



HOUSE BILL 242: License Plate Reader Systems in State ROWs.

2017-2018 General Assembly

Committee:	House Energy and Public Utilities. If favorable, re-refer to Judiciary I	Date:	April 5, 2017
Introduced by:	Reps. Faircloth, McNeill, Ross, Davis	Prepared by:	Layla Cummings
Analysis of:	First Edition		Staff Attorney

OVERVIEW: *House Bill 242 would authorize the Department of Transportation (DOT) to enter into encroachment agreements with municipalities, counties, and other governmental entities for automatic license plate reader system installation or temporary placement within the State highway rights-of-way (ROW).*

CURRENT LAW: G.S. 136-18 lists the powers of DOT. The Department maintains exclusive control of the State highway system, which includes ROW.

G.S. 136-18(2)(c) authorizes DOT to use rights-of-way for water, sewer, telephone, electric, and other utility lines, and for nonutility owned communications or data transmission infrastructure.

DOT currently authorizes and approves encroachments into highway ROW with an agreement between DOT and the encroaching entity.

BILL ANALYSIS: House Bill 242 would authorize DOT to enter into encroachment agreements with municipalities, counties, and other governmental entities for the installation or temporary placement of automatic license plate reader systems within State highway ROW. The bill would also add provisions for encroachment agreements relating to existing utility interference, termination of automatic license plate reader systems by existing utilities, types of allowable temporary automatic license plate reader systems, and removal of temporary automatic license plate reader systems by existing utilities.

EFFECTIVE DATE: This act would become effective when it becomes law.

BACKGROUND: Article 3D of Chapter 20, as enacted by S.L. 2015-190, contains the State law governing use of automatic license plate reader systems (G.S. 20-183.31), and data use and preservation requirements (G.S. 20-183.32). An "automatic license plate reader system" is defined as a "system of one or more mobile or fixed automated high speed cameras used in combination with computer algorithms to convert images of license plates into computer readable data."

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Legislative Analysis
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