2nd Sub. H.B. 468
Automatic License Plate Reader Amendments

Representative **Kristen Chevrier** proposes the following amendments:

1. *Line 116 through 118:*

    116   (16) "Nongovernmental entity" means a person that is not a governmental entity.

    (17) "Operates" means to own the data captured by an automatic license plate reader system.

    117   {**(17)**} **(18)** "Parking enforcement entity" means a governmental entity that is primarily responsible

    118   for:

2. *Line 120 through 125:*

    120   (b) regulating the use of a parking facility.

    121   [(6)] {**(18)**} **(19)** "Secured area" means an area, enclosed by clear boundaries, to which access is

    122   limited and not open to the public and entry is only obtainable through specific

    123   access-control points.

    124   {**(19)**} **(20)** "Track" means to use captured plate data to monitor and record the movement of a

    125   known vehicle over time in connection with:

3. *Line 127 through 129:*

    127   (b) an authorized law enforcement use described in Section 41-6a-2003.1.

    128   {**(20)**} **(21)** "Vehicle of interest" means a vehicle that is not a known vehicle that may have been

    129   involved in a crime.

4. *Line 474 through 482:*

    474   ~~license plate reader system or captured plate data otherwise authorized by this part.~~]

    475   (5) **Except as provided in Subsection (6), a** {~~A governmental entity~~} **law enforcement agency** may obtain, receive, or use [~~captured plate data from~~]data

    476   captured from an automatic license plate reader system operated by a nongovernmental

    477   entity only:

    478   (a) (i) **to identify a vehicle of interest, if:**

    (A) the nongovernmental entity that operates the automatic license plate reader system consents to provide the data; and

    (B) the law enforcement agency has reasonable suspicion that the nongovernmental entity's automatic license plate reader contains data that may identify a vehicle of interest;

(ii) to locate a known vehicle, or track a known vehicle only pursuant to a warrant issued using the procedures described in the Utah Rules

479   of Criminal Procedure or an equivalent federal warrant; or

480   {(ii)} **(iii)** using the procedure described in Subsection [(2)](4); and

481   (b) for the [purposes]uses authorized in [Subsection 41-6a-2003(2)]Section
{**41-6a-2003.4**} **41-6a-2003.1**.

(6) A law enforcement agency may obtain, receive, or use data captured from an automatic license plate reader system operated by a nongovernmental entity without meeting the requirements of Subsection (5) under exigent circumstances.

482   [(6) (a) A law enforcement agency shall preserve a record of:]