



HOUSE BILL 886: Auth. License Plate Readers in State ROW.

2021-2022 General Assembly

Committee:	House Transportation. If favorable, re-refer to Judiciary 3. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	May 11, 2021
Introduced by:	Reps. Faircloth, Greene, McNeill	Prepared by:	Howard Marsilio Staff Attorney
Analysis of:	PCS to First Edition H886-CSBG-15		

OVERVIEW: *The Proposed Committee Substitute (PCS) for House Bill 886 would authorize the Department of Transportation (DOT) to enter into agreements with the State Bureau of Investigation (SBI) for the placement and use of automatic license plate reader systems on DOT land or right-of-way.*

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

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

Article 3D of Chapter 20 contains the State laws defining and governing data use and preservation requirements for automatic license plate reader systems, among other regulations.

BILL ANALYSIS: The PCS for House Bill 886 would authorize DOT to enter into agreements with the State Bureau of Investigation for the placement and use of automatic license plate reader systems on Department land or ROW. The PCS would also:

- Specify requirements for (i) automatic license plate readers systems for these purposes, (ii) termination of automatic license plate reader systems placement, and (iii) authorized movement of systems for immediate Department or public utility access to facilities.
- Require (i) that automatic license plate reader systems under these agreements must comply with the provisions of Article 3D of Chapter 20, (ii) that captured data from these systems not be used for enforcing infraction traffic violations, speeding, or traffic sign and signal violations, and (iii) that the SBI submit an annual report to the Joint Legislative Oversight Committee on Justice and Public Safety on the number of requests made by law enforcement agencies for captured plate data.

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

BACKGROUND: An automatic license plate reader system is 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, but does not include traffic control or tolling system readers.

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