STATE OF NEW YORK

940--B

2021-2022 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 6, 2021

Introduced by M. of A. PAULIN -- read once and referred to the Committee on Governmental Operations -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Codes in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the executive law, in relation to 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. Section 840 of the executive law is amended by adding a new subdivision 7 to read as follows:

7. The council shall, in addition:

(a) Develop, maintain and disseminate a minimum standards policy governing the use of automatic license plate reader systems. The minimum standards policy shall include, but not be limited to, provisions on permissible uses of the automatic license plate reader technology, data sharing and dissemination, prohibited uses, record retention and management, and training. For purposes of this section, "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.

(b) Recommend to the governor, the temporary president of the senate and the speaker of the assembly, rules and regulations with respect to the establishment and implementation on an ongoing basis of a training program for all current and new police officers regarding the policies and procedures established pursuant to this subdivision, along with recommendations for periodic retraining of police officers.

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

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§ 2. The executive law is amended by adding a new section 837-x to read as follows:

§ 837-x. Disclosure of the minimum standards policy for automatic license plate readers by law enforcement agencies. All state and local enforcement agencies shall conspicuously post the minimum standards for the use of automatic license plate reader systems policy, as promulgated under section eight hundred forty of this article on its website, or if such law enforcement agency does not maintain a website, in its main office. Such policy shall be made available to the public upon request.

§ 3. This act shall take effect one year after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.