



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-3532/1
ARG&PJH:kjf:jf

2013 BILL

1 **AN ACT** *to create* 175.43 of the statutes; **relating to:** the use of automated
2 registration plate readers.

Analysis by the Legislative Reference Bureau

This bill prohibits the state, local governments, and law enforcement agencies (government entities) from using automated registration plate readers, except as part of an active criminal investigation of an identified suspect. The bill defines an “automated registration plate reader” as a device that captures an image of a vehicle registration plate, uses image-processing or optical recognition technology to electronically read the registration plate number and state of issuance, and is capable of transmitting this information to, or matching this information with, a database for the purpose of identifying the vehicle owner or ascertaining information about the vehicle owner.

Under the bill, no information obtained through authorized use of an automated registration plate reader may be shared with a third party that is not a government entity, and all information obtained must be destroyed within 48 hours unless the information is necessary for the purpose of further investigation or prosecution of the identified suspect or for another criminal investigation or prosecution.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

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1 **SECTION 1.** 175.43 of the statutes is created to read:

2 175.43 (1) In this section:

3 (a) “Automated registration plate reader” means a device that captures an
4 image of a vehicle registration plate, uses image-processing or optical recognition
5 technology to electronically read the registration plate number and state of issuance,
6 and is capable of transmitting this information to, or matching this information with,
7 a database for the purpose of identifying the vehicle owner or ascertaining
8 information about the vehicle owner.

9 (b) “Law enforcement agency” has the meaning given in s. 165.83 (1) (b) and
10 includes a tribal law enforcement agency.

11 (c) “Political subdivision” means a city, village, town, or county.

12 (d) “State agency” means an office, commission, department, or independent
13 agency in the executive branch of state government.

14 (2) No state agency, political subdivision, or law enforcement agency may use
15 an automated registration plate reader except as part of an active criminal
16 investigation of an identified suspect.

17 (3) Any information obtained by a state agency, political subdivision, or law
18 enforcement agency through authorized use of an automated registration plate
19 reader under sub. (2) shall be destroyed within 48 hours after it is first obtained
20 unless the information is necessary for the purpose of further investigation or
21 prosecution of the identified suspect or for the purpose of further investigation or
22 prosecution of criminal activity by another person.

23 (4) No information obtained by a state agency, political subdivision, or law
24 enforcement agency through authorized use of an automated registration plate
25 reader under sub. (2) may be shared with or retained by a 3rd party that is not a state

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1 agency, political subdivision, or law enforcement agency, except pursuant to an
2 investigation or prosecution of criminal activity.

3 (5) Any information obtained by a state agency, political subdivision, or law
4 enforcement agency through use of an automated registration plate reader before the
5 effective date of this subsection [LRB inserts date], shall be destroyed within 90
6 days after the effective date of this subsection [LRB inserts date], unless its
7 retention is authorized under sub. (3).

8 (END)