

REFERENCE TITLE: automated license plate readers

State of Arizona
Senate
Fifty-seventh Legislature
Second Regular Session
2026

SB 1138

Introduced by
Senator Finchem

AN ACT

AMENDING TITLE 28, CHAPTER 3, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 23; RELATING TO TRAFFIC AND VEHICLE REGULATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 28, chapter 3, Arizona Revised Statutes, is
3 amended by adding article 23, to read:

4 ARTICLE 23. AUTOMATED LICENSE PLATE READERS

5 28-1241. Definitions

6 IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

7 1. "AUTOMATED LICENSE PLATE READER" MEANS A TECHNOLOGY THAT
8 PROVIDES STATIONARY AUTOMATED DETECTION OF LICENSE PLATES AND THAT
9 CAPTURES DATA ASSOCIATED WITH LICENSE PLATES FOR OFFICIAL LAW ENFORCEMENT
10 PURPOSES.

11 2. "OFFICIAL LAW ENFORCEMENT PURPOSES" MEANS THE IDENTIFICATION OF
12 STOLEN OR WANTED VEHICLES, STOLEN LICENSE PLATES, HUMAN TRAFFICKING AND
13 MISSING PERSONS AND MAY INCLUDE GATHERING OF INFORMATION RELATED TO ACTIVE
14 WARRANTS, HOMELAND SECURITY, ELECTRONIC SURVEILLANCE, SUSPECT INTERDICTION
15 AND STOLEN PROPERTY RECOVERY.

16 28-1242. Automated license plate readers; allowable uses;
17 training; authorized access

18 A. A LAW ENFORCEMENT AGENCY SHALL USE AN AUTOMATED LICENSE PLATE
19 READER ONLY FOR THE FOLLOWING PURPOSES:

20 1. LEGITIMATE AND OFFICIAL LAW ENFORCEMENT PURPOSES.

21 2. IN CONJUNCTION WITH ANY PATROL OPERATION OR CRIMINAL LAW
22 ENFORCEMENT INVESTIGATION. REASONABLE SUSPICION OR PROBABLE CAUSE IS NOT
23 NECESSARY BEFORE USING AN AUTOMATED LICENSE PLATE READER.

24 3. CANVASSING LICENSE PLATES AROUND ANY CRIME SCENE. LAW
25 ENFORCEMENT AGENCIES SHALL PRIORITIZE THE USE OF AUTOMATED LICENSE PLATE
26 READERS TO CANVAS AREAS AROUND HOMICIDES, SHOOTINGS AND OTHER MAJOR
27 INCIDENTS.

28 4. CHECKING ANY PARTIAL LICENSE PLATE NUMBER REPORTED DURING A
29 MAJOR CRIME TO IDENTIFY PERSONS OF INTEREST.

30 B. IF PRACTICABLE, A LAW ENFORCEMENT OFFICER SHALL VERIFY AN
31 AUTOMATED LICENSE PLATE READER RESPONSE THROUGH AN AUTHORIZED CENTRAL LAW
32 ENFORCEMENT TELECOMMUNICATION SYSTEM DATABASE THAT IS ACCESSIBLE TO LAW
33 ENFORCEMENT OFFICERS IN THIS STATE BEFORE TAKING ENFORCEMENT ACTION BASED
34 ONLY ON AN ALERT FROM AN AUTOMATED LICENSE PLATE READER.

35 C. AN EMPLOYEE OF A LAW ENFORCEMENT AGENCY MAY NOT OPERATE AN
36 AUTOMATED LICENSE PLATE READER UNTIL THE EMPLOYEE SUCCESSFULLY COMPLETES
37 DEPARTMENT-APPROVED TRAINING FOR THE AUTOMATED LICENSE PLATE READER.

38 D. AN OPERATOR OF AN AUTOMATED LICENSE PLATE READER MAY NOT ACCESS
39 DATA FROM AN AUTHORIZED CENTRAL LAW ENFORCEMENT TELECOMMUNICATION SYSTEM
40 DATABASE THAT IS ACCESSIBLE TO LAW ENFORCEMENT OFFICERS IN THIS STATE OR
41 NATIONAL LAW ENFORCEMENT TELECOMMUNICATIONS SYSTEM UNLESS THE OPERATOR IS
42 AUTHORIZED TO ACCESS THE DATA.

43 E. DATA FROM AN AUTOMATED LICENSE PLATE READER MAY NOT BE ACCESSED
44 UNLESS A CRIMINAL CASE NUMBER IS PROVIDED FOR THE DATA BEING ACCESSED.

1 28-1243. Automated license plate readers: data and image
2 collection; requirements; violation;
3 classification

4 A. ALL DATA AND IMAGES COLLECTED BY AN AUTOMATED LICENSE PLATE
5 READER ARE FOR OFFICIAL USE BY THE LAW ENFORCEMENT AGENCY THAT COLLECTED
6 THE DATA AND IMAGES.

7 B. ANY DATA OR IMAGES COLLECTED BY AN AUTOMATED LICENSE PLATE
8 READER ARE NOT SUBJECT TO PUBLIC REVIEW, EXCEPT A LAW ENFORCEMENT AGENCY
9 SHALL SHARE ANY DATA OR IMAGES COLLECTED BY AN AUTOMATED LICENSE PLATE
10 READER PURSUANT TO A DULY AUTHORIZED WARRANT OR SUBPOENA OR ANY OTHER LAW.

11 C. A LAW ENFORCEMENT AGENCY THAT OPERATES A STATIONARY, AUTOMATED
12 LICENSE PLATE READER IS RESPONSIBLE FOR ENSURING PROPER COLLECTION AND
13 RETENTION OF THE DATA AND IMAGES COLLECTED.

14 D. ALL AUTOMATED LICENSE PLATE READER DATA AND IMAGES THAT ARE
15 DOWNLOADED TO A LAW ENFORCEMENT AGENCY'S SERVER SHALL BE STORED FOR NINETY
16 DAYS. AFTER NINETY DAYS, ALL AUTOMATED LICENSE PLATE READER DATA AND
17 IMAGES SHALL BE DELETED, UNLESS THE DATA OR IMAGES HAVE BECOME OR ARE
18 REASONABLY BELIEVED TO BECOME EVIDENCE IN A CRIMINAL OR CIVIL LAWSUIT OR
19 THE DATA OR IMAGES ARE SUBJECT TO A LAWFUL ACTION TO PRODUCE RECORDS.

20 E. ALL DATA AND IMAGES COLLECTED BY AN AUTOMATED LICENSE PLATE
21 READER SHALL BE COLLECTED ON A LAW ENFORCEMENT AGENCY'S SERVER THAT IS NOT
22 MAINTAINED BY A THIRD PARTY.

23 F. A THIRD PARTY THAT RELEASES ANY AUTOMATED LICENSE PLATE READER
24 DATA OR IMAGES WITHOUT AUTHORIZATION IS GUILTY OF A CLASS 1 MISDEMEANOR
25 AND SHALL PAY A FINE OF NOT LESS THAN \$500 PER IMAGE OR DATA RELEASED.

26 G. A LAW ENFORCEMENT AGENCY THAT USES AN AUTOMATED LICENSE PLATE
27 READER SHALL:

28 1. REFER ALL NON-LAW ENFORCEMENT REQUESTS FOR ACCESS TO STORED
29 AUTOMATED LICENSE PLATE READER DATA OR IMAGES TO THE LAW ENFORCEMENT
30 AGENCY'S RECORDS SUPERVISOR, OR EQUIVALENT, WHO SHALL PROCESS EACH REQUEST
31 IN ACCORDANCE WITH APPLICABLE LAW. EACH REQUEST SHALL INCLUDE A STATED
32 PURPOSE FOR THE REASON FOR ACCESS TO THE DATA OR IMAGES.

33 2. ENSURE ALL AUTOMATED LICENSE PLATE READER DATA DOWNLOADED TO A
34 MOBILE WORKSTATION AND SERVER SHALL BE ACCESSIBLE ONLY THROUGH A
35 PASSWORD-PROTECTED SYSTEM CAPABLE OF DOCUMENTING ALL ACCESS INFORMATION BY
36 NAME OF THE PERSON WHO ACCESSED THE DATA AND THE DATE AND THE TIME OF
37 ACCESS.

38 3. ENSURE ANY PERSON WHO IS APPROVED TO ACCESS AUTOMATED LICENSE
39 PLATE READER DATA AND IMAGES PURSUANT TO THIS ARTICLE IS ALLOWED TO ACCESS
40 THE DATA AND IMAGES ONLY FOR LEGITIMATE LAW ENFORCEMENT PURPOSES AND ONLY
41 WHEN THE DATA AND IMAGES RELATE TO A SPECIFIC CRIMINAL INVESTIGATION THAT
42 HAS AN ACTIVE CASE NUMBER OR LAW ENFORCEMENT AGENCY-RELATED CIVIL OR
43 ADMINISTRATIVE ACTION.

- 1 4. RELEASE AUTOMATED LICENSE PLATE READER DATA AND IMAGES TO OTHER
- 2 AUTHORIZED AND VERIFIED LAW ENFORCEMENT OFFICIALS AND AGENCIES FOR
- 3 LEGITIMATE LAW ENFORCEMENT PURPOSES FOLLOWING THE PROVISION OF AN ACTIVE
- 4 CASE NUMBER.
- 5 5. PERFORM SYSTEM AUDITS ON EACH STATIONARY, AUTOMATED LICENSE
- 6 PLATE READER ON A REGULAR BASIS.
- 7 6. PERFORM USER ACCESS AUDITS ON A REGULAR BASIS.