section

85 63G-2-202;

86           (ii) pursuant to a disclosure order under Subsection 41-6a-2005(2); or

87           (iii) pursuant to a warrant issued under the Utah Rules of Criminal Procedure or an

88 equivalent federal warrant.

89 (2) (a) A person or governmental entity that is authorized to use an automatic license  
90 plate reader system under this part may not sell captured plate data for any purpose.

91 (b) A person or governmental entity that is authorized to use an automatic license plate  
92 reader system under this part may not share captured plate data for a purpose not authorized  
93 under Subsection 41-6a-2003(2).

94 (c) Notwithstanding the provisions of this section, a governmental entity may preserve  
95 and disclose aggregate captured plate data for planning and statistical purposes if the  
96 information identifying a specific license plate is not preserved or disclosed.

97 Section 5. Section **41-6a-2005** is enacted to read:

98 **41-6a-2005. Preservation request.**

99 (1) A person or governmental entity using an automatic license plate reader system  
100 shall take all steps necessary to preserve captured plate data in its possession for 14 days after  
101 the date the data is captured pending the issuance of a court order requiring the disclosure of  
102 the captured plate data if a governmental entity requesting the captured plate data submits a  
103 written statement to the person or governmental entity using an automatic license plate reader  
104 system:

105 (a) requesting the person or governmental entity to preserve the captured plate data;

106 (b) identifying:

107 (i) the camera or cameras for which captured plate data shall be preserved;

108 (ii) the license plate for which captured plate data shall be preserved; or

109 (iii) the dates and time frames for which captured plate data shall be preserved; and

110 (c) notifying the person or governmental entity maintaining the captured plate data that  
111 the governmental entity is applying for a court order for disclosure of the captured plate data.

112 (2) (a) A governmental entity may apply for a court order for the disclosure of captured  
113 plate data.

114 (b) A court that is a court of competent jurisdiction shall issue a court order requiring  
115 the disclosure of captured plate data if the governmental entity offers specific and articulable  
116 facts showing that there are reasonable grounds to believe that the captured plate data is  
117 relevant and material to an ongoing criminal or missing person investigation.

118 (3) Captured plate data that is the subject of an application for a disclosure order under

119 Subsection (2) may be destroyed at the later of:

120 (a) the date that an application for an order under Subsection (2) is denied and any  
121 appeal exhausted;

122 (b) the end of 14 days, if the person or governmental entity does not otherwise preserve  
123 the captured plate data; or

124 (c) the end of the period described in Subsection 41-6a-2004(1)(c).

125 Section 6. Section **41-6a-2006** is enacted to read:

126 **41-6a-2006. Penalties.**

127 A person who violates a provision under this part is guilty of a class C misdemeanor.

128 Section 7. Section **63G-2-305** is amended to read:

129 **63G-2-305. Protected records.**

130 The following records are protected if properly classified by a governmental entity:

131 (1) trade secrets as defined in Section 13-24-2 if the person submitting the trade secret  
132 has provided the governmental entity with the information specified in Section 63G-2-309;

133 (2) commercial information or nonindividual financial information obtained from a  
134 person if:

135 (a) disclosure of the information could reasonably be expected to result in unfair  
136 competitive injury to the person submitting the information or would impair the ability of the  
137 governmental entity to obtain necessary information in the future;

138 (b) the person submitting the information has a greater interest in prohibiting access  
139 than the public in obtaining access; and

140 (c) the person submitting the information has provided the governmental entity with  
141 the information specified in Section 63G-2-309;

142 (3) commercial or financial information acquired or prepared by a governmental entity  
143 to the extent that disclosure would lead to financial speculations in currencies, securities, or  
144 commodities that will interfere with a planned transaction by the governmental entity or cause  
145 substantial financial injury to the governmental entity or state economy;

146 (4) records the disclosure of which could cause commercial injury to, or confer a  
147 competitive advantage upon a potential or actual competitor of, a commercial project entity as  
148 defined in Subsection 11-13-103(4);

149 (5) test questions and answers to be used in future license, certification, registration,

150 employment, or academic examinations;

151 (6) records the disclosure of which would impair governmental procurement  
152 proceedings or give an unfair advantage to any person proposing to enter into a contract or  
153 agreement with a governmental entity, except, subject to Subsections (1) and (2), that this  
154 Subsection (6) does not restrict the right of a person to have access to, once the contract or  
155 grant has been awarded, a bid, proposal, or application submitted to or by a governmental  
156 entity in response to:

157 (a) a request for bids;

158 (b) a request for proposals;

159 (c) a grant; or

160 (d) other similar document;

161 (7) records that would identify real property or the appraisal or estimated value of real  
162 or personal property, including intellectual property, under consideration for public acquisition  
163 before any rights to the property are acquired unless:

164 (a) public interest in obtaining access to the information is greater than or equal to the  
165 governmental entity's need to acquire the property on the best terms possible;

166 (b) the information has already been disclosed to persons not employed by or under a  
167 duty of confidentiality to the entity;

168 (c) in the case of records that would identify property, potential sellers of the described  
169 property have already learned of the governmental entity's plans to acquire the property;

170 (d) in the case of records that would identify the appraisal or estimated value of  
171 property, the potential sellers have already learned of the governmental entity's estimated value  
172 of the property; or

173 (e) the property under consideration for public acquisition is a single family residence  
174 and the governmental entity seeking to acquire the property has initiated negotiations to acquire  
175 the property as required under Section 78B-6-505;

176 (8) records prepared in contemplation of sale, exchange, lease, rental, or other  
177 compensated transaction of real or personal property including intellectual property, which, if  
178 disclosed prior to completion of the transaction, would reveal the appraisal or estimated value  
179 of the subject property, unless:

180 (a) the public interest in access is greater than or equal to the interests in restricting

181 access, including the governmental entity's interest in maximizing the financial benefit of the  
182 transaction; or

183 (b) when prepared by or on behalf of a governmental entity, appraisals or estimates of  
184 the value of the subject property have already been disclosed to persons not employed by or  
185 under a duty of confidentiality to the entity;

186 (9) records created or maintained for civil, criminal, or administrative enforcement  
187 purposes or audit purposes, or for discipline, licensing, certification, or registration purposes, if  
188 release of the records:

189 (a) reasonably could be expected to interfere with investigations undertaken for  
190 enforcement, discipline, licensing, certification, or registration purposes;

191 (b) reasonably could be expected to interfere with audits, disciplinary, or enforcement  
192 proceedings;

193 (c) would create a danger of depriving a person of a right to a fair trial or impartial  
194 hearing;

195 (d) reasonably could be expected to disclose the identity of a source who is not  
196 generally known outside of government and, in the case of a record compiled in the course of  
197 an investigation, disclose information furnished by a source not generally known outside of  
198 government if disclosure would compromise the source; or

199 (e) reasonably could be expected to disclose investigative or audit techniques,  
200 procedures, policies, or orders not generally known outside of government if disclosure would  
201 interfere with enforcement or audit efforts;

202 (10) records the disclosure of which would jeopardize the life or safety of an  
203 individual;

204 (11) records the disclosure of which would jeopardize the security of governmental  
205 property, governmental programs, or governmental recordkeeping systems from damage, theft,  
206 or other appropriation or use contrary to law or public policy;

207 (12) records that, if disclosed, would jeopardize the security or safety of a correctional  
208 facility, or records relating to incarceration, treatment, probation, or parole, that would interfere  
209 with the control and supervision of an offender's incarceration, treatment, probation, or parole;

210 (13) records that, if disclosed, would reveal recommendations made to the Board of  
211 Pardons and Parole by an employee of or contractor for the Department of Corrections, the

212 Board of Pardons and Parole, or the Department of Human Services that are based on the  
213 employee's or contractor's supervision, diagnosis, or treatment of any person within the board's  
214 jurisdiction;

215 (14) records and audit workpapers that identify audit, collection, and operational  
216 procedures and methods used by the State Tax Commission, if disclosure would interfere with  
217 audits or collections;

218 (15) records of a governmental audit agency relating to an ongoing or planned audit  
219 until the final audit is released;

220 (16) records that are subject to the attorney client privilege;

221 (17) records prepared for or by an attorney, consultant, surety, indemnitor, insurer,  
222 employee, or agent of a governmental entity for, or in anticipation of, litigation or a judicial,  
223 quasi-judicial, or administrative proceeding;

224 (18) (a) (i) personal files of a state legislator, including personal correspondence to or  
225 from a member of the Legislature; and

226 (ii) notwithstanding Subsection (18)(a)(i), correspondence that gives notice of  
227 legislative action or policy may not be classified as protected under this section; and

228 (b) (i) an internal communication that is part of the deliberative process in connection  
229 with the preparation of legislation between:

230 (A) members of a legislative body;

231 (B) a member of a legislative body and a member of the legislative body's staff; or

232 (C) members of a legislative body's staff; and

233 (ii) notwithstanding Subsection (18)(b)(i), a communication that gives notice of  
234 legislative action or policy may not be classified as protected under this section;

235 (19) (a) records in the custody or control of the Office of Legislative Research and  
236 General Counsel, that, if disclosed, would reveal a particular legislator's contemplated  
237 legislation or contemplated course of action before the legislator has elected to support the  
238 legislation or course of action, or made the legislation or course of action public; and

239 (b) notwithstanding Subsection (19)(a), the form to request legislation submitted to the  
240 Office of Legislative Research and General Counsel is a public document unless a legislator  
241 asks that the records requesting the legislation be maintained as protected records until such  
242 time as the legislator elects to make the legislation or course of action public;

243 (20) research requests from legislators to the Office of Legislative Research and  
244 General Counsel or the Office of the Legislative Fiscal Analyst and research findings prepared  
245 in response to these requests;

246 (21) drafts, unless otherwise classified as public;

247 (22) records concerning a governmental entity's strategy about:

248 (a) collective bargaining; or

249 (b) imminent or pending litigation;

250 (23) records of investigations of loss occurrences and analyses of loss occurrences that  
251 may be covered by the Risk Management Fund, the Employers' Reinsurance Fund, the  
252 Uninsured Employers' Fund, or similar divisions in other governmental entities;

253 (24) records, other than personnel evaluations, that contain a personal recommendation  
254 concerning an individual if disclosure would constitute a clearly unwarranted invasion of  
255 personal privacy, or disclosure is not in the public interest;

256 (25) records that reveal the location of historic, prehistoric, paleontological, or  
257 biological resources that if known would jeopardize the security of those resources or of  
258 valuable historic, scientific, educational, or cultural information;

259 (26) records of independent state agencies if the disclosure of the records would  
260 conflict with the fiduciary obligations of the agency;

261 (27) records of an institution within the state system of higher education defined in  
262 Section 53B-1-102 regarding tenure evaluations, appointments, applications for admissions,  
263 retention decisions, and promotions, which could be properly discussed in a meeting closed in  
264 accordance with Title 52, Chapter 4, Open and Public Meetings Act, provided that records of  
265 the final decisions about tenure, appointments, retention, promotions, or those students  
266 admitted, may not be classified as protected under this section;

267 (28) records of the governor's office, including budget recommendations, legislative  
268 proposals, and policy statements, that if disclosed would reveal the governor's contemplated  
269 policies or contemplated courses of action before the governor has implemented or rejected  
270 those policies or courses of action or made them public;

271 (29) records of the Office of the Legislative Fiscal Analyst relating to budget analysis,  
272 revenue estimates, and fiscal notes of proposed legislation before issuance of the final  
273 recommendations in these areas;

274 (30) records provided by the United States or by a government entity outside the state  
275 that are given to the governmental entity with a requirement that they be managed as protected  
276 records if the providing entity certifies that the record would not be subject to public disclosure  
277 if retained by it;

278 (31) transcripts, minutes, or reports of the closed portion of a meeting of a public body  
279 except as provided in Section 52-4-206;

280 (32) records that would reveal the contents of settlement negotiations but not including  
281 final settlements or empirical data to the extent that they are not otherwise exempt from  
282 disclosure;

283 (33) memoranda prepared by staff and used in the decision-making process by an  
284 administrative law judge, a member of the Board of Pardons and Parole, or a member of any  
285 other body charged by law with performing a quasi-judicial function;

286 (34) records that would reveal negotiations regarding assistance or incentives offered  
287 by or requested from a governmental entity for the purpose of encouraging a person to expand  
288 or locate a business in Utah, but only if disclosure would result in actual economic harm to the  
289 person or place the governmental entity at a competitive disadvantage, but this section may not  
290 be used to restrict access to a record evidencing a final contract;

291 (35) materials to which access must be limited for purposes of securing or maintaining  
292 the governmental entity's proprietary protection of intellectual property rights including patents,  
293 copyrights, and trade secrets;

294 (36) the name of a donor or a prospective donor to a governmental entity, including an  
295 institution within the state system of higher education defined in Section 53B-1-102, and other  
296 information concerning the donation that could reasonably be expected to reveal the identity of  
297 the donor, provided that:

298 (a) the donor requests anonymity in writing;

299 (b) any terms, conditions, restrictions, or privileges relating to the donation may not be  
300 classified protected by the governmental entity under this Subsection (36); and

301 (c) except for an institution within the state system of higher education defined in  
302 Section 53B-1-102, the governmental unit to which the donation is made is primarily engaged  
303 in educational, charitable, or artistic endeavors, and has no regulatory or legislative authority  
304 over the donor, a member of the donor's immediate family, or any entity owned or controlled

305 by the donor or the donor's immediate family;

306 (37) accident reports, except as provided in Sections 41-6a-404, 41-12a-202, and  
307 73-18-13;

308 (38) a notification of workers' compensation insurance coverage described in Section  
309 34A-2-205;

310 (39) (a) the following records of an institution within the state system of higher  
311 education defined in Section 53B-1-102, which have been developed, discovered, disclosed to,  
312 or received by or on behalf of faculty, staff, employees, or students of the institution:

313 (i) unpublished lecture notes;

314 (ii) unpublished notes, data, and information:

315 (A) relating to research; and

316 (B) of:

317 (I) the institution within the state system of higher education defined in Section  
318 53B-1-102; or

319 (II) a sponsor of sponsored research;

320 (iii) unpublished manuscripts;

321 (iv) creative works in process;

322 (v) scholarly correspondence; and

323 (vi) confidential information contained in research proposals;

324 (b) Subsection (39)(a) may not be construed to prohibit disclosure of public  
325 information required pursuant to Subsection 53B-16-302(2)(a) or (b); and

326 (c) Subsection (39)(a) may not be construed to affect the ownership of a record;

327 (40) (a) records in the custody or control of the Office of Legislative Auditor General  
328 that would reveal the name of a particular legislator who requests a legislative audit prior to the  
329 date that audit is completed and made public; and

330 (b) notwithstanding Subsection (40)(a), a request for a legislative audit submitted to the  
331 Office of the Legislative Auditor General is a public document unless the legislator asks that  
332 the records in the custody or control of the Office of Legislative Auditor General that would  
333 reveal the name of a particular legislator who requests a legislative audit be maintained as  
334 protected records until the audit is completed and made public;

335 (41) records that provide detail as to the location of an explosive, including a map or

336 other document that indicates the location of:

337 (a) a production facility; or

338 (b) a magazine;

339 (42) information:

340 (a) contained in the statewide database of the Division of Aging and Adult Services  
341 created by Section 62A-3-311.1; or

342 (b) received or maintained in relation to the Identity Theft Reporting Information  
343 System (IRIS) established under Section 67-5-22;

344 (43) information contained in the Management Information System and Licensing  
345 Information System described in Title 62A, Chapter 4a, Child and Family Services;

346 (44) information regarding National Guard operations or activities in support of the  
347 National Guard's federal mission;

348 (45) records provided by any pawn or secondhand business to a law enforcement  
349 agency or to the central database in compliance with Title 13, Chapter 32a, Pawnshop and  
350 Secondhand Merchandise Transaction Information Act;

351 (46) information regarding food security, risk, and vulnerability assessments performed  
352 by the Department of Agriculture and Food;

353 (47) except to the extent that the record is exempt from this chapter pursuant to Section  
354 63G-2-106, records related to an emergency plan or program, a copy of which is provided to or  
355 prepared or maintained by the Division of Emergency Management, and the disclosure of  
356 which would jeopardize:

357 (a) the safety of the general public; or

358 (b) the security of:

359 (i) governmental property;

360 (ii) governmental programs; or

361 (iii) the property of a private person who provides the Division of Emergency  
362 Management information;

363 (48) records of the Department of Agriculture and Food that provides for the  
364 identification, tracing, or control of livestock diseases, including any program established under  
365 Title 4, Chapter 24, Utah Livestock Brand and Anti-theft Act or Title 4, Chapter 31, Control of  
366 Animal Disease;

367 (49) as provided in Section 26-39-501:

368 (a) information or records held by the Department of Health related to a complaint  
369 regarding a child care program or residential child care which the department is unable to  
370 substantiate; and

371 (b) information or records related to a complaint received by the Department of Health  
372 from an anonymous complainant regarding a child care program or residential child care;

373 (50) unless otherwise classified as public under Section 63G-2-301 and except as  
374 provided under Section 41-1a-116, an individual's home address, home telephone number, or  
375 personal mobile phone number, if:

376 (a) the individual is required to provide the information in order to comply with a law,  
377 ordinance, rule, or order of a government entity; and

378 (b) the subject of the record has a reasonable expectation that this information will be  
379 kept confidential due to:

380 (i) the nature of the law, ordinance, rule, or order; and

381 (ii) the individual complying with the law, ordinance, rule, or order;

382 (51) the name, home address, work addresses, and telephone numbers of an individual  
383 that is engaged in, or that provides goods or services for, medical or scientific research that is:

384 (a) conducted within the state system of higher education, as defined in Section  
385 53B-1-102; and

386 (b) conducted using animals;

387 (52) an initial proposal under Title 63M, Chapter 1, Part 26, Government Procurement  
388 Private Proposal Program, to the extent not made public by rules made under that chapter;

389 (53) in accordance with Section 78A-12-203, any record of the Judicial Performance  
390 Evaluation Commission concerning an individual commissioner's vote on whether or not to  
391 recommend that the voters retain a judge;

392 (54) information collected and a report prepared by the Judicial Performance  
393 Evaluation Commission concerning a judge, unless Section 20A-7-702 or Title 78A, Chapter  
394 12, Judicial Performance Evaluation Commission Act, requires disclosure of, or makes public,  
395 the information or report;

396 (55) records contained in the Management Information System created in Section  
397 62A-4a-1003;

398 (56) records provided or received by the Public Lands Policy Coordinating Office in  
399 furtherance of any contract or other agreement made in accordance with Section 63J-4-603;

400 (57) information requested by and provided to the Utah State 911 Committee under  
401 Section 53-10-602;

402 (58) recorded Children's Justice Center investigative interviews, both video and audio,  
403 the release of which are governed by Section 77-37-4;

404 (59) in accordance with Section 73-10-33:

405 (a) a management plan for a water conveyance facility in the possession of the Division  
406 of Water Resources or the Board of Water Resources; or

407 (b) an outline of an emergency response plan in possession of the state or a county or  
408 municipality;

409 (60) the following records in the custody or control of the Office of Inspector General  
410 of Medicaid Services, created in Section 63J-4a-201:

411 (a) records that would disclose information relating to allegations of personal  
412 misconduct, gross mismanagement, or illegal activity of a person if the information or  
413 allegation cannot be corroborated by the Office of Inspector General of Medicaid Services  
414 through other documents or evidence, and the records relating to the allegation are not relied  
415 upon by the Office of Inspector General of Medicaid Services in preparing a final investigation  
416 report or final audit report;

417 (b) records and audit workpapers to the extent they would disclose the identity of a  
418 person who, during the course of an investigation or audit, communicated the existence of any  
419 Medicaid fraud, waste, or abuse, or a violation or suspected violation of a law, rule, or  
420 regulation adopted under the laws of this state, a political subdivision of the state, or any  
421 recognized entity of the United States, if the information was disclosed on the condition that  
422 the identity of the person be protected;

423 (c) before the time that an investigation or audit is completed and the final  
424 investigation or final audit report is released, records or drafts circulated to a person who is not  
425 an employee or head of a governmental entity for the person's response or information;

426 (d) records that would disclose an outline or part of any investigation, audit survey  
427 plan, or audit program; or

428 (e) requests for an investigation or audit, if disclosure would risk circumvention of an

429 investigation or audit;

430 (61) records that reveal methods used by the Office of Inspector General of Medicaid  
431 Services, the fraud unit, or the Department of Health, to discover Medicaid fraud, waste, or  
432 abuse;

433 (62) information provided to the Department of Health or the Division of Occupational  
434 and Professional Licensing under Subsection 58-68-304(3) or (4); [~~and~~]

435 (63) a record described in Section 63G-12-210[-]; and

436 (64) captured plate data that is obtained through an automatic license plate reader  
437 system used by a governmental entity as authorized in Section 41-6a-2003.