

**HOUSE . . . . . No. 3564**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Sarah K. Peake***

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*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to automated license plate readers.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Sarah K. Peake</i>	<i>4th Barnstable</i>	<i>2/11/2021</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>2/23/2021</i>
<i>Carmine Lawrence Gentile</i>	<i>13th Middlesex</i>	<i>2/25/2021</i>
<i>Tommy Vitolo</i>	<i>15th Norfolk</i>	<i>2/26/2021</i>
<i>Michelle L. Ciccolo</i>	<i>15th Middlesex</i>	<i>2/26/2021</i>
<i>Carlos González</i>	<i>10th Hampden</i>	<i>2/26/2021</i>
<i>Dylan A. Fernandes</i>	<i>Barnstable, Dukes and Nantucket</i>	<i>3/2/2021</i>
<i>Vanna Howard</i>	<i>17th Middlesex</i>	<i>4/7/2021</i>

**HOUSE . . . . . No. 3564**

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By Ms. Peake of Provincetown, a petition (accompanied by bill, House, No. 3564) of Sarah K. Peake and others relative to automated license plate readers. Transportation.

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-Second General Court  
(2021-2022)**  
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An Act relative to automated license plate readers.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1. The General Laws are hereby amended by inserting after chapter 90J the  
2 following chapter:-

3           CHAPTER 90K.

4           AUTOMATED LICENSE PLATE READERS.

5           Section 1. As used in this chapter, the following words shall have the following meanings  
6 unless the context clearly requires otherwise:

7           “Automated license plate reader system”, an automated system of one or more mobile or  
8 fixed high speed cameras used in combination with computer algorithms to convert images of  
9 license plates into computer-readable license plate identifying data.

10           Section 2. Persons acting under color of state law shall not: (a) use an automated license  
11 plate reader system to track or otherwise monitor activity protected by Articles II or XVI of the

12 Massachusetts Declaration of Rights or the First Amendment to the United States Constitution;  
13 (b) retain data collected or generated by an automated license plate reader system longer than 14  
14 days except in connection with a specific criminal investigation based on articulable facts linking  
15 the data to a crime; (c) disclose, sell or permit access to automated license plate reader system  
16 data except as required in a judicial proceeding; or (d) access automated license plate reader  
17 system data from other governmental or non-governmental entities except pursuant to a valid  
18 warrant.

19 Section 3. Notwithstanding any general or special law or regulation to the contrary,  
20 automated license plate reader system data retained, disclosed, sold, or accessed in violation of  
21 this chapter shall not be admitted, offered or cited by any governmental entity for any purpose in  
22 any criminal, civil, or administrative proceeding.

23 Section 4. The attorney general shall enforce this chapter and shall have the power to  
24 petition the court for injunctive relief and other appropriate relief against any person that fails to  
25 comply therewith.