S T A T E O F N E W Y O R K

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I N S E N A T E

May 12, 2016

Introduced by Sen. CROCI -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection

AN ACT to amend the general business law, in relation to banning the use of automatic license plate reader systems

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The general business law is amended by adding a new section 397-b to read as follows:

S 397-B. USE OF AUTOMATIC LICENSE PLATE READER SYSTEMS PROHIBITED. AS USED IN THIS SECTION: 1. "AUTOMATIC LICENSE PLATE READER SYSTEM" OR "ALPR SYSTEM" SHALL MEAN A SYSTEM OF ONE OR MORE MOBILE OR FIXED HIGH SPEED CAMERAS USED IN COMBINATION WITH COMPUTER ALGORITHMS TO CONVERT IMAGES OF LICENSE PLATES INTO COMPUTER-READABLE DATA.

2. IT SHALL BE UNLAWFUL FOR ANY BUSINESS, INDIVIDUAL, PARTNERSHIP, CORPORATION, ASSOCIATION, OR STATE OR LOCAL GOVERNMENT NON-LAW ENFORCEMENT ENTITY TO USE AN AUTOMATIC LICENSE PLATE READER SYSTEM.

3. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY TO AN ELECTRONIC TOLL COLLECTION SYSTEM OR ASSOCIATED TRANSACTION SYSTEM OR ANY COMPONENT THEREOF WHICH IS OPERATED BY A PUBLIC AUTHORITY FOR THE PURPOSE OF IMPOSING AND COLLECTING TOLLS ON A ROADWAY WITHIN THE STATE.

4. A VIOLATION OF THE PROVISIONS OF THIS SECTION SHALL CONSTITUTE A VIOLATION, AND UPON CONVICTION THEREOF SHALL BE PUNISHABLE BY A TERM OF IMPRISONMENT NOT TO EXCEED FIFTEEN DAYS, OR BY A FINE OF NOT MORE THAN ONE THOUSAND DOLLARS, OR BY BOTH SUCH FINE AND IMPRISONMENT. EACH UNLAWFULLY INSTALLED OR MAINTAINED DEVICE SHALL CONSTITUTE A SEPARATE AND DISTINCT VIOLATION.

S 2. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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