

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2771 Session of
2026

INTRODUCED BY O'MARA, SANCHEZ, MERSKI, GUZMAN, SHUSTERMAN,
WAXMAN, CEPEDA-FREYTIZ, CURRY, CIRESI, GILLEN, BENHAM,
FIEDLER, FRIEL, HANBIDGE AND KHAN, SEPTEMBER 10, 2026

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES,
OCTOBER 7, 2026

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, providing for automated license plate reader
3 systems; and imposing penalties.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Part VI of Title 75 of the Pennsylvania
7 Consolidated Statutes is amended by adding a chapter to read:

8 CHAPTER 70

9 AUTOMATED LICENSE PLATE READER SYSTEMS

10 Sec.

11 7001. Definitions.

12 7002. Restrictions on the use of automated license plate reader
13 systems.

14 7003. Applicability of Right-to-Know.

15 7004. Destruction of captured data and preservation requests.

16 7005. Automated license plate reader system policy.

17 7006. Sharing of captured data.

1 7007. VENDOR MAINTENANCE ACCESS. <--
2 ~~7007~~ 7008. Admissibility of evidence. <--
3 ~~7008~~ 7009. Penalties. <--
4 ~~7009~~ 7010. Construction. <--
5 § 7001. Definitions.

6 The following words and phrases when used in this chapter
7 shall have the meanings given to them in this section unless the
8 context clearly indicates otherwise:

9 "Automated license plate reader system." A system, software
10 or computer algorithm, whether used independently or in
11 combination with one or more mobile or fixed high-speed cameras
12 that is used to convert images of registration plates into
13 computer-readable data.

14 "Captured data." The global positioning system coordinates,
15 dates and times, photographs, registration plate numbers and any
16 other data captured by, derived or inferred from any automated
17 license plate reader system, including, but not limited to,
18 make, model, color and other vehicle-related characteristics.

19 "FOREIGN ADVERSARY." EITHER OF THE FOLLOWING: <--

20 (1) A FOREIGN GOVERNMENT OR FOREIGN NONGOVERNMENT PERSON
21 THAT IS DESIGNATED AS A FOREIGN ADVERSARY UNDER 15 CFR 791.4
22 (RELATING TO DETERMINATION OF FOREIGN ADVERSARIES).

23 (2) A COVERED NATION UNDER 10 U.S.C. § 4872(F)(2)
24 (RELATING TO ACQUISITION OF SENSITIVE MATERIALS FROM NON-
25 ALLIED FOREIGN NATIONS: PROHIBITION).

26 "Government entity." Any Commonwealth office, agency, board,
27 bureau, department, commission, political subdivision,
28 municipality, local authority and any officer, agent or other
29 personnel thereof.

30 "Hot list." A database of compiled license plate and other

1 vehicle identifying information, which is maintained in a manner
2 that ensures the database is and remains accurate, relevant,
3 timely and complete and reflects a government entity's
4 determination that a vehicle or an individual associated with a
5 vehicle is relevant and material to an ongoing missing persons,
6 felony or homicide investigation or other matter of enforcement
7 by a government entity or private entity authorized under this
8 chapter.

9 "Private entity." A person that is not the Federal
10 Government, the Commonwealth or a municipal authority, under
11 contract with a government entity to carry out a government
12 function, and any officer, agent or other personnel thereof.

13 "Secured area." An area, enclosed by clear boundaries, to
14 which access is limited and entry is only obtainable through
15 specific access-control points.

16 § 7002. Restrictions on the use of automated license plate
17 reader systems.

18 (a) Prohibition.--Except as provided under subsection (b),
19 it is unlawful for any government entity or private entity to
20 operate or use an automated license plate reader system or
21 captured data.

22 (b) Authorized uses.--An automated license plate reader
23 system and captured data may be operated or used by a government
24 entity or private entity exclusively for:

25 (1) The comparison of captured data with a hot list to
26 determine if a vehicle scanned by an automated license plate
27 reader system is relevant and material to an investigation of
28 a vehicle that is:

29 (i) registered to an individual for whom there is an
30 outstanding arrest warrant for a homicide or an offense

1 which is recognized as a felony under the laws of this
2 Commonwealth;

3 (ii) associated with a missing person;

4 (iii) stolen; or

5 (iv) related to or involved in a homicide
6 investigation or the investigation of an offense
7 recognized as a felony under the laws of this
8 Commonwealth.

9 (2) The identification of vehicles that are:

10 (i) unregistered or uninsured; or

11 (ii) in violation of the inspection requirement
12 under section 4703 (relating to operation of vehicle
13 without official certificate of inspection).

14 (3) Parking enforcement.

15 (4) Controlling access to secured areas.

16 (5) Training under subsection (e).

17 (c) Unlawful acts.--

18 (1) For the authorized uses under subsection (b) (2) (i)
19 and (ii), it shall be unlawful to intentionally target
20 enforcement towards a population based on race, ethnicity or
21 income level in a manner that exceeds that group's proportion
22 of the overall population within the enforcing government
23 entity's jurisdiction.

24 (2) It shall be unlawful for a government entity or
25 private entity to operate or utilize an automated license
26 plate reader system when the operation is not fully compliant
27 with this chapter.

28 (3) IT SHALL BE UNLAWFUL FOR A GOVERNMENT ENTITY OR
29 PRIVATE ENTITY TO OPERATE OR UTILIZE AN AUTOMATED LICENSE
30 PLATE READER SYSTEM FOR PERSONAL, POLITICAL OR COMMERCIAL

<--

1 PURPOSES.

2 (d) Manual queries.--Any government entity or private entity
3 that manually searches, queries, accesses or otherwise uses an
4 automated license plate reader system or captured data shall
5 create a contemporaneous record of the reason for the queries in
6 terms of the uses authorized under subsection (b), with
7 information identifying the user and the relevant case,
8 investigation or other enforcement matter in connection with
9 which the query is made.

10 (e) Training required.--

11 (1) Prior to using an automated license plate reader
12 system for a purpose identified in subsection (b)(1) or (2),
13 an individual shall complete a training course approved by
14 the Pennsylvania State Police and the Municipal Police
15 Officers' Education and Training Commission.

16 (2) Prior to using an automated license plate reader
17 system for a purpose identified in subsection (b)(3) or (4),
18 an individual shall complete a training course to be publicly
19 accessible under the policy outlined in section 7005
20 (relating to automated license plate reader system policy).

21 (3) Individuals who use an automated license plate
22 reader system in the discharge of their official duties for a
23 purpose identified in subsection (b) on the effective date of
24 this section and have not previously completed a similar
25 training course shall have six months from the effective date
26 of this section, or six months from the date the Pennsylvania
27 State Police certifies that a training course is available to
28 such individuals, whichever is later, to complete the
29 required training course.

30 (4) A LAW ENFORCEMENT AGENCY SHALL OBTAIN A SEARCH

<--

1 WARRANT SUPPORTED BY PROBABLE CAUSE BEFORE ACCESSING CAPTURED
2 DATA TO CONDUCT A COMPREHENSIVE OR SUSTAINED REVIEW TO
3 MONITOR THE ONGOING MOVEMENTS OF AN INDIVIDUAL OR MOTOR
4 VEHICLE, OR TO RECONSTRUCT OR ANALYZE A PATTERN OF THE
5 INDIVIDUAL'S OR MOTOR VEHICLE'S PAST MOVEMENTS, OVER MULTIPLE
6 DAYS.

7 (f) Use and ownership of data.--A government entity shall be
8 the exclusive owner of all captured data collected through an
9 automated license plate reader system that is owned or operated
10 by the government entity or by a private entity acting on behalf
11 of the government entity. Captured data may not be the property
12 of or be licensed to the manufacturer or vendor of the automated
13 license plate reader system and may not be used for any purpose
14 other than prescribed in this chapter.

15 (g) Further restrictions.--

16 (1) An automated license plate reader system may not be
17 utilized in such a manner as to take a frontal view recorded
18 image of a motor vehicle unless incidental to an image of the
19 rear of another vehicle.

20 (2) An automated license plate reader system may not be
21 utilized to identify, nor be configured or equipped to
22 identify, the driver, the passengers or the interior contents
23 of the motor vehicle, or any other individual, and may not be
24 used for the purpose of facial recognition or in conjunction
25 with facial recognition software, programs or computer
26 algorithms.

27 (3) The use by a government entity or private entity of
28 any system, software, technology or computer algorithm, used
29 independently or in combination with one or more mobile or
30 fixed high-speed cameras, whether remotely user-controlled or

1 otherwise, regardless of whether images are converted into
2 computer-readable data, to record video images, conduct
3 generalized surveillance, collect data, compile intelligence,
4 track movements, identify or monitor individuals, or for any
5 purpose other than those explicitly authorized in subsection
6 (b) is strictly prohibited.

7 (H) VENDOR PROHIBITIONS.--

<--

8 (1) A MANUFACTURER, VENDOR, DEVELOPER, CONTRACTOR,
9 SUBCONTRACTOR OR ANY PRIVATE ENTITY INVOLVED IN THE CREATION,
10 SALE, LEASE, LICENSING, MAINTENANCE, HOSTING, STORAGE,
11 SERVICING OR OPERATION OF AN AUTOMATED LICENSE PLATE READER
12 SYSTEM MAY NOT DISCLOSE, TRANSFER, DISSEMINATE OR OTHERWISE
13 PROVIDE AUTOMATED LICENSE PLATE READER DATA TO A FOREIGN
14 ADVERSARY.

15 (2) A MANUFACTURER, VENDOR, DEVELOPER, CONTRACTOR,
16 SUBCONTRACTOR OR ANY PRIVATE ENTITY INVOLVED IN THE CREATION,
17 SALE, LEASE, LICENSING, MAINTENANCE, HOSTING, STORAGE,
18 SERVICING OR OPERATION OF AN AUTOMATED LICENSE PLATE READER
19 SYSTEM THAT HAS A CONTRACT WITH A GOVERNMENT ENTITY SHALL
20 PROVIDE WRITTEN NOTICE TO THE GOVERNMENT ENTITY AT LEAST 60
21 DAYS BEFORE ANY MERGER, ACQUISITION, TRANSFER OF OWNERSHIP OR
22 OTHER TRANSACTION THAT WOULD RESULT IN A FOREIGN ADVERSARY
23 OBTAINING A DIRECT OR INDIRECT OWNERSHIP OR CONTROLLING
24 INTEREST IN THE VENDOR.

25 (3) THE GOVERNMENT ENTITY UNDER PARAGRAPH (2) MAY
26 TERMINATE THE CONTRACT WITHOUT PENALTY IF THE VENDOR BECOMES
27 OWNED OR CONTROLLED BY A FOREIGN ADVERSARY.

28 ~~(h)~~ (I) Exceptions.--This chapter shall not apply to:

<--

29 (1) An automated red light enforcement system as defined
30 in section 102 (relating to definitions) and used under

1 sections 3116 (relating to automated red light enforcement
2 systems in first class cities) and 3117 (relating to
3 automated red light enforcement systems in certain
4 municipalities).

5 (2) A side stop signal arm enforcement system as defined
6 and used under section 3345.1 (relating to automated
7 enforcement of failure to stop for school bus with flashing
8 red lights).

9 (3) An automated speed enforcement system as defined in
10 section 102 and used under sections 3369 (relating to
11 automated speed enforcement systems in active work zones),
12 3370 (relating to automated speed enforcement system on
13 designated highways) and 3371 (relating to pilot program for
14 automated speed enforcement systems in designated school
15 zones).

16 (4) A system used in electronic toll collection.
17 § 7003. Applicability of Right-to-Know.

18 (a) General rule.--Except as provided in subsection (b),
19 captured data collected or retained through the use of an
20 automated license plate reader system shall not be accessible
21 under the act of February 14, 2008 (P.L.6, No.3), known as the
22 Right-to-Know Law.

23 (b) Public record.--Notwithstanding subsection (a), an
24 automated license plate reader system's audit, use and access
25 logs, including records of the reason for the query in terms of
26 the uses authorized under this chapter, together with
27 information identifying the user and the relevant case,
28 investigation or other enforcement matter, in connection with
29 which the query was made, shall be subject to access under the
30 Right-to-Know Law. In responding to a valid request for access

under Chapter 7 of the Right-to-Know Law for information accessible under this subsection, personally identifiable information of any individual associated with captured data, individual license plate information or other vehicle-specific identifying information, such as vehicle photographs and information regarding a vehicle's make, model, or color, shall be deemed inaccessible and shall be redacted from the responsive documents and data pursuant to section 706 of the Right-to-Know Law.

§ 7004. Destruction of captured data and preservation requests.

(a) Destruction of captured data.--Captured data collected by or on behalf of a government entity as authorized under section 7002(b) (relating to restrictions on the use of automated license plate reader systems) shall not be used, shared or accessed for any other purpose and shall be deleted 72 hours after the data is captured except that the data may be retained:

(1) for as long as the captured data is needed as evidence in connection with an investigation of or prosecution for a homicide or a felony offense;

(2) for as long as the captured data is needed as evidence in connection with an investigation into and recovery of a missing person or stolen vehicle under section 7002(b)(1)(ii) and (iii);

(3) for as long as the captured data is needed to support the assessment and collection of a parking fee under section 7002(b)(3);

(4) for as long as the relevant captured data and its audit, use and access logs is needed to support the investigation of or prosecution for an offense under section

~~7008(a)~~ 7009(A) or (b);

(5) for the enforcement of vehicle code provisions relating to registration, insurance and inspection requirements under section 7002(b)(2);

(6) pursuant to a preservation request made under subsection (b)(1);

(7) pursuant to a disclosure order sought under subsection (b)(2); or

(8) pursuant to a valid, court issued, probable cause warrant for a criminal offense recognized under the laws of this Commonwealth or other valid court order.

(b) Preservation request.--

(1) Upon the written request of a government entity or a defendant in a criminal case, a government entity or private entity that operates or uses an automated license plate reader system shall take all necessary steps to preserve specified captured data in its possession pending the issuance of a court order sought under paragraph (2) if the requesting government entity or defendant requests retention and specifies in a written, sworn statement that:

(i) the particular camera or cameras for which captured data is requested to be preserved or the particular license plate for which captured data is requested to be preserved;

(ii) the date or time frames for which captured data is requested to be preserved; and

(iii) a court order for the retention and disclosure of captured data will be sought under paragraph (2), in a court of competent jurisdiction within seven days of the transmission of the preservation request.

1 (2) A government entity or defendant in a criminal case
2 may apply for a court order for the extended retention and
3 disclosure of captured data, which shall be issued by any
4 court of competent jurisdiction if the government entity or
5 defendant in a criminal case offers specific and articulable
6 facts showing there is probable cause to believe the captured
7 data is relevant and material to an ongoing missing persons,
8 felony or homicide investigation, prosecution or defense or
9 other matter of enforcement by a government or private entity
10 authorized under this chapter.

11 (3) Captured data retained by a government entity or
12 private entity for more than 72 hours after the data is
13 captured under a preservation request under paragraph (1)
14 shall be immediately destroyed if:

15 (i) an application for a court order under paragraph
16 (2) is not made within seven days of the preservation
17 request; or

18 (ii) the application for the court order under
19 paragraph (2) is denied.

20 (4) Notice of a data deletion-triggering event under
21 paragraph (3) shall be provided within 24 hours of its
22 occurrence by the government entity or defendant in a
23 criminal case who made the preservation request to the
24 recipient of that request. Upon receipt of notice under this
25 subsection, the preserved captured data shall be deleted.

26 (c) Accessing privately captured data.--A government entity
27 may purchase, obtain, receive or use privately captured data
28 only pursuant to a valid, court issued, probable cause warrant
29 for a criminal offense recognized under the laws of this
30 Commonwealth.

1 (d) Deletion of preserved or privately obtained captured
2 data.--Except as provided in subsection (b)(4), captured data
3 preserved under subsection (a) or obtained under subsection (c)
4 shall be deleted within 72 hours of the completion of the
5 investigation, prosecution or case. For purposes of this
6 subsection, a prosecution or case is deemed to be completed if
7 the time period for appeals has elapsed or if all appellate
8 options have been exhausted.

9 (E) DELETION.--THE DELETION OF CAPTURED DATA SHALL INCLUDE A <--
10 COMPLETE AND PERMANENT DELETION OF ALL CAPTURED DATA INCLUDING
11 CAPTURED DATA STORED WITHIN:

- 12 (1) PRIMARY STORAGE;
- 13 (2) AN ONLINE CLOUD;
- 14 (3) BACKUP FILES;
- 15 (4) CACHES;
- 16 (5) ARCHIVE FILES;
- 17 (6) DISASTER RECOVERY FILES;
- 18 (7) TEST ENVIRONMENTS; AND
- 19 (8) TEMPORARY ENVIRONMENTS.

20 ~~(e)~~ (F) Notification.--A government entity or private entity <--
21 which obtained or used captured data shall annually certify
22 notice with the Pennsylvania State Police that the records have
23 been destroyed in accordance with this section no later than
24 December 15 of each year.

25 § 7005. Automated license plate reader system policy.

26 The Pennsylvania State Police shall develop a policy related
27 to the use of an automated license plate reader system which
28 includes the basic protocol, guidelines or written policies
29 governing the implementation, use, maintenance and storage of
30 automated license plate reader systems and captured data which a

government entity or private entity must adopt prior to using automated license plate reader systems or captured data. The basic protocol, guidelines or written policies must include, at a minimum, the following:

(1) An audit process to ensure that information obtained through the use of an automated license plate reader system is used only as authorized in section 7002(b) (relating to restrictions on the use of automated license plate reader systems), including audits of requests made by government entities or private entities.

(2) Procedures and safeguards to ensure that persons with access to the automated license plate reader system and captured data are adequately screened and trained.

(3) A copy of the training course used under section 7002(e)(2), if applicable.

(4) Human verification of the accuracy of captured data.

(5) Minimum requirements for the secure storage of captured data including end-to-end encryption.

(6) A REQUIREMENT THAT THE CAPTURED DATA BE STORED ONLY ON PHYSICAL HARDWARE AND SERVER INFRASTRUCTURE LOCATED WITHIN THE GEOGRAPHICAL BOUNDARIES OF THE UNITED STATES. <--

§ 7006. Sharing of captured data.

(a) Prohibition.--Any government entity or private entity that uses automated license plate reader systems under section 7002(b) (relating to restrictions on the use of automated license plate reader systems) may not:

(1) share or otherwise provide access to the automated license plate reader system or captured data unless the requesting party:

(i) is a government entity or private entity

1 requesting the captured data for an authorized use under
2 section 7002(b) and agrees not to further share the
3 captured data unless otherwise required by law; or

4 (ii) has a judicially issued, probable cause warrant
5 for a criminal offense recognized under the laws of this
6 Commonwealth in which the requested captured data is
7 reasonably described; or

8 (2) provide any other person with direct access to the
9 automated license plate reader system or captured data.

10 (b) Record creation.--A contemporaneous record of any
11 request made, and any captured data shared, pursuant to
12 subsection (a)(1)(i) shall be created together with the reasons
13 for sharing in terms of the uses authorized under section
14 7002(b) and information identifying the requesting party,
15 sharing party and information identifying the relevant case,
16 investigation or other enforcement matter in connection with
17 which the query is made.

18 (c) Deletion of shared captured data.--Captured data shared
19 under subsection (a)(1) shall be deleted within 72 hours of the
20 completion of the investigation, prosecution or case. For
21 purposes of this subsection, a prosecution or case is deemed to
22 be completed if the time period for appeals has elapsed or if
23 all appellate options have been exhausted.

24 (D) METHODS FOR SHARING OF CAPTURED DATA.--THE SHARING OF <--
25 DATA PERMITTED UNDER SUBSECTION (A)(1)(I) AND (II) SHALL UTILIZE
26 MINIMUM REQUIREMENTS FOR THE SECURE SHARING OF CAPTURED DATA,
27 INCLUDING END-TO-END ENCRYPTION.

28 § 7007. VENDOR MAINTENANCE ACCESS.

29 (A) EXPRESS AUTHORIZATION REQUIRED.--A VENDOR MAY ACCESS AN
30 AUTOMATED LICENSE PLATE READER SYSTEM OR AUTOMATED LICENSE PLATE

1 READER DATA FOR MAINTENANCE, REPAIR, SOFTWARE UPDATES OR
2 TECHNICAL SUPPORT ONLY UPON THE EXPRESS AUTHORIZATION OF A LAW
3 ENFORCEMENT AGENCY OR GOVERNMENT ENTITY THAT ENTERED INTO AN
4 AUTOMATED LICENSE PLATE READER SYSTEM CONTRACT WITH THE VENDOR.

5 (B) LIMITATION ON ACCESS.--

6 (1) ACCESS BY A VENDOR, AS PERMITTED UNDER SUBSECTION
7 (A), SHALL BE LIMITED TO THE PERIOD REASONABLY NECESSARY TO
8 COMPLETE THE AUTHORIZED WORK AND SHALL TERMINATE IMMEDIATELY
9 UPON COMPLETION OF THE WORK.

10 (2) A VENDOR MAY NOT HAVE PERMANENT, UNRESTRICTED OR
11 CONTINUOUS REMOTE ACCESS TO AN AUTOMATED LICENSE PLATE READER
12 SYSTEM OR AUTOMATED LICENSE PLATE READER DATA.

13 (C) AUDIT TRAIL.--ACCESS BY A VENDOR TO AN AUTOMATED LICENSE
14 PLATE READER SYSTEM OR AUTOMATED LICENSE PLATE READER DATA SHALL
15 BE RECORDED IN AN AUDIT TRAIL.

16 § 7007 7008. Admissibility of evidence.

<--

17 No captured data and no evidence derived therefrom shall be
18 admissible in evidence in any trial, hearing or other proceeding
19 before any court or grand jury in this Commonwealth as evidence
20 in missing persons cases, felony or homicide cases or other
21 matters of enforcement by a government entity or private entity
22 authorized under this chapter if the collection or disclosure of
23 that information was in violation of this chapter, unless the
24 evidence is exculpatory in a criminal trial or proceeding or
25 such evidence is necessary and relevant in a proceeding under
26 section 7008 7009 (relating to penalties).

<--

27 § 7008 7009. Penalties.

<--

28 (a) Prohibited use of automated license plate reader
29 systems.--An individual who knowingly or intentionally violates
30 section 7002(a) (relating to restrictions on the use of

1 automated license plate reader systems) commits a misdemeanor of
2 the second degree.

3 (b) Other violations.--An individual who knowingly or
4 intentionally violates section 7002(d), (e), (f) or (g) commits
5 a misdemeanor of the third degree.

6 ~~(c) Liability. Any government entity, private entity or~~ <--

7 ~~(C) LIABILITY.--~~ <--

8 (1) ANY GOVERNMENT ENTITY, PRIVATE ENTITY OR other
9 person who violates the provisions of this chapter shall be
10 liable for civil damages to a person claiming that a
11 violation of this chapter has injured the business, person or
12 reputation of that person. A person so injured shall be
13 entitled to actual damages, including mental pain and
14 suffering endured on account of violation of the provisions
15 of this act, or liquidated damages of \$1,000, and a
16 reasonable attorney fee and other costs of litigation,
17 whichever is less.

18 (2) IN ADDITION TO A PERSON INJURED BY A VIOLATION OF <--
19 THIS CHAPTER, THE ATTORNEY GENERAL MAY BRING AN ACTION ON
20 BEHALF OF THE COMMONWEALTH UNDER PARAGRAPH (1).

21 ~~§ 7009~~ 7010. Construction. <--

22 (a) Construction.--Nothing in this chapter shall be
23 construed to prevent a municipality from enacting or enforcing
24 an ordinance that penalizes, prohibits, permits or regulates the
25 operation of an automated license plate reader system within the
26 municipality's borders provided the ordinance is more
27 restrictive than this chapter.

28 (b) Preemption.--This chapter supersedes and preempts any
29 ordinance enacted before, on or after the effective date of this
30 section to the extent that ordinance permits or authorizes

1 conduct prohibited by this chapter or imposes requirements or
2 penalties less restrictive than those imposed by this chapter.
3 To the extent an ordinance is preempted under this subsection,
4 this chapter shall govern.

5 Section 2. Unless specifically provided in 75 Pa.C.S. Ch.
6 70, nothing in 75 Pa.C.S. Ch. 70 shall be construed to apply to
7 captured data obtained before the effective date of this
8 section.

9 Section 3. This act shall take effect in six months.