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Bill Analysis

Version: As Introduced

Primary Sponsor: Rep. K. Miller

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SUMMARY

- Prohibits a person, for commercial purposes, from knowingly collecting, using, selling, transferring, or sharing any images, information, or other data collected from an automated license plate recognition system.
- Exempts certain entities and forms of collection, use, sale, transfer, or sharing from the general prohibition.
- Makes the offense a first degree misdemeanor.

DETAILED ANALYSIS

Automated license plate recognition system data

The bill prohibits a person, for commercial purposes, from knowingly collecting, using, selling, transferring, or sharing any images, information, or other data collected from an automated license plate recognition system (ALPRS). An ALPRS is a system of one or more mobile or fixed high-speed cameras, combined with computer algorithms, that is capable of converting images of license plates into computer-readable data.¹ They are typically mounted on street poles, streetlights, highway overpasses, mobile trailers, or law enforcement vehicles. While often associated with law enforcement activity, an ALPRS can also be installed and used by private companies or individuals.

The bill's prohibition, however, does not apply to any of the following:

1. The collection or use of the ALPRS images, information, or other data in the course of normal business activity, including for insurance purposes or for regulating access to

¹ R.C. 4549.07(A)(1) and (B).

private property. (Notably such images, information, or other data still cannot be sold, transferred, or shared for commercial purposes.)

2. The collection, use, or sharing of the ALPRS images, information, or other data by a law enforcement agency or peace officer in the course of the agency or officer's law enforcement activities. (Notably such images, information, or other data still cannot be sold or transferred for commercial purposes.)
3. The collection, use, sale, transfer, or sharing of the ALPRS images, information or other data by a public entity to another public entity; and
4. The collection, use, sale, transfer, or sharing of the ALPRS images, information, or other data in accordance with the general public records laws and the public records laws specific to the Bureau of Motor Vehicles. (Notably, ALPRS images and data that are maintained in a law enforcement database are already exempt from public records requests.)²

The bill specifies that knowingly collecting, using, selling, transferring, or sharing any images, information, or other data collected from ALPRS for commercial purposes is a first degree misdemeanor. A first degree misdemeanor is punishable by a jail term of up to 180 days and up to a \$1,000 fine.³

HISTORY

Action	Date
Introduced	03-03-26

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² R.C. 4549.07(C); R.C. 149.43 and 4501.27, not in the bill.

³ R.C. 4549.07(D); R.C. 2929.24 and 2929.28, not in the bill.