

**Kristen Chevrier** proposes the following substitute bill:

**License Plate Reader and Data Retention Amendments**

2026 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Kristen Chevrier**

Senate Sponsor:

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**LONG TITLE**

**General Description:**

This bill amends requirements for the use of automatic license plate readers and processing of license plate data.

**Highlighted Provisions:**

This bill:

- repeals sections related to license plate readers, and relocates provisions related to license plate readers in the Utah Code;
- defines terms;
- provides authorized uses and purposes for license plate readers and license plate data by governmental entities and law enforcement;
- establishes reporting requirements regarding the use of license plate readers and processing of license plate data;
- creates standards for processing license plate data obtained from a license plate reader including:
  - data security;
  - data retention; and
  - data sharing; and
- makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**53G-8-805**, as last amended by Laws of Utah 2025, Chapter 388

29 **63G-2-305**, as last amended by Laws of Utah 2025, First Special Session, Chapter 17  
30 **72-1-212**, as last amended by Laws of Utah 2025, Chapter 452

31 ENACTS:

- 32 **77-23g-101**, Utah Code Annotated 1953
- 33 **77-23g-201**, Utah Code Annotated 1953
- 34 **77-23g-202**, Utah Code Annotated 1953
- 35 **77-23g-203**, Utah Code Annotated 1953
- 36 **77-23g-301**, Utah Code Annotated 1953
- 37 **77-23g-302**, Utah Code Annotated 1953
- 38 **77-23g-401**, Utah Code Annotated 1953
- 39 **77-23g-402**, Utah Code Annotated 1953
- 40 **77-23g-501**, Utah Code Annotated 1953
- 41 **77-23g-502**, Utah Code Annotated 1953
- 42 **77-23g-503**, Utah Code Annotated 1953
- 43 **77-23g-504**, Utah Code Annotated 1953
- 44 **77-23g-601**, Utah Code Annotated 1953
- 45 **77-23g-602**, Utah Code Annotated 1953

46 REPEALS:

- 47 **41-6a-2001**, as enacted by Laws of Utah 2013, Chapter 447
- 48 **41-6a-2002**, as last amended by Laws of Utah 2024, Chapter 251
- 49 **41-6a-2003**, as last amended by Laws of Utah 2025, First Special Session, Chapter 9
- 50 **41-6a-2004**, as last amended by Laws of Utah 2023, Chapter 524
- 51 **41-6a-2005**, as last amended by Laws of Utah 2023, Chapter 524
- 52 **41-6a-2006**, as last amended by Laws of Utah 2023, Chapter 524



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

55 Section 1. Section **53G-8-805** is amended to read:

56 **53G-8-805 . Panic alert device -- Security cameras -- Key box.**

57 (1) As used in this section:

58 (a) "Universal access key box" means a UL Standard 1037 compliant secure container  
59 designed to store and protect emergency access keys and devices.

60 (b) "Emergency responder" means law enforcement, fire service, or emergency medical  
61 personnel authorized by local authorities to respond to school emergencies.

62 (2) In accordance with the results of the school safety needs assessment described in

- 63 Section 53G-8-701.5, an LEA shall provide the lead teacher in each classroom with a  
64 wearable panic alert device that shall communicate directly with public safety answering  
65 points.
- 66 (3) An LEA shall ensure, before the school year begins, all school building personnel  
67 receive training on the protocol and appropriate use of the panic alert device described in  
68 Subsection (2).
- 69 (4) An LEA shall:
- 70 (a) ensure all security cameras within a school building are accessible by:
- 71 (i) a local law enforcement agency; and
- 72 (ii) public safety answering points;
- 73 (b) coordinate with a local law enforcement agency to establish appropriate access  
74 protocols; and
- 75 (c) physically mark all hallways and doorways consistent with the incident response  
76 method or system the state security chief creates.
- 77 (5) A school building shall include universal access key boxes that:
- 78 (a) are installed at main entry points;
- 79 (b) contain master keys and access devices providing complete access to all areas of the  
80 school;
- 81 (c) are accessible only to authorized emergency responders;
- 82 (d) are electronically monitored for tampering; and
- 83 (e) are weather-resistant and vandal-resistant.
- 84 (6) An LEA shall:
- 85 (a) maintain universal access key boxes by:
- 86 (i) conducting quarterly inspections;
- 87 (ii) updating contents within 24 hours of any lock or access control changes;
- 88 (iii) maintaining current key and access device inventories;
- 89 (iv) documenting all inspections and updates; and
- 90 (v) immediately replacing any damaged or malfunctioning boxes;
- 91 (b) coordinate with local emergency responders to:
- 92 (i) determine optimal box placement;
- 93 (ii) establish access protocols;
- 94 (iii) maintain current emergency contact information; and
- 95 (iv) conduct annual reviews of box usage and effectiveness; and
- 96 (c) include universal access key box locations and protocols in:

- 97 (i) school emergency response plans;
- 98 (ii) building schematic diagrams provided to emergency responders; and
- 99 (iii) school safety and security training materials.
- 100 (7) The state board shall:
- 101 (a) establish standards for:
- 102 (i) box installation and placement;
- 103 (ii) access control and monitoring;
- 104 (iii) maintenance schedules; and
- 105 (iv) compliance verification;
- 106 (b) in direct coordination with the state security chief, ensure new construction or major
- 107 remodeling of a school building shall include the installation of automated external
- 108 defibrillators in appropriate locations as the state board determines; and
- 109 (c) provide technical assistance to LEAs implementing this section.
- 110 (8) Nothing in this section:
- 111 (a) affects requirements for fire department key boxes under applicable building or fire
- 112 codes; or
- 113 (b) restricts additional security measures implemented by LEAs that exceed these
- 114 requirements.
- 115 [~~(9) This section is not subject to the restrictions in Section 41-6a-2003.~~]
- 116 Section 2. Section **63G-2-305** is amended to read:
- 117 **63G-2-305 . Protected records.**
- 118 The following records are protected if properly classified by a governmental entity:
- 119 (1) trade secrets as defined in Section 13-24-2 if the person submitting the trade secret has
- 120 provided the governmental entity with the information specified in Section 63G-2-309;
- 121 (2) commercial information or nonindividual financial information obtained from a person
- 122 if:
- 123 (a) disclosure of the information could reasonably be expected to result in unfair
- 124 competitive injury to the person submitting the information or would impair the
- 125 ability of the governmental entity to obtain necessary information in the future;
- 126 (b) the person submitting the information has a greater interest in prohibiting access than
- 127 the public in obtaining access; and
- 128 (c) the person submitting the information has provided the governmental entity with the
- 129 information specified in Section 63G-2-309;
- 130 (3) commercial or financial information acquired or prepared by a governmental entity to

- 131 the extent that disclosure would lead to financial speculations in currencies, securities, or  
132 commodities that will interfere with a planned transaction by the governmental entity or  
133 cause substantial financial injury to the governmental entity or state economy;
- 134 (4) records, the disclosure of which could cause commercial injury to, or confer a  
135 competitive advantage upon a potential or actual competitor of, a commercial project  
136 entity as defined in Subsection 11-13-103(4);
- 137 (5) test questions and answers to be used in future license, certification, registration,  
138 employment, or academic examinations;
- 139 (6) records, the disclosure of which would impair governmental procurement proceedings  
140 or give an unfair advantage to any person proposing to enter into a contract or agreement  
141 with a governmental entity, except, subject to Subsections (1) and (2), that this  
142 Subsection (6) does not restrict the right of a person to have access to, after the contract  
143 or grant has been awarded and signed by all parties:
- 144 (a) a bid, proposal, application, or other information submitted to or by a governmental  
145 entity in response to:
- 146 (i) an invitation for bids;
- 147 (ii) a request for proposals;
- 148 (iii) a request for quotes;
- 149 (iv) a grant; or
- 150 (v) other similar document; or
- 151 (b) an unsolicited proposal, as defined in Section 63G-6a-712;
- 152 (7) information submitted to or by a governmental entity in response to a request for  
153 information, except, subject to Subsections (1) and (2), that this Subsection (7) does not  
154 restrict the right of a person to have access to the information, after:
- 155 (a) a contract directly relating to the subject of the request for information has been  
156 awarded and signed by all parties; or
- 157 (b)(i) a final determination is made not to enter into a contract that relates to the  
158 subject of the request for information; and
- 159 (ii) at least two years have passed after the day on which the request for information  
160 is issued;
- 161 (8) records that would identify real property or the appraisal or estimated value of real or  
162 personal property, including intellectual property, under consideration for public  
163 acquisition 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  
170 property;
- 171 (d) in the case of records that would identify the appraisal or estimated value of  
172 property, the potential sellers have already learned of the governmental entity's  
173 estimated value of the property; or
- 174 (e) the property under consideration for public acquisition is a single family residence  
175 and the governmental entity seeking to acquire the property has initiated negotiations  
176 to acquire the property as required under Section 78B-6-505;
- 177 (9) records prepared in contemplation of sale, exchange, lease, rental, or other compensated  
178 transaction of real or personal property including intellectual property, which, if  
179 disclosed prior to completion of the transaction, would reveal the appraisal or estimated  
180 value of the subject property, unless:
- 181 (a) the public interest in access is greater than or equal to the interests in restricting  
182 access, including the governmental entity's interest in maximizing the financial  
183 benefit of the transaction; or
- 184 (b) when prepared by or on behalf of a governmental entity, appraisals or estimates of  
185 the value of the subject property have already been disclosed to persons not  
186 employed by or under a duty of confidentiality to the entity;
- 187 (10) records created or maintained for civil, criminal, or administrative enforcement  
188 purposes or audit purposes, or for discipline, licensing, certification, or registration  
189 purposes, if release of the records:
- 190 (a) reasonably could be expected to interfere with investigations undertaken for  
191 enforcement, discipline, licensing, certification, or registration purposes;
- 192 (b) reasonably could be expected to interfere with audits, disciplinary, or enforcement  
193 proceedings;
- 194 (c) would create a danger of depriving a person of a right to a fair trial or impartial  
195 hearing;
- 196 (d) reasonably could be expected to disclose the identity of a source who is not generally  
197 known outside of government and, in the case of a record compiled in the course of  
198 an investigation, disclose information furnished by a source not generally known

- 199 outside of government if disclosure would compromise the source; or
- 200 (e) reasonably could be expected to disclose investigative or audit techniques,
- 201 procedures, policies, or orders not generally known outside of government if
- 202 disclosure would interfere with enforcement or audit efforts;
- 203 (11) records the disclosure of which would jeopardize the life or safety of an individual;
- 204 (12) records the disclosure of which would jeopardize the security of governmental
- 205 property, governmental programs, or governmental recordkeeping systems from
- 206 damage, theft, or other appropriation or use contrary to law or public policy;
- 207 (13) 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
- 209 interfere with the control and supervision of an offender's incarceration, treatment,
- 210 probation, or parole;
- 211 (14) records that, if disclosed, would reveal recommendations made to the Board of
- 212 Pardons and Parole by an employee of or contractor for the Department of Corrections,
- 213 the Board of Pardons and Parole, or the Department of Health and Human Services that
- 214 are based on the employee's or contractor's supervision, diagnosis, or treatment of any
- 215 person within the board's jurisdiction;
- 216 (15) records and audit workpapers that identify audit, collection, and operational procedures
- 217 and methods used by the State Tax Commission, if disclosure would interfere with
- 218 audits or collections;
- 219 (16) records of a governmental audit agency relating to an ongoing or planned audit until
- 220 the final audit is released;
- 221 (17) records that are subject to the attorney client privilege;
- 222 (18) records prepared for or by an attorney, consultant, surety, indemnitor, insurer,
- 223 employee, or agent of a governmental entity for, or in anticipation of, litigation or a
- 224 judicial, quasi-judicial, or administrative proceeding;
- 225 (19)(a)(i) personal files of a state legislator, including personal correspondence to or
- 226 from a member of the Legislature; and
- 227 (ii) notwithstanding Subsection (19)(a)(i), correspondence that gives notice of
- 228 legislative action or policy may not be classified as protected under this section;
- 229 and
- 230 (b)(i) an internal communication that is part of the deliberative process in connection
- 231 with the preparation of legislation between:
- 232 (A) members of a legislative body;

- 233 (B) a member of a legislative body and a member of the legislative body's staff; or  
234 (C) members of a legislative body's staff; and  
235 (ii) notwithstanding Subsection (19)(b)(i), a communication that gives notice of  
236 legislative action or policy may not be classified as protected under this section;
- 237 (20)(a) records in the custody or control of the Office of Legislative Research and  
238 General Counsel, that, if disclosed, would reveal a particular legislator's  
239 contemplated legislation or contemplated course of action before the legislator has  
240 elected to support the legislation or course of action, or made the legislation or course  
241 of action public; and  
242 (b) notwithstanding Subsection (20)(a), the form to request legislation submitted to the  
243 Office of Legislative Research and General Counsel is a public document unless a  
244 legislator asks that the records requesting the legislation be maintained as protected  
245 records until such time as the legislator elects to make the legislation or course of  
246 action public;
- 247 (21) a research request from a legislator to a legislative staff member and research findings  
248 prepared in response to the request;
- 249 (22) drafts, unless otherwise classified as public;
- 250 (23) records concerning a governmental entity's strategy about:  
251 (a) collective bargaining; or  
252 (b) imminent or pending litigation;
- 253 (24) records of investigations of loss occurrences and analyses of loss occurrences that may  
254 be covered by the Risk Management Fund, the Employers' Reinsurance Fund, the  
255 Uninsured Employers' Fund, or similar divisions in other governmental entities;
- 256 (25) records, other than personnel evaluations, that contain a personal recommendation  
257 concerning an individual if disclosure would constitute a clearly unwarranted invasion  
258 of personal privacy, or disclosure is not in the public interest;
- 259 (26) records that reveal the location of historic, prehistoric, paleontological, or biological  
260 resources that if known would jeopardize the security of those resources or of valuable  
261 historic, scientific, educational, or cultural information;
- 262 (27) records of independent state agencies if the disclosure of the records would conflict  
263 with the fiduciary obligations of the agency;
- 264 (28) records of an institution of higher education defined in Section 53H-1-101 regarding  
265 tenure evaluations, appointments, applications for admissions, retention decisions, and  
266 promotions, which could be properly discussed in a meeting closed in accordance with

- 267 Title 52, Chapter 4, Open and Public Meetings Act, provided that records of the final  
268 decisions about tenure, appointments, retention, promotions, or those students admitted,  
269 may not be classified as protected under this section;
- 270 (29) records of the governor's office, including budget recommendations, legislative  
271 proposals, and policy statements, that if disclosed would reveal the governor's  
272 contemplated policies or contemplated courses of action before the governor has  
273 implemented or rejected those policies or courses of action or made them public;
- 274 (30) records of the Office of the Legislative Fiscal Analyst relating to budget analysis,  
275 revenue estimates, and fiscal notes of proposed legislation before issuance of the final  
276 recommendations in these areas;
- 277 (31) records provided by the United States or by a government entity outside the state that  
278 are given to the governmental entity with a requirement that they be managed as  
279 protected records if the providing entity certifies that the record would not be subject to  
280 public disclosure if retained by it;
- 281 (32) transcripts, minutes, recordings, or reports of the closed portion of a meeting of a  
282 public body except as provided in Section 52-4-206;
- 283 (33) records that would reveal the contents of settlement negotiations but not including final  
284 settlements or empirical data to the extent that they are not otherwise exempt from  
285 disclosure;
- 286 (34) memoranda prepared by staff and used in the decision-making process by an  
287 administrative law judge, a member of the Board of Pardons and Parole, or a member of  
288 any other body charged by law with performing a quasi-judicial function;
- 289 (35) records that would reveal negotiations regarding assistance or incentives offered by or  
290 requested from a governmental entity for the purpose of encouraging a person to expand  
291 or locate a business in Utah, but only if disclosure would result in actual economic harm  
292 to the person or place the governmental entity at a competitive disadvantage, but this  
293 section may not be used to restrict access to a record evidencing a final contract;
- 294 (36) materials to which access must be limited for purposes of securing or maintaining the  
295 governmental entity's proprietary protection of intellectual property rights including  
296 patents, copyrights, and trade secrets;
- 297 (37) the name of a donor or a prospective donor to a governmental entity, including an  
298 institution of higher education defined in Section 53H-1-101, and other information  
299 concerning the donation that could reasonably be expected to reveal the identity of the  
300 donor, provided that:

- 301 (a) the donor requests anonymity in writing;
- 302 (b) any terms, conditions, restrictions, or privileges relating to the donation may not be  
303 classified protected by the governmental entity under this Subsection (37); and
- 304 (c) except for an institution of higher education defined in Section 53H-1-101, the  
305 governmental unit to which the donation is made is primarily engaged in educational,  
306 charitable, or artistic endeavors, and has no regulatory or legislative authority over  
307 the donor, a member of the donor's immediate family, or any entity owned or  
308 controlled by the donor or the donor's immediate family;
- 309 (38) accident reports, except as provided in Sections 41-6a-404, 41-12a-202, and 73-18-13;
- 310 (39) a notification of workers' compensation insurance coverage described in Section  
311 34A-2-205;
- 312 (40) subject to Subsections (40)(g) and (h), the following records of an institution of higher  
313 education defined in Section 53H-1-101, which have been developed, discovered,  
314 disclosed to, or received by or on behalf of faculty, staff, employees, or students of the  
315 institution:
- 316 (a) unpublished lecture notes;
- 317 (b) unpublished notes, data, and information:
- 318 (i) relating to research; and
- 319 (ii) of:
- 320 (A) the institution of higher education defined in Section 53H-1-101; or
- 321 (B) a sponsor of sponsored research;
- 322 (c) unpublished manuscripts;
- 323 (d) creative works in process;
- 324 (e) scholarly correspondence; ~~and~~
- 325 (f) confidential information contained in research proposals;
- 326 (g) this Subsection (40) may not be construed to prohibit disclosure of public  
327 information required ~~[pursuant to]~~ in accordance with Subsection 53H-14-202(2)(a)  
328 or (b); and
- 329 (h) this Subsection (40) may not be construed to affect the ownership of a record;
- 330 (41)(a) records in the custody or control of the Office of the Legislative Auditor General  
331 that would reveal the name of a particular legislator who requests a legislative audit  
332 prior to the date that audit is completed and made public; and
- 333 (b) notwithstanding Subsection (41)(a), a request for a legislative audit submitted to the  
334 Office of the Legislative Auditor General is a public document unless the legislator

- 335 asks that the records in the custody or control of the Office of the Legislative Auditor  
 336 General that would reveal the name of a particular legislator who requests a  
 337 legislative audit be maintained as protected records until the audit is completed and  
 338 made public;
- 339 (42) records that provide detail as to the location of an explosive, including a map or other  
 340 document that indicates the location of:
- 341 (a) a production facility; or  
 342 (b) a magazine;
- 343 (43) information contained in the statewide database of the Division of Aging and Adult  
 344 Services created by Section 26B-6-210;
- 345 (44) information contained in the Licensing Information System described in Title 80,  
 346 Chapter 2, Child Welfare Services;
- 347 (45) information regarding National Guard operations or activities in support of the  
 348 National Guard's federal mission;
- 349 (46) records provided by any pawn or secondhand business to a law enforcement agency or  
 350 to the central database in compliance with Title 13, Chapter 32a, Pawnshop, Secondhand  
 351 Merchandise, and Catalytic Converter Transaction Information Act;
- 352 (47) information regarding food security, risk, and vulnerability assessments performed by  
 353 the Department of Agriculture and Food;
- 354 (48) except to the extent that the record is exempt from this chapter [~~pursuant to~~] in  
 355 accordance with Section 63G-2-106, records related to an emergency plan or program, a  
 356 copy of which is provided to or prepared or maintained by the Division of Emergency  
 357 Management, and the disclosure of which would jeopardize:
- 358 (a) the safety of the general public; or  
 359 (b) the security of:
- 360 (i) governmental property;  
 361 (ii) governmental programs; or  
 362 (iii) the property of a private person who provides the Division of Emergency  
 363 Management information;
- 364 (49) records of the Department of Agriculture and Food that provides for the identification,  
 365 tracing, or control of livestock diseases, including any program established under Title  
 366 4, Chapter 24, Utah Livestock Brand and Anti-Theft Act, or Title 4, Chapter 31, Control  
 367 of Animal Disease;
- 368 (50) as provided in Section 26B-2-709:

- 369 (a) information or records held by the Department of Health and Human Services related  
370 to a complaint regarding a provider, program, or facility which the department is  
371 unable to substantiate; and
- 372 (b) information or records related to a complaint received by the Department of Health  
373 and Human Services from an anonymous complainant regarding a provider, program,  
374 or facility;
- 375 (51) unless otherwise classified as public under Section 63G-2-301 and except as provided  
376 under Section 41-1a-116, an individual's home address, home telephone number, or  
377 personal mobile phone number, if:
- 378 (a) the individual is required to provide the information in order to comply with a law,  
379 ordinance, rule, or order of a government entity; and
- 380 (b) the subject of the record has a reasonable expectation that this information will be  
381 kept confidential due to:
- 382 (i) the nature of the law, ordinance, rule, or order; and  
383 (ii) the individual complying with the law, ordinance, rule, or order;
- 384 (52) the portion of the following documents that contains a candidate's residential or  
385 mailing address, if the candidate provides to the filing officer another address or phone  
386 number where the candidate may be contacted:
- 387 (a) a declaration of candidacy, a nomination petition, or a certificate of nomination,  
388 described in Section 20A-9-201, 20A-9-202, 20A-9-203, 20A-9-404, 20A-9-405,  
389 20A-9-408, 20A-9-408.5, 20A-9-502, or 20A-9-601;
- 390 (b) an affidavit of impecuniosity, described in Section 20A-9-201; or  
391 (c) a notice of intent to gather signatures for candidacy, described in Section 20A-9-408;
- 392 (53) the name, home address, work addresses, and telephone numbers of an individual that  
393 is engaged in, or that provides goods or services for, medical or scientific research that is:
- 394 (a) conducted within the state system of higher education, as described in Section  
395 53H-1-102; and  
396 (b) conducted using animals;
- 397 (54) in accordance with Section 78A-12-203, any record of the Judicial Performance  
398 Evaluation Commission concerning an individual commissioner's vote, in relation to  
399 whether a judge meets or exceeds minimum performance standards under Subsection  
400 78A-12-203(4), and information disclosed under Subsection 78A-12-203(5)(e);
- 401 (55) information collected and a report prepared by the Judicial Performance Evaluation  
402 Commission concerning a judge, unless Section 20A-7-702 or Title 78A, Chapter 12,

- 403 Judicial Performance Evaluation Commission Act, requires disclosure of, or makes  
404 public, the information or report;
- 405 (56) records provided or received by the Public Lands Policy Coordinating Office in  
406 furtherance of any contract or other agreement made in accordance with Section  
407 63L-11-202;
- 408 (57) information requested by and provided to the 911 Division under Section 63H-7a-302;
- 409 (58) in accordance with Section 73-10-33:
- 410 (a) a management plan for a water conveyance facility in the possession of the Division  
411 of Water Resources or the Board of Water Resources; or
- 412 (b) an outline of an emergency response plan in possession of the state or a county or  
413 municipality;
- 414 (59) the following records in the custody or control of the Office of Inspector General of  
415 Medicaid Services, created in Section 63A-13-201:
- 416 (a) records that would disclose information relating to allegations of personal  
417 misconduct, gross mismanagement, or illegal activity of a person if the information  
418 or allegation cannot be corroborated by the Office of Inspector General of Medicaid  
419 Services through other documents or evidence, and the records relating to the  
420 allegation are not relied upon by the Office of Inspector General of Medicaid  
421 Services in preparing a final investigation report or final audit report;
- 422 (b) records and audit workpapers to the extent they would disclose the identity of a  
423 person who, during the course of an investigation or audit, communicated the  
424 existence of any Medicaid fraud, waste, or abuse, or a violation or suspected  
425 violation of a law, rule, or regulation adopted under the laws of this state, a political  
426 subdivision of the state, or any recognized entity of the United States, if the  
427 information was disclosed on the condition that the identity of the person be  
428 protected;
- 429 (c) before the time that an investigation or audit is completed and the final investigation  
430 or final audit report is released, records or drafts circulated to a person who is not an  
431 employee or head of a governmental entity for the person's response or information;
- 432 (d) records that would disclose an outline or part of any investigation, audit survey plan,  
433 or audit program; or
- 434 (e) requests for an investigation or audit, if disclosure would risk circumvention of an  
435 investigation or audit;
- 436 (60) records that reveal methods used by the Office of Inspector General of Medicaid

- 437 Services, the fraud unit, or the Department of Health and Human Services, to discover  
438 Medicaid fraud, waste, or abuse;
- 439 (61) information provided to the Department of Health and Human Services or the Division  
440 of Professional Licensing under Subsections 58-67-304(3) and (4) and Subsections  
441 58-68-304(3) and (4);
- 442 (62) a record described in Section 63G-12-210;
- 443 (63) captured plate data that is obtained through an automatic license plate reader system  
444 used by a governmental entity as authorized in [~~Section 41-6a-2003~~] Title 77, Chapter  
445 23g, Automatic License Plate Reader Act;
- 446 (64) an audio or video recording created by a body-worn camera, as that term is defined in  
447 Section 77-7a-103, that records sound or images inside a hospital or health care facility  
448 as those terms are defined in Section 78B-3-403, inside a clinic of a health care provider,  
449 as that term is defined in Section 78B-3-403, or inside a human service program as that  
450 term is defined in Section 26B-2-101, except for recordings that:
- 451 (a) depict the commission of an alleged crime;
- 452 (b) record any encounter between a law enforcement officer and a person that results in  
453 death or bodily injury, or includes an instance when an officer fires a weapon;
- 454 (c) record any encounter that is the subject of a complaint or a legal proceeding against a  
455 law enforcement officer or law enforcement agency;
- 456 (d) contain an officer involved critical incident as defined in Subsection 76-2-408(1)(f);  
457 or
- 458 (e) have been requested for reclassification as a public record by a subject or authorized  
459 agent of a subject featured in the recording;
- 460 (65) a record pertaining to the search process for a president of an institution of higher  
461 education described in Section 53H-3-302;
- 462 (66) an audio recording that is:
- 463 (a) produced by an audio recording device that is used in conjunction with a device or  
464 piece of equipment designed or intended for resuscitating an individual or for treating  
465 an individual with a life-threatening condition;
- 466 (b) produced during an emergency event when an individual employed to provide law  
467 enforcement, fire protection, paramedic, emergency medical, or other first responder  
468 service:
- 469 (i) is responding to an individual needing resuscitation or with a life-threatening  
470 condition; and

- 471 (ii) uses a device or piece of equipment designed or intended for resuscitating an  
472 individual or for treating an individual with a life-threatening condition; and  
473 (c) intended and used for purposes of training emergency responders how to improve  
474 their response to an emergency situation;
- 475 (67) records submitted by or prepared in relation to an applicant seeking a recommendation  
476 by the Research and General Counsel Subcommittee, the Budget Subcommittee, or the  
477 Legislative Audit Subcommittee, established under Section 36-12-8, for an employment  
478 position with the Legislature;
- 479 (68) work papers as defined in Section 31A-2-204;
- 480 (69) a record made available to Adult Protective Services or a law enforcement agency  
481 under Section 61-1-206;
- 482 (70) a record submitted to the Insurance Department in accordance with Section  
483 31A-37-201;
- 484 (71) a record described in Section 31A-37-503;
- 485 (72) any record created by the Division of Professional Licensing as a result of Subsection  
486 58-37f-304(5) or 58-37f-702(2)(a)(ii);
- 487 (73) a record described in Section 72-16-306 that relates to the reporting of an injury  
488 involving an amusement ride;
- 489 (74) except as provided in Subsection 63G-2-305.5(1), the signature of an individual on a  
490 political petition, or on a request to withdraw a signature from a political petition,  
491 including a petition or request described in the following titles:
- 492 (a) Title 10, Utah Municipal Code;
- 493 (b) Title 17, Counties;
- 494 (c) Title 17B, Limited Purpose Local Government Entities - Special Districts;
- 495 (d) Title 17D, Limited Purpose Local Government Entities - Other Entities; and
- 496 (e) Title 20A, Election Code;
- 497 (75) except as provided in Subsection 63G-2-305.5(2), the signature of an individual in a  
498 voter registration record;
- 499 (76) except as provided in Subsection 63G-2-305.5(3), any signature, other than a signature  
500 described in Subsection (74) or (75), in the custody of the lieutenant governor or a local  
501 political subdivision collected or held under, or in relation to, Title 20A, Election Code;
- 502 (77) a Form I-918 Supplement B certification as described in Title 77, Chapter 38, Part 5,  
503 Victims Guidelines for Prosecutors Act;
- 504 (78) a record submitted to the Insurance Department under Section 31A-48-103;

- 505 (79) personal information, as defined in Section 63G-26-102, to the extent disclosure is  
506 prohibited under Section 63G-26-103;
- 507 (80) an image taken of an individual during the process of booking the individual into jail,  
508 unless:
- 509 (a) the individual is convicted of a criminal offense based upon the conduct for which  
510 the individual was incarcerated at the time the image was taken;
  - 511 (b) a law enforcement agency releases or disseminates the image:
    - 512 (i) after determining that the individual is a fugitive or an imminent threat to an  
513 individual or to public safety and releasing or disseminating the image will assist  
514 in apprehending the individual or reducing or eliminating the threat; or
    - 515 (ii) to a potential witness or other individual with direct knowledge of events relevant  
516 to a criminal investigation or criminal proceeding for the purpose of identifying or  
517 locating an individual in connection with the criminal investigation or criminal  
518 proceeding;
  - 519 (c) a judge orders the release or dissemination of the image based on a finding that the  
520 release or dissemination is in furtherance of a legitimate law enforcement interest; or
  - 521 (d) the image is displayed to a person who is permitted to view the image under Section  
522 17-72-802;
- 523 (81) a record:
- 524 (a) concerning an interstate claim to the use of waters in the Colorado River system;
  - 525 (b) relating to a judicial proceeding, administrative proceeding, or negotiation with a  
526 representative from another state or the federal government as provided in Section  
527 63M-14-205; and
  - 528 (c) the disclosure of which would:
    - 529 (i) reveal a legal strategy relating to the state's claim to the use of the water in the  
530 Colorado River system;
    - 531 (ii) harm the ability of the Colorado River Authority of Utah or river commissioner to  
532 negotiate the best terms and conditions regarding the use of water in the Colorado  
533 River system; or
    - 534 (iii) give an advantage to another state or to the federal government in negotiations  
535 regarding the use of water in the Colorado River system;
- 536 (82) any part of an application described in Section 63N-16-201 that the Governor's Office  
537 of Economic Opportunity determines is nonpublic, confidential information that if  
538 disclosed would result in actual economic harm to the applicant, but this Subsection (82)

- 539 may not be used to restrict access to a record evidencing a final contract or approval  
540 decision;
- 541 (83) the following records of a drinking water or wastewater facility:
- 542 (a) an engineering or architectural drawing of the drinking water or wastewater facility;  
543 and
- 544 (b) except as provided in Section 63G-2-106, a record detailing tools or processes the  
545 drinking water or wastewater facility uses to secure, or prohibit access to, the records  
546 described in Subsection (83)(a);
- 547 (84) a statement that an employee of a governmental entity provides to the governmental  
548 entity as part of the governmental entity's personnel or administrative investigation into  
549 potential misconduct involving the employee if the governmental entity:
- 550 (a) requires the statement under threat of employment disciplinary action, including  
551 possible termination of employment, for the employee's refusal to provide the  
552 statement; and
- 553 (b) provides the employee assurance that the statement cannot be used against the  
554 employee in any criminal proceeding;
- 555 (85) any part of an application for a Utah Fits All Scholarship account described in Section  
556 53F-6-402 or other information identifying a scholarship student as defined in Section  
557 53F-6-401;
- 558 (86) a record:
- 559 (a) concerning a claim to the use of waters in the Great Salt Lake;
- 560 (b) relating to a judicial proceeding, administrative proceeding, or negotiation with a  
561 person concerning the claim, including a representative from another state or the  
562 federal government; and
- 563 (c) the disclosure of which would:
- 564 (i) reveal a legal strategy relating to the state's claim to the use of the water in the  
565 Great Salt Lake;
- 566 (ii) harm the ability of the Great Salt Lake commissioner to negotiate the best terms  
567 and conditions regarding the use of water in the Great Salt Lake; or
- 568 (iii) give an advantage to another person including another state or to the federal  
569 government in negotiations regarding the use of water in the Great Salt Lake;
- 570 (87) a consumer complaint described in Section 13-2-11, unless the consumer complaint is  
571 reclassified as public as described in Subsection 13-2-11(4);
- 572 (88) a record of the Utah water agent, appointed under Section 73-10g-702:

- 573 (a) concerning a claim to the use of waters;
- 574 (b) relating to a judicial proceeding, administrative proceeding, or negotiation with a  
575 representative from another state, a tribe, the federal government, or other  
576 government entity as provided in Title 73, Chapter 10g, Part 7, Utah Water Agent;  
577 and
- 578 (c) the disclosure of which would:
- 579 (i) reveal a legal strategy relating to the state's claim to the use of the water;
- 580 (ii) harm the ability of the Utah water agent to negotiate the best terms and conditions  
581 regarding the use of water; or
- 582 (iii) give an advantage to another state, a tribe, the federal government, or other  
583 government entity in negotiations regarding the use of water; and
- 584 (89) a record created or maintained for an investigation of the Prosecutor Conduct  
585 Commission, created in Section 63M-7-1102, that contains any personal identifying  
586 information of a prosecuting attorney, including:
- 587 (a) a complaint, or a document that is submitted or created for a complaint, received by  
588 the Prosecutor Conduct Commission; or
- 589 (b) a finding by the Prosecutor Conduct Commission.
- 590 Section 3. Section **72-1-212** is amended to read:
- 591 **72-1-212 . Special use permitting -- Rulemaking.**
- 592 (1) As used in this section:
- 593 (a) "Law enforcement agency" means the same as that term is defined in Section  
594 53-1-102.
- 595 (b) "Special use permit" means a permit issued:
- 596 (i) for a special use or a special event that takes place on a highway; or
- 597 (ii) to a law enforcement agency to install an automatic license plate reader on a state  
598 highway for the purpose of capturing license plate data of vehicles traveling on a  
599 state highway, regardless of whether the device is installed on property owned by  
600 the department or the law enforcement agency.
- 601 (2) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, and in  
602 consultation with representatives of the Utah League of Cities and Towns and the Utah  
603 Association of Counties, the department shall make rules that are not inconsistent with  
604 this chapter or the constitution and laws of this state or of the United States governing  
605 the issuance of a special use permit to maintain public safety and serve the needs of the  
606 traveling public.

- 607 (3) The rules described in Subsection (2) may:
- 608 (a) establish the highways for which the highest number of special use permits are
- 609 issued;
- 610 (b) develop, in consultation with municipalities, a limit on the number of special use
- 611 permits that may be issued in any calendar year on a particular highway;
- 612 (c) require a person to submit an application designated by the department before the
- 613 department issues a special use permit;
- 614 (d) limit the number of special use permits issued on any one day for any specified
- 615 location based on a first-come, first-served basis for completed applications;
- 616 (e) establish criteria for evaluating completed applications, such as historic use, potential
- 617 economic benefit, or other relevant factors;
- 618 (f) specify conditions that are required to be met before a special use permit may be
- 619 issued;
- 620 (g) establish a penalty for failure to fulfill conditions required by the special use permit,
- 621 including suspension of the special use permit or suspension of a future special use
- 622 permit;
- 623 (h) require an applicant to obtain insurance for certain special uses or special events; or
- 624 (i) provide other requirements to maintain public safety and serve the needs of the
- 625 traveling public.
- 626 (4) The limit on the number of special use permits described in Subsection (3)(b) may not
- 627 include:
- 628 (a) a special use permit issued for a municipality-sponsored special use or special event
- 629 on a highway within the jurisdiction of the municipality; or
- 630 (b) a special use permit issued to a law enforcement agency to install a device as part of
- 631 an automatic license plate reader system authorized by Section [41-6a-2003]
- 632 77-23g-301.
- 633 (5) The rules described in Subsection (2) shall consider:
- 634 (a) traveler safety and mobility;
- 635 (b) the safety of special use or special event participants;
- 636 (c) emergency access;
- 637 (d) the mobility of residents close to the event or use;
- 638 (e) access and economic impact to businesses affected by changes to the normal
- 639 operation of highway traffic;
- 640 (f) past performance of an applicant's adherence to special use permit requirements; and

- 641 (g) whether a law enforcement agency applying for a special use permit has published a  
 642 policy online as required by Section [41-6a-2003] 77-23g-302.
- 643 (6) Notwithstanding any other provision of this chapter, the department may also require a  
 644 law enforcement agency applying for a special use permit described in this section to  
 645 obtain an encroachment permit.
- 646 (7) The department shall adopt a fee schedule in accordance with Section 63J-1-504 that  
 647 reflects the cost of services provided by the department associated with special use  
 648 permits and with special uses or special events that take place on a highway.
- 649 (8) For a device installed in accordance with Section [41-6a-2003] 77-23g-301, the  
 650 installation, maintenance, data collection, and removal are the responsibility of the law  
 651 enforcement agency that obtains the special use permit.
- 652 (9)(a) The department shall preserve a record of special use permits issued to a law  
 653 enforcement agency, including the stated purpose for each permit.
- 654 (b) The department shall preserve a record identified in Subsection (9)(a) for at least five  
 655 years.

656 Section 4. Section **77-23g-101** is enacted to read:

657 **CHAPTER 23g. Automatic License Plate Reader Act**

658 **Part 1. Automatic License Plate Reader Act**

659 **77-23g-101 . Definitions.**

660 As used in this chapter:

- 661 (1) "Aggregated license plate data" means de-identified license plate data created by:  
 662 (a) combining multiple sets of license plate data; and  
 663 (b) removing any information that relates to an identified or identifiable individual.
- 664 (2) "Anonymized" means the same as that term is defined in Section 63A-19-101.
- 665 (3) "Commission" means the State Commission on Criminal and Juvenile Justice created in  
 666 Section 63M-7-201.
- 667 (4) "Department" means the Department of Transportation created in Section 72-1-201.
- 668 (5) "Facial recognition" means the process of comparing an individual's image to an image  
 669 database for the purpose of identifying an individual.
- 670 (6) "Fixed license plate reader" means a license plate reader that remains in a stationary  
 671 location and is only able to obtain license plate data that passes within view of the  
 672 license plate reader.
- 673 (7) "Government website" means the same as that term is defined in Section 63A-19-101.

- 674 (8)(a) "Governmental entity" means the same as that term is defined in Section  
675 63G-2-103.
- 676 (b) "Governmental entity" includes:
- 677 (i) a law enforcement agency, unless otherwise specified; and  
678 (ii) an individual or entity acting as an agent of a governmental entity or acting on  
679 behalf of a governmental entity.
- 680 (9) "Historical license plate data" means license plate data retained by a license plate reader  
681 provider as described in Section 77-23g-501.
- 682 (10) "Hotlist" means a list or database containing information related to a vehicle believed  
683 to be involved in criminal activity that is compared to license plate data to generate an  
684 alert when the vehicle is identified.
- 685 (11) "Identify" or "identifying" means to search and review data captured by a license plate  
686 reader to determine potential vehicles of interest in connection with:
- 687 (a) an active criminal investigation; or  
688 (b) an authorized law enforcement use described in Section 77-23g-301.
- 689 (12)(a) "Law enforcement agency" means the same as that term is defined in Section  
690 53-1-102.
- 691 (b) "Law enforcement agency" includes a law enforcement officer as defined in Section  
692 53-13-103.
- 693 (13)(a) "License plate data" means any information collected by a license plate reader.
- 694 (b) "License plate data" includes:
- 695 (i) information displayed on a license plate;  
696 (ii) images of a vehicle or a license plate;  
697 (iii) the date and time the image was captured; and  
698 (iv) the global positioning system coordinates for the vehicle's location when the  
699 image was captured.
- 700 (14) "License plate reader" means a computerized system of:
- 701 (a) automated high-speed cameras used to capture license plate data; and  
702 (b) optical character recognition software that converts the license plate data into  
703 computer-readable data.
- 704 (15) "License plate reader provider" means an individual or entity who:
- 705 (a) provides or sells license plate readers to a governmental entity; and  
706 (b) processes license plate data on behalf of the governmental entity.
- 707 (16) "Locate" or "locating" means to use captured plate data to determine the last known

- 708 location of a known vehicle in connection with:  
 709 (a) an active criminal investigation; or  
 710 (b) an authorized law enforcement use described in Section 77-23g-301.
- 711 (17) "Mobile license plate reader" means a license plate reader attached to a vehicle which  
 712 captures license plate data while the vehicle is moving or stationary.
- 713 (18) "Nongovernmental entity" means an individual or entity that is not a governmental  
 714 entity.
- 715 (19) "Parking enforcement entity" means a governmental entity that is primarily responsible  
 716 for:  
 717 (a) enforcing state and local parking regulations; or  
 718 (b) regulating the use of a parking facility.
- 719 (20) "Process" means the same as that term is defined in Section 63A-19-101.
- 720 (21) "Public transit district" means the same as that term is defined in Section 17B-2a-802.
- 721 (22) "Secured area" means an area, enclosed by clear boundaries, to which access is limited  
 722 and not open to the public and entry is only obtainable through specific access-control  
 723 points.
- 724 (23) "State cooperative contract" means the same as that term is defined in Section  
 725 63G-6a-103.
- 726 (24)(a) "Track" means the monitoring of geolocation information sufficient to determine  
 727 the continuous movements of a vehicle of interest over a period greater than 72 hours  
 728 after the vehicle was identified as a vehicle of interest.  
 729 (b) "Track" does not include the use of a hotlist alert to locate a vehicle of interest in  
 730 order to take immediate enforcement action upon receipt of the alert or a search of  
 731 historic license plate reader data.
- 732 (25) "Utah Inland Port Authority" means the Utah Inland Port Authority created in Section  
 733 11-58-201.

734 Section 5. Section **77-23g-201** is enacted to read:

735 **Part 2. Requirements for Automatic License Plate Readers and Providers**

736 **77-23g-201 . Governmental entity requirements -- Restrictions.**

- 737 (1) A governmental entity may only use a license plate reader or process license plate data  
 738 for a purpose described Section 77-23g-301 or Section 77-23g-401.
- 739 (2) A governmental entity authorized to use a license plate reader or process license plate  
 740 data under this chapter shall:  
 741 (a) process the minimum amount of license plate data reasonably necessary to effectuate

- 742 a purpose described in Section 77-23g-301 or Section 77-23g-401;
- 743 (b) require all employees of the governmental entity who use a license plate reader or
- 744 process license plate data to receive training on:
- 745 (i) the requirements of this chapter; and
- 746 (ii) the governmental entity's policies regarding the use of a license plate reader or
- 747 processing of license plate data;
- 748 (c) annually conduct an internal audit to ensure compliance with this chapter; and
- 749 (d) prominently post, on the governmental entity's government website, a public notice
- 750 that describes:
- 751 (i) the governmental entity's purpose for using a license plate reader or processing
- 752 license plate data;
- 753 (ii) a citation to this chapter and a description of the authorization for the
- 754 governmental entity to use a license plate reader or process license plate data; and
- 755 (iii) the retention period for the license plate data.

756 (3) A governmental entity may not use a license plate reader or process license plate data to:

- 757 (a) conduct facial recognition;
- 758 (b) target an individual based on the individual's exercise of rights protected by the First
- 759 Amendment of the United States Constitution; or
- 760 (c) discriminate against an individual based on the individual's race, color, religion, sex,
- 761 national origin, age, disability, or genetic information.

762 Section 6. Section **77-23g-202** is enacted to read:

763 **77-23g-202 . License plate reader provider requirements -- Restrictions.**

764 (1) A license plate reader provider shall:

- 765 (a) act with a duty of loyalty and care with respect to license plate data processed on
- 766 behalf of the state or a governmental entity, including an obligation to act in the best
- 767 interests of the state and the individuals whose data is processed;
- 768 (b) ensure that all license plate data is encrypted or otherwise rendered unusable,
- 769 unreadable, or indecipherable to an unauthorized individual through a security
- 770 technology or methodology generally accepted in the field of information security;
- 771 (c) on or before May 31, 2027, for a license plate reader provider that begins operation
- 772 or is already operational for a state or governmental entity, obtain an evaluation,
- 773 conducted by an independent third party, regarding the accuracy of the license plate
- 774 reader that evaluates, at a minimum:
- 775 (i) character-level accuracy;

- 776           (ii) full-plate accuracy;  
777           (iii) false positive rate for hotlist and alert matching; and  
778           (iv) error rates, disaggregated by plate type, plate jurisdiction, and video and imaging  
779                 conditions;
- 780       (d) obtain a new or updated evaluation, conducted by an independent third party,  
781           whenever the license plate reader provider implements a material change to the  
782           license plate reader system that may reasonably be expected to impact accuracy,  
783           including changes to:
- 784           (i) hardware components or camera specifications;  
785           (ii) optical character recognition, machine learning, or other recognition algorithms;  
786           (iii) data processing, filtering, confidence scoring, or matching logic;  
787           (iv) environmental or operational configurations that materially affect capture or  
788                 recognition performance; or
- 789           (v) any other system modification identified by the provider or evaluator as affecting  
790                 accuracy;
- 791       (e) ensure that license plate provider systems sold to governmental entities in this state  
792           obtain and maintain, at a minimum, across video and image conditions:
- 793           (i) 90% character-level accuracy;  
794           (ii) 90% full-plate accuracy;  
795           (iii) 10% or lower false positive rate for hotlist and alert matching;  
796           (iv) 10% or lower error rate for license plate type identification; and  
797           (v) 10% or lower error rate for license plate jurisdiction identification;
- 798       (f) provide the evaluation described in Subsection (1)(c) or (1)(d) to:
- 799           (i) the Division of Purchasing and General Services created in Section 63A-2-101, if  
800                 the license plate reader provider has entered into a state cooperative contract to  
801                 provide license plate readers to or process license plate data on behalf of a  
802                 governmental entity; or
- 803           (ii) a governmental entity that has directly entered into a contract with a license plate  
804                 reader provider that is not based upon a state cooperative contract to provide  
805                 license plate readers or process license plate data; and
- 806       (g) dispose of license plate reader data in accordance with the appropriate retention  
807           schedule.
- 808       (2) A license plate reader provider may only:
- 809           (a) process license plate data captured by a license plate reader owned or operated by a

- 810 governmental entity for a purpose described in Section 77-23g-301 or Section  
811 77-23g-401;
- 812 (b) process license plate data from within the United States; and  
813 (c) share license plate data captured by a license plate reader owned or operated by a  
814 governmental entity:  
815 (i) in accordance with the requirements in Section 77-23g-502; and  
816 (ii) if authorized by the governmental entity.
- 817 (3) A license plate reader provider may not sell or profit from license plate data captured by  
818 a license plate reader owned or operated by a governmental entity.
- 819 (4) A license plate reader provider shall ensure that the license plate reader system  
820 automatically collects, maintains, and is capable of generating an annual report  
821 containing, at a minimum, the following information for each law enforcement agency  
822 and government entity using the system during the reporting period:  
823 (a) the number of license plate readers used, including:  
824 (i) fixed license plate readers, organized by zip code; and  
825 (ii) mobile license plate readers;  
826 (b) the specific location of fixed position license plate readers used by latitude and  
827 longitude coordinates;  
828 (c) the number of vehicles from which license plate data was obtained;  
829 (d) the number of alerts generated by a hotlist;  
830 (e) the number of searches conducted on license plate data, including for each search:  
831 (i) the date and time of the search;  
832 (ii) the stated purpose of the search;  
833 (iii) the associated case number, if applicable; and  
834 (iv) the identifier of the user performing the search; and  
835 (f) for a law enforcement agency, the number of warrants obtained and provided to the  
836 license plate reader provided for license plate data originating from a  
837 nongovernmental entity.
- 838 (5) A license plate reader provider shall:  
839 (a) provide a standardized query, export, or dashboard capability that allows the law  
840 enforcement agency or governmental entity to generate the report without manual  
841 data entry; and  
842 (b) provide the report described in Subsection (4) to the commission as described in  
843 Section 77-23g-503.

844 Section 7. Section **77-23g-203** is enacted to read:

845 **77-23g-203 . Hotlist requirements.**

846 (1) A governmental entity may:

847 (a) compare license plate data to a hotlist to generate a real-time alert only:

848 (i) for a purpose described in Section 77-23g-301 or Section 77-23g-401; and

849 (ii) if the hotlist used to generate an alert is updated at least once every 24 hours; and

850 (b) add vehicle or license plate information to a hotlist only if:

851 (i) the vehicle or license plate information relates to an authorized purpose described  
852 in Section 77-23g-301 or Section 77-23g-401; and

853 (ii) the governmental entity has adopted the policy of the Utah Criminal Justice  
854 Information System or the governmental entity's own policy that describes the  
855 criteria and procedure for adding vehicle or license plate information to a hotlist.

856 (2) A law enforcement agency may stop a vehicle or engage an occupant of a vehicle based  
857 on a hotlist alert only if:

858 (a) the hotlist alert is related to an authorized law enforcement purpose described in  
859 Section 77-23g-301; and

860 (b) the law enforcement agency reasonably attempts to confirm, before stopping the  
861 vehicle or engaging the occupant, that the vehicle or occupant matches the  
862 information described in the hotlist.

863 Section 8. Section **77-23g-301** is enacted to read:

864 **Part 3. Law Enforcement Use of Automatic License Plate Readers**

865 **77-23g-301 . Authorized law enforcement purposes.**

866 (1) A law enforcement agency may only use a license plate reader or process license plate  
867 data as authorized in this section.

868 (2) If a law enforcement agency has developed reasonable articulable suspicion that  
869 criminal activity is occurring or has occurred, the law enforcement agency may conduct  
870 a historical search of license plate data or use a hotlist to generate an alert for the  
871 purpose of:

872 (a) identifying a vehicle that may have been involved in the criminal activity; or

873 (b) determining where a vehicle believed to be involved in the criminal activity  
874 previously traveled.

875 (3) Notwithstanding the requirements of Subsection (2), a law enforcement agency may  
876 conduct a historical search of license plate data or use a hotlist to generate an alert for  
877 the purpose of:

- 878 (a) locating:  
 879 (i) a stolen vehicle; or  
 880 (ii) a missing or endangered individual; or  
 881 (b) apprehending an individual with an outstanding criminal warrant.  
 882 (4) In addition to the uses authorized in Subsection (2), a law enforcement agency may use  
 883 a mobile license plate reader to:  
 884 (a) verify valid vehicle registration information; or  
 885 (b) verify vehicle insurance information.

886 Section 9. Section **77-23g-302** is enacted to read:

887 **77-23g-302 . Law enforcement restrictions.**

- 888 (1) A law enforcement agency may not use a license plate reader or process license plate  
 889 data to:  
 890 (a) track a vehicle's continuous movements, unless the law enforcement agency has  
 891 obtained a state or federal warrant based upon a showing of probable cause that the  
 892 vehicle, the driver, or the registered owner are relevant and material to an existing  
 893 open and active criminal investigation; or  
 894 (b) establish reasonable suspicion that a crime has occurred or is occurring.  
 895 (2) A law enforcement agency may only process license plate data captured by a license  
 896 plate reader owned or operated by a nongovernmental entity:  
 897 (a) if the law enforcement agency:  
 898 (i) processes the nongovernmental entity's license plate data for an authorized  
 899 purpose described in Section 77-23g-301; and  
 900 (ii) has obtained a state or federal warrant authorizing the use of the nongovernmental  
 901 entity's license plate data; or  
 902 (b) without a warrant, if:  
 903 (i) in an exigent circumstance:  
 904 (A) the law enforcement agency believes processing the nongovernmental entity's  
 905 license plate data is necessary to prevent serious harm to an individual; and  
 906 (B) the nongovernmental entity consents to the law enforcement agency's  
 907 processing of the nongovernmental entity's license plate data; or  
 908 (ii) in a circumstance that is not an exigent circumstance:  
 909 (A) the license plate data was captured by a license plate reader not owned by a  
 910 governmental entity;  
 911 (B) the data relates to a specific criminal incident that occurred in a location

912 observable from or on the premises where the license plate reader is located;  
 913 (C) the nongovernmental entity voluntarily consents, on a per-incident basis, to  
 914 provide only the specific footage or data reasonably related to that incident; and  
 915 (D) the disclosure does not provide the law enforcement agency with ongoing  
 916 access to the nongovernmental entity's license plate reader system or historical  
 917 database beyond the specific incident.

918 (3) A fixed license plate reader may only be placed on a state highway if:  
 919 (a) a law enforcement agency has obtained a special use permit as described in Section  
 920 72-1-212 from the department; and  
 921 (b) the special use permit is prominently posted on the law enforcement agency's  
 922 government website.

923 Section 10. Section **77-23g-401** is enacted to read:

924 **Part 4. Governmental Entity Use of Automatic License Plate Readers**

925 **77-23g-401 . Authorized governmental entity purposes.**

- 926 (1) A governmental entity that is not a law enforcement agency may only use a license plate  
 927 reader or process license plate data as described in this section.
- 928 (2) A parking enforcement entity may only use a license plate reader or process license  
 929 plate data for the purpose of:  
 930 (a) enforcing state and local parking regulations; or  
 931 (b) regulating a parking facility.
- 932 (3) A government entity that maintains a secured area may only use a license plate reader or  
 933 process license plate data for the purpose of controlling access to the secured area.
- 934 (4) The department may only use a license plate reader or process license plate data for the  
 935 purpose of:  
 936 (a) collecting an electronic toll on a highway as described in Section 72-6-118; or  
 937 (b) enforcing motor carrier laws.
- 938 (5) A public transit district may only use a license plate reader or process license plate data  
 939 for the purpose of assessing parking needs or conducting a travel pattern analysis.
- 940 (6) An educational institution within the Utah System of Higher Education described in  
 941 Section 53B-1-102 may only use a license plate reader or process license plate data if  
 942 the license plate data:  
 943 (a) is anonymized; and  
 944 (b) is used for research and educational purposes.
- 945 (7) The Utah Inland Port Authority, or a contractor of the Utah Inland Port Authority, may

946 only use a license plate reader or process license plate data for the purpose of improving  
 947 supply chain efficiency or the efficiency of the movement of goods and analyzing and  
 948 researching data related to commercial vehicle traffic if:

949 (a) the Utah Inland Port Authority's board has approved the use of a license plate reader;

950 (b) the license plate reader is only used within a project area of the Utah Inland Port  
 951 Authority; and

952 (c) the license plate data is anonymized.

953 (8) An international airport may only use a license plate reader or process license plate data  
 954 for the purpose of promoting efficient regulation and implementation of traffic control  
 955 and direction, parking, security, and other similar operational objectives on the airport  
 956 campus.

957 Section 11. Section **77-23g-402** is enacted to read:

958 **77-23g-402 . Governmental entity restrictions.**

959 A governmental entity that is not a law enforcement agency may not process license  
 960 plate data captured by a license plate reader owned or operated by a nongovernmental entity.

961 Section 12. Section **77-23g-501** is enacted to read:

962 **Part 5. Disclosure of License Plate Data**

963 **77-23g-501 . License plate data -- Retention.**

964 (1) Except as provided in this section, a governmental entity that uses a license plate reader  
 965 shall delete or destroy, in a manner that makes the data unrecoverable, the license plate  
 966 data within 150 days from the date on which the license plate data was captured.

967 (2) A governmental entity may retain license plate data beyond 150 days:

968 (a) for criminal matters, if the license plate data:

969 (i) is intended to be used as evidence in an ongoing criminal investigation or  
 970 prosecution; and

971 (ii) is retained in accordance with Title 77, Chapter 11c, Retention of Evidence; or

972 (b) for civil matters, if the license plate data is:

973 (i) related to an ongoing civil enforcement action; and

974 (ii) retained in accordance with the Utah Rules of Civil Procedure.

975 (3) For license plate data used by the department for the purposes described in Section  
 976 72-6-118, the department:

977 (a) is exempt from the 150-day preservation requirement described in Subsection (1); and

978 (b) shall delete or destroy the license plate data, in a manner that makes the data  
 979 unrecoverable, as soon as reasonably possible.

980 (4) A governmental entity may retain aggregated license plate data beyond 150 days for  
 981 planning and statistical purposes.

982 Section 13. Section **77-23g-502** is enacted to read:

983 **77-23g-502 . Disclosure of license plate data.**

984 (1) License plate data captured by a license plate reader owned or operated by a  
 985 governmental entity:

986 (a) is a protected record in accordance with Section 63G-2-305; and

987 (b) may not be shared with or disclosed to a nongovernmental entity.

988 (2) A governmental entity may only share license plate data captured by a license plate  
 989 reader owned or operated by the governmental entity:

990 (a) in accordance with the sharing provisions in Section 63G-2-206;

991 (b) for an authorized purpose described in Section 77-23g-301 or Section 77-23g-401;

992 (c) if the receiving entity performs the same or similar duties as the sharing entity; and

993 (d) the sharing entity enters into a data sharing agreement with the receiving entity  
 994 whereby the receiving entity agrees to:

995 (i) comply with the requirements in this chapter; and

996 (ii) only use the license plate data for an authorized purpose described in Section  
 997 77-23g-301 or Section 77-23g-401.

998 (3) A court may order the disclosure of license plate data in a criminal or civil matter if the  
 999 court finds that the license plate data is relevant and material to an ongoing  
 1000 investigation, prosecution, or enforcement action.

1001 Section 14. Section **77-23g-503** is enacted to read:

1002 **77-23g-503 . Report on the disclosure of license plate data.**

1003 (1) Beginning on or before December 31, 2027, and on or before December 31 of each  
 1004 subsequent year, the commission shall receive from each license plate reader provider  
 1005 the reports described in Subsection 77-23g 202(4).

1006 (2) The commission shall:

1007 (a) review and analyze reports received from license plate reader providers;

1008 (b) evaluate the geographic concentration, placement, and density of license plate reader  
 1009 cameras;

1010 (c) assess the minimum accuracy standards that license plate reader systems must meet  
 1011 to be used for law enforcement and governmental entity purposes;

1012 (d) recommend to the Legislature:

1013 (i) adjustments to minimum accuracy thresholds and camera concentration limits to

1014 be codified in statute; and  
 1015 (ii) adjustments for authorizing access to nongovernmental entity license plate reader  
 1016 data to be codified in statute; and  
 1017 (e) develop recommendations to improve license plate reader data collection, processing,  
 1018 retention, and access practices in order to appropriately balance public safety  
 1019 objectives with individual privacy and transparency interests.

1020 (3) The report described in Subsection (1) is a protected record under Section 63G-2-305.  
 1021 Section 15. Section 77-23g-504 is enacted to read:

1022 **77-23g-504 . Annual report from State Commission on Criminal and Juvenile**  
 1023 **Justice.**

1024 (1) On or before November 30 of each year, the commission shall provide a report as  
 1025 described in this section to the Law Enforcement and Criminal Justice Interim  
 1026 Committee.

1027 (2) The commission shall include in the report:

1028 (a) an evaluation of license plate reader technology and accuracy;

1029 (b) data regarding retention practices and frequency of access of retained data over time;

1030 (c) data regarding sharing of license plate data among governmental entities and from  
 1031 private entities;

1032 (d) an evaluation of administrative burdens and costs with regard to data retention; and

1033 (e) any other information the commission determines relevant.

1034 (3) The commission may include in the report recommendations for legislation.

1035 Section 16. Section 77-23g-601 is enacted to read:

1036 **Part 6. Penalties and Enforcement Powers of the Attorney General**

1037 **77-23g-601 . Penalties.**

1038 (1) An individual who knowingly or intentionally uses, or discloses a license plate reader or  
 1039 processes license plate data in violation of this chapter is guilty of a class B  
 1040 misdemeanor.

1041 (2) A governmental entity may take disciplinary action, which may include suspension or  
 1042 discharge, against any employee of the governmental entity who intentionally violates  
 1043 any provision of this chapter.

1044 Section 17. Section 77-23g-602 is enacted to read:

1045 **77-23g-602 . Enforcement powers of the attorney general.**

1046 (1) Notwithstanding Subsection 77-23g-601(2), the attorney general has the exclusive  
 1047 authority to enforce this chapter.

- 1048 (2) The attorney general may initiate an enforcement action against a license plate reader  
1049 provider for a violation of this chapter.
- 1050 (3)(a) At least 30 days before the day on which the attorney general initiates an  
1051 enforcement action against a license plate reader provider, the attorney general shall  
1052 provide the provider:
- 1053 (i) written notice identifying each provision of this chapter the attorney general  
1054 alleges the controller or processor has violated or is violating; and  
1055 (ii) an explanation of the basis for each allegation.
- 1056 (b) The attorney general may not initiate an action if the provider:
- 1057 (i) cures the noticed violation within 30 days after the day on which the controller or  
1058 processor receives the written notice described in Subsection (3)(a); and  
1059 (ii) provides the attorney general an express written statement that:
- 1060 (A) the violation has been cured; and  
1061 (B) no further violation of the cured violation will occur.
- 1062 (c) The attorney general may initiate an action against a provider who:
- 1063 (i) fails to cure a violation after receiving the notice described in Subsection (3)(a); or  
1064 (ii) after curing a noticed violation and providing a written statement in accordance  
1065 with Subsection (3)(b), continues to violate this chapter.
- 1066 (d) In an action described in Subsection (3)(c), the attorney general may recover:
- 1067 (i) actual damages to the consumer; and  
1068 (ii) for each violation described in Subsection (3)(c), an amount not to exceed \$2,500.

1069 **Section 18. Repealer.**

1070 This bill repeals:

1071 Section **41-6a-2001, Title.**

1072 Section **41-6a-2002, Definitions.**

1073 Section **41-6a-2003, Automatic license plate reader systems -- Restrictions.**

1074 Section **41-6a-2004, Captured plate data -- Preservation and disclosure.**

1075 Section **41-6a-2005, Preservation request.**

1076 Section **41-6a-2006, Penalties.**

1077 Section 19. **Effective Date.**

1078 This bill takes effect on May 6, 2026.