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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

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A N A C T

RELATING TO CRIMINAL PROCEDURE -- AUTOMATED LICENSE PLATE READERS

Introduced By: Representatives Dawson, Boylan, Furtado, Casey, Stewart, Cortvriend,
Speakman, Spears, McGaw, and Handy

Date Introduced: February 27, 2026

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 12 of the General Laws entitled "CRIMINAL PROCEDURE" is hereby
2 amended by adding thereto the following chapter:

3 CHAPTER 5.3

4 AUTOMATED LICENSE PLATE READERS

5 **12-5.3-1. Automated license plate reader defined.**

6 As used in this chapter:

7 (a) "Automated license plate reader" means an electronic device mounted on a law
8 enforcement vehicle or positioned in a stationary location that is capable of recording data on, or
9 taking a photograph of, the license plate of a vehicle and comparing the collected data and
10 photographs to existing law enforcement databases for investigative purposes. "Automated license
11 plate reader" includes a device that is owned or operated by a person who is not a government entity
12 to the extent that data collected by the reader is shared with a law enforcement agency. For the
13 purposes of this chapter, "automated license plate reader" does not refer to those electronic devices
14 mounted on a law enforcement vehicle or positioned in a stationary location that is capable of
15 recording data on, or taking a photograph of, the license plate of a vehicle solely for the purpose of
16 recording the speed on a vehicle, recording information for tolling purposes, or recording traffic
17 patterns and assessing traffic violations at an intersection.

18 (b) "Captured plate data" means the GPS coordinates, date and time, photograph, license
19 plate number, and any other data captured by, derived, or inferred from any automatic license plate

1 reader system including, but not limited to, model, color and other automobile characteristics.

2 (c) "Federal immigration authority" means any officer, employee, or person otherwise paid
3 by or acting as an agent of United States immigration and customs enforcement or United States
4 customs and border protection or any division or designee thereof, or any other officer, employee
5 or otherwise paid by or acting as an agent of the United States department of homeland security or
6 United State department of state who is charged with immigration enforcement.

7 (d) "Notification" means an alert from an automatic license plate reader system that a
8 license plate or vehicle matches a license plate or vehicle in a database utilized by the automatic
9 license plate ready system for comparison purposes.

10 **12-5.3-2. Municipal approval mandatory for funding acquisition or use.**

11 (a) Unless otherwise prohibited by city or town charter, a municipal law enforcement
12 agency shall obtain city or town council approval following an advertised public hearing of the
13 council prior to engaging in any of the following acts:

14 (1) Seeking funds for automated license plate readers, including, but not limited to,
15 applying for a grant or soliciting or accepting state or federal funds or in-kind or other donations;

16 (2) Acquiring or borrowing automated license plate readers, whether or not that acquisition
17 is made through the exchange of monies or other consideration; or

18 (3) Entering into an agreement with any other person or entity to acquire, share, or
19 otherwise use automated license plate readers or data therefrom.

20 (b) Any municipal law enforcement agency exempt from obtaining city or town council
21 approval pursuant to subsection (a) of this section shall be required to formally advise the council
22 of any actions taken to purchase or otherwise fund, acquire, or use an automated license plate
23 reader.

24 (c) A state law enforcement agency shall adopt, via rulemaking procedures pursuant to
25 chapter 35 of title 42 ("administrative procedures"), its policies and procedures relating to the
26 operation of an automated license plate reader system prior to engaging in any of the following
27 acts:

28 (1) Seeking funds for automated license plate readers, including, but not limited to,
29 applying for a grant or soliciting or accepting state or federal funds or in-kind or other donations;

30 (2) Acquiring or borrowing automated license plate readers, whether or not that acquisition
31 is made through the exchange of monies or other consideration; or

32 (3) Entering into an agreement with any other person or entity to acquire, share, or
33 otherwise use automated license plate readers or data therefrom.

34 (d) Any municipality that already uses automated license plate readers shall be subject to

1 the requirements set forth in § 12-5.3-5.

2 **12-5.3-3. Regulated use of automated license plate readers.**

3 (a) Operation of and access to an automated license plate reader and captured plate data
4 shall be for official law enforcement purposes only, and shall only be used to scan, detect, and
5 identify license plate numbers for the purpose of identifying:

6 (1) Stolen vehicles;

7 (2) Vehicles associated with wanted, missing, or endangered persons;

8 (3) Vehicles that register as a match within the National Crime Information Center; and

9 (4) Vehicles associated with a suspect in an ongoing, active investigation of a violent felony
10 or domestic violence offense.

11 (b) An automated license plate reader shall not be used for:

12 (1) Photographing, recording or producing images of the occupants of a motor vehicle;

13 (2) Photographing, recording or producing images of further identifying features of a
14 vehicle other than those captured on the rear of the vehicle from photographing or recording the
15 license plate number;

16 (3) Photographing, recording or producing images of passersby or pedestrians, including
17 the photographing, recording, or production of images which may identify biometric information
18 about such passersby or pedestrians through the usage of facial, voice, iris, or other software;

19 (4) In the absence of a judicial warrant, utilizing any photographs, records or images
20 produced through the implementation of the automated license plate reader for the purpose of
21 identifying potentially associated vehicles;

22 (5) Recording or otherwise capturing audio; or

23 (6) The identification of a vehicle, or the performance of a search for a vehicle, based on
24 the contents or message of a bumper sticker or decal.

25 (c) Prior to using an automated license plate reader, the municipal or state law enforcement
26 agency that intends to use the technology shall certify that the automated license plate reader meets
27 all requirements of this chapter and that the agency has a policy or policies in effect governing its
28 use in accordance with this chapter and a documented training process for the officers that will use
29 it.

30 (d) A positive match by an automated license plate reader alone shall not constitute
31 reasonable suspicion as grounds for a law enforcement officer to stop the vehicle. Prior to stopping
32 a vehicle based on identification within the automated license plate reader database, the officer
33 shall immediately confirm visually that the license plate on the vehicle matches the image of the
34 license plate displayed on the alert and conduct an inquiry through law enforcement databases to

1 verify the plate on the vehicle photographed is the same state, numerical sequence and classification
2 associated with the criteria specified in subsection (a) of this section. Officers will not take any law
3 enforcement action until the automated license plate reader alert is verified.

4 (e) Records of license plates recorded by an automated license plate reader shall not be
5 transmitted for any other purpose and shall be purged from the database or system within twenty-
6 one (21) days of their capture in such a manner that they are destroyed and not recoverable, unless
7 the identification of a license plate resulted in an arrest, a citation, or identified a vehicle that was
8 the subject of a missing person or wanted broadcast, or remains the subject of an active
9 investigation to the extent authorized by this chapter, in which case the data on the particular license
10 plate may be retained until final disposition of the matter. Captured license plate data obtained for
11 the purposes identified in subsection (a) of this section shall not be used or shared for any other
12 purpose.

13 (f) A law enforcement officer shall be certified in automated license plate reader operation
14 by the department of public safety prior to operating an automated license plate reader system.
15 Agencies utilizing automated license plate reader technology shall maintain training logs of
16 personnel with access to the automated license plate reader system.

17 **12-5.3-4. Protections.**

18 (a) Captured plate data collected by or on behalf of a government entity, as authorized
19 pursuant to § 12-5.3-3(a), shall not be used or shared for any other purpose and shall be deleted
20 after twenty-one (21) days, except that such data may be retained:

21 (1) For as long as such captured plate data is needed as evidence of specific unlawful
22 conduct enumerated in § 12-5.3-3(a);

23 (2) Pursuant to a valid, court issued, probable cause warrant.

24 (b) Any government entity that uses an automated license plate reader system must ensure
25 that any databases used by their system to provide notifications are updated at least every twenty-
26 four (24) hours, or as soon as practicable after such updates become available.

27 **12-5.3-5. Data sharing and automated license plate reader access.**

28 (a) Any government entity that uses automated license plate reader systems shall:

29 (1) Not share or otherwise provide access to captured plate data unless the requesting party:

30 (i) Is a government entity that agrees not to further share the data unless otherwise required
31 by law; or

32 (ii) Has a judicially issued, probable cause warrant for the specific data.

33 (2) Not share or otherwise provide access to captured plate data to enforce, comply, or
34 assist with federal immigration enforcement.

1 (3) Not share or otherwise provide access to captured plate data for the purpose of
2 identifying, tracking, or determining an individual's reproductive health care and/or gender-
3 affirming care status or decisions.

4 (4) Not share or otherwise provide access to captured plate data for the purpose or known
5 effect of infringing upon first amendment rights.

6 (b) Nothing in this shall be construed to limit or prohibit any state or local agency officer
7 from:

8 (1) Sending to, or receiving from, federal immigration authorities the citizenship or
9 immigration status of a person, or maintaining such information, or exchanging the citizenship or
10 immigration status of an individual with any other federal, state, or local government agency, to
11 the extent required by 8 U.S.C. 1373; or

12 (2) Complying with any other Rhode Island or federal law.

13 (c) Any current or future external agency granted permission to use or review automated
14 license plate reader data or footage collected in this state must agree, through a formal written
15 agreement, to this section and §§ 12-5.3-3 and 12-5.3-4. For external agencies who do not sign such
16 agreements, permission to access data in this state is prohibited.

17 **12-5.3-6. Public log of use required.**

18 (a) A law enforcement agency that installs or uses any automated license plate reader shall
19 maintain a public log of its use, to be updated on an ongoing monthly basis, containing, but not
20 limited to, the following information:

21 (1) The aggregate number of vehicles on which data is collected for each month of use and
22 a list of all state and federal databases with which the data were compared, unless the existence of
23 the database itself is not public;

24 (2) For each month of use, a breakdown of the number of vehicles in which the collected
25 data identified a stolen vehicle or license plate, a warrant for the arrest of the owner or operator of
26 the vehicle, or any other basis for pursuing the owner or operator of a motor vehicle based on an
27 identification generated in accordance with § 12-5.3-3(a);

28 (3) The census tract in which any stationary or fixed location automated license plate reader
29 that is actively collecting data is installed and used;

30 (4) A summary of complaints or concerns that were received during each month of active
31 use about the automated license plate reader; and

32 (5) Any instances of erroneous identification by the automated license plate reader.

33 (b) The law enforcement agency shall maintain a public list of current and previous census
34 tracts in which an automated license plate reader is or has been located, including the dates it was

1 or is utilized at those locations.

2 **12-5.3-7. Review of preexisting uses mandatory.**

3 No later than one hundred twenty (120) days following the effective date of this chapter,
4 any law enforcement agency seeking to continue the use of any automated license plate reader that
5 was in use prior to the effective date, shall commence an approval or advisory process and meet
6 the standards in accordance with §§ 12-5.3-2 and 12-5.3-3. If the continued use of the automated
7 license plate reader has not been approved within one hundred eighty (180) days of its submission,
8 the municipal entity or state agency shall cease its use of the automated license plate reader and the
9 sharing of data therefrom unless and until such time as approval is obtained in accordance with this
10 chapter.

11 **12-5.3-8. Remedies and penalties.**

12 (a) The attorney general may seek appropriate relief, including an injunction banning or
13 restricting the use of automated license plate readers, against an agency found to have violated the
14 provisions of this chapter.

15 (b) Any individual or entity aggrieved by a violation of this chapter may file an action in
16 superior court and be entitled to the remedies available for a deprivation of the right to privacy as
17 provided in § 9-1-28.1(b).

18 (c) Any data or other information created or collected in contravention of this chapter, and
19 any data or information derived therefrom, shall be immediately deleted and destroyed, and may
20 not be offered as evidence by any municipal or state governmental entity in any criminal or civil
21 action or proceeding, except as evidence of the violation of this chapter or be voluntarily provided
22 to another person or entity for use as evidence or for any other purpose.

23 (d) Notwithstanding subsection (c) of this section, if, upon the discovery of data or other
24 information that was created or collected in contravention of this chapter, it appears such data or
25 information may be material to the defense in a criminal prosecution, a copy of the relevant,
26 potentially material data or other information shall be turned over to the defendant before it is
27 deleted and destroyed.

28 **12-5.3-9. Severability.**

29 (a) If any provision of this section or the application thereof to any person or circumstances
30 is held invalid, such invalidity shall not affect the other provisions or applications of this chapter,
31 which can be given effect without the invalid provision or application, and to this end, the
32 provisions of this chapter are declared to be severable.

1 SECTION 2. This act shall take effect on January 1, 2027.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO CRIMINAL PROCEDURE -- AUTOMATED LICENSE PLATE READERS

1 This act would provide for municipal and state police authorities to acquire and to utilize
2 automated license plate readers. Further, the act would identify what data may be collected and in
3 what ways the data can be used.

4 This act would take effect on January 1, 2027.

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