

ASSEMBLY, No. 5637

STATE OF NEW JERSEY

222nd LEGISLATURE

INTRODUCED OCTOBER 15, 2026

Sponsored by:

Assemblyman JOE DANIELSEN

District 17 (Middlesex and Somerset)

SYNOPSIS

Concerns automated license plate readers.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT regulating use of automated license plate readers,
2 supplementing Title 52 of the Revised Statutes, and amending
3 P.L.2026, c.4.

4

5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

7

8 1. (New section) a. As used in this section:

9 “ALPR BOLO alert” means a notification generated by an
10 automated license plate reader after matching a scan or photograph
11 of a motor vehicle or license plate, or partial license plate, of a
12 motor vehicle to information included on an ALPR BOLO list.

13 “ALPR BOLO list” means a compilation of one or more license
14 plates, partial license plates, or motor vehicle characteristics that is
15 programmed into an automated license plate reader pursuant to an
16 official and legitimate law enforcement purpose so the system can
17 issue a “be on the lookout” (BOLO) alert upon recognition of a
18 license plate, partial license plate, or motor vehicle characteristic
19 from the list.

20 “ALPR data” means: 1) the raw data, including the scan of a
21 license plate or photograph, captured by an automated license plate
22 reader that has not been processed, analyzed, interpreted, or
23 summarized in any manner; and 2) the derived data generated by an
24 automated license plate reader, including any new information
25 derived through the application of artificial intelligence analytics to
26 the raw data.

27 “Artificial intelligence analytics” means the process by which
28 artificial intelligence processes and analyzes data. The term
29 includes, but is not limited to, machine learning, natural language
30 processing, and data mining techniques to interpret data and make
31 predictions or recommendations.

32 “Automated license plate reader (ALPR)” means an electronic
33 device that photographs or scans a motor vehicle or the license plate
34 of a motor vehicle; compares the photograph or scan with
35 information contained in a database, including a database
36 maintained by a law enforcement agency; and generates new
37 information using artificial intelligence. This term shall include
38 both an electronic device installed at a stationary location in the
39 State and a mobile device affixed to a police vehicle or vehicle
40 operated by another government entity that can operate while the
41 vehicle is in motion. The term shall not include an automated
42 license plate reader owned or operated by the federal government.

43 “Judicial warrant” means a warrant based on probable cause and
44 issued by a federal Article III judge or magistrate judge, or the State
45 equivalent.

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 “Law enforcement agency” means a department, division,
2 bureau, commission, board, or other authority of the State or a
3 political subdivision of the State that employs law enforcement
4 officers.

5 “Law enforcement officer” means a person whose public duties
6 include the power to act as an officer for the detection,
7 apprehension, arrest, and conviction of offenders.

8 b. A law enforcement officer shall obtain a judicial warrant
9 before using or accessing ALPR data, other than an ALPR BOLO
10 alert, when investigating an individual or a motor vehicle that has
11 been identified in at least two locations by an automated license
12 plate reader.

13 c. A law enforcement officer shall automatically and
14 permanently delete stored ALPR data no later than 90 days after the
15 date of collection.

16 d. The Attorney General, in consultation with the Division of
17 State Police, shall designate a State ALPR Coordinator to oversee
18 the operation of automated license plate readers and management of
19 ALPR data in the State.

20 e. (1) A law enforcement agency may only disclose ALPR data
21 to a law enforcement agency from another state or the federal
22 government pursuant to a valid judicial order, judicial warrant, or as
23 required by federal law. A law enforcement agency shall
24 immediately notify the State ALPR Coordinator when a law
25 enforcement agency from another state or the federal government
26 requests ALPR data.

27 (2) Except where the provision of notice would compromise a
28 criminal investigation, the State ALPR Coordinator shall provide
29 notice of the disclosure to the person to whom the ALPR data
30 pertains within 15 days of the disclosure. The notice shall set forth
31 the:

32 (a) specific record or information subject to disclosure;

33 (b) party to which the record or information was disclosed; and

34 (c) basis for disclosing the information.

35 (3) If the provision of notice would compromise a criminal
36 investigation, the State ALPR Coordinator shall provide notice,
37 which shall comply with subparagraphs (a) through (c) of paragraph
38 (2) of this subsection, of the disclosure to the person to whom the
39 ALPR data pertains within 15 days of the conclusion of the
40 investigation.

41 f. Nothing in this section shall be construed to prohibit a law
42 enforcement officer from:

43 (1) sharing ALPR data as required to comply with discovery
44 pursuant to Rules of Court or substantially similar rules under the
45 laws of another state or the United States;

46 (2) retaining ALPR data beyond the 90-day period established in
47 subsection c. of this section if connected to an ongoing judicial

1 process or as required to comply with discovery pursuant to Rules
2 of Court; or

3 (3) complying with federal law, a judicial order, or a judicial
4 warrant.

5 g. The Attorney General may issue guidelines or directives as
6 necessary to implement this act. This act shall not be construed to
7 invalidate any guidelines or directives issued by the Attorney
8 General governing automated license plate readers or ALPR data
9 before the effective date of this act, provided the guidelines or
10 directives do not conflict with this act.

11

12 2. Section 5 of P.L.2026, c.4 (C.52:4CC-5) is amended to read
13 as follows:

14 5. a. Any record or information, whether written or oral, relating
15 to a person's immigration status, citizenship status, place of birth,
16 social security number, or individual taxpayer identification number
17 that is solicited, made, or kept to assess eligibility for, or to provide
18 or administer a public service, benefit, program, or professional
19 qualification or license that is requested, used, or delivered, shall
20 not be considered a governmental record pursuant to P.L.1963, c.73
21 (C.47:1A-1 et seq.), known commonly as the open public records
22 act, and shall not be disclosed, except:

23 (1) as required pursuant to federal or State law to assess
24 eligibility for, or to provide or administer, services, benefits,
25 programs, or professional qualifications or licenses;

26 (2) as required by valid judicial order, judicial warrant, or as
27 required by federal law;

28 (3) by an election agency when the disclosure of a candidate's
29 citizenship status is a requirement for elected office; or

30 (4) pursuant to the provisions of subsection c. of this section.

31 b. (1) A government entity shall not sell, share, or transfer
32 automated license plate recognition information concerning the
33 operation of a person's motor vehicle, except:

34 (a) to another government entity when permitted by law;

35 (b) pursuant to a valid judicial order or judicial warrant;

36 (c) pursuant to the provisions of subsection c. of this section; or

37 (d) to a law enforcement agency of another jurisdiction for the
38 purpose of a criminal investigation, provided that the receiving law
39 enforcement agency certifies, electronically or in writing, to the
40 government entity sharing the information that:

41 (i) the information shall not be used for any purpose related to
42 civil immigration enforcement;

43 (ii) the information shall not be shared, sold, transferred, or made
44 searchable by the receiving law enforcement agency; and

45 (iii) the receiving agency is bound by the same restrictions, use
46 limitations, and data security requirements applicable to the
47 government entity under New Jersey law and in accordance with
48 any regulations and protocols established by the New Jersey State

1 Police and directives or guidance issued by the Attorney General of
2 New Jersey.

3 (2) (a) Any agreement executed pursuant to subparagraph (d) of
4 paragraph (1) of subsection b. of this section shall be considered a
5 governmental record pursuant to P.L.1963, c.73 (C.47:1A-1 et seq.),
6 known commonly as the open public records act.

7 (b) If it is found that a law enforcement agency of another
8 jurisdiction has used or shared automated license plate recognition
9 information in violation of P.L.2026, c.4 (C.52:4CC-1 et al.) or any
10 agreement executed pursuant to subparagraph (d) of paragraph (1)
11 of subsection b. of this section, the Attorney General may, by order,
12 prohibit the sharing of automated license plate recognition
13 information with that law enforcement agency or deny access to the
14 government entity.

15 (3) For purposes of this subsection, a government entity's use of
16 a third-party automated license plate recognition system vendor or
17 service shall not be considered the sale, sharing, or transfer of
18 automated license plate recognition information, provided that the
19 vendor or service does not sell, share, transfer, or make searchable
20 to other entities or persons automated license plate recognition
21 information unless the vendor or service meets the requirements of
22 paragraph (1) of this subsection and receives authorization from the
23 government entity.

24 c. This section shall not prohibit the disclosure of any record or
25 information when the person to whom the record or information
26 pertains has knowingly provided written consent for the disclosure.
27 A government entity may develop and make publicly available a
28 standardized written consent form that shall constitute a vital
29 document pursuant to section 2 of P.L.2023, c.263 (C.52:14-41).
30 Written consent shall include:

31 (1) the exact record or information to be shared;

32 (2) the purpose for sharing the record or information;

33 (3) a statement clarifying that consent is voluntary and declining
34 to provide consent shall not result in discrimination or retaliation by
35 the government entity;

36 (4) a statement clarifying that consent may be revoked, but that
37 revocation does not impact a record or information already shared
38 under prior written consent provided pursuant to this section; and

39 (5) the person or agency to receive the record or information.

40 d. Except where the provision of notice would compromise a
41 criminal investigation, a government entity that is required,
42 pursuant to a valid judicial order, judicial warrant, or as required by
43 federal law, to disclose any record or information described in
44 section 4 of P.L.2026, c.4 (C.52:4CC-4) [or any automated license
45 plate reader information] shall provide notice of the disclosure to
46 the person to whom the record or information pertains within 90
47 days of the disclosure. The notice shall set forth the:

48 (1) specific record or information subject to disclosure;

- 1 (2) party to which the record or information was disclosed; and
2 (3) basis for disclosing the information.

3 e. All government entities shall review any applicable
4 confidentiality policies, guidelines, and regulations and identify
5 those changes necessary to ensure compliance with the provisions
6 of this section and section 4 of P.L.2026, c.4 (C.52:4CC-4) by any
7 entity under its authority. Any necessary changes to those policies,
8 guidelines, or regulations shall be made as expeditiously as
9 possible, consistent with the entity's procedures, but no later than
10 one calendar year following the effective date of P.L.2026, c.4
11 (C.52:4CC-1 et al.), and shall be published prominently on the
12 entity's Internet website.

13 f. Nothing in this section shall be construed to prohibit or in
14 any way restrict any action where the prohibition, restriction, or
15 enforcement would be contrary to federal law, including 8 U.S.C.
16 s.1373 and 8 U.S.C. s.1644, a judicial order, or a judicial warrant.

17 g. A government entity that knowingly obtains, discloses, or
18 uses any information or record described in section 4 of P.L.2026,
19 c.4 (C.52:4CC-4) or any automated license plate recognition
20 information for a purpose not permitted pursuant to this section or
21 section 4 of P.L.2026, c.4 (C.52:4CC-4) shall be subject to
22 injunctive relief and civilly liable for damages to the person to
23 whom the information pertains, or the person's personal
24 representative or guardian, who may bring an action in the Superior
25 Court.

26 (cf: P.L.2026, c.4, s.5)

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28 3. This act shall take effect immediately.

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STATEMENT

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33 This bill regulates the use of automated license plate readers and
34 ALPR data by law enforcement officers in the State.

35 Under the bill, "automated license plate reader" means an
36 electronic device that photographs or scans a motor vehicle or the
37 license plate of a motor vehicle, compares the photograph or scan
38 with information contained in a database, and generates new
39 information using artificial intelligence. "ALPR data" means: 1)
40 the raw data, including the scan of a license plate or photograph,
41 captured by an automated license plate reader that has not been
42 processed, analyzed, interpreted, or summarized in any manner; and
43 2) the derived data generated by an automated license plate reader,
44 including any new information derived through the application of
45 artificial intelligence analytics to the raw data.

46 Under the bill, a law enforcement officer is required to obtain a
47 judicial warrant before using or accessing ALPR data when
48 investigating an individual or a motor vehicle that has been

1 identified in at least two locations by automated license plate
2 readers. The bill exempts ALPR BOLO alerts, which are
3 notifications generated when an automated license plate reader
4 matches a scan or photograph of a motor vehicle or license plate to
5 information on an ALPR BOLO list, from the judicial warrant
6 requirement.

7 The bill also requires the automatic and permanent deletion of
8 stored ALPR data within 90 days of the date of collection. Under
9 the bill, the Attorney General is required to designate a State ALPR
10 Coordinator to oversee the operation of the State's automated
11 license plate reader program. A law enforcement agency is only
12 permitted to share ALPR data with the federal government or a law
13 enforcement agency from another state pursuant to a valid judicial
14 order or judicial warrant or as required by federal law. The agency
15 is required to notify the State ALPR Coordinator before sharing the
16 data. The coordinator is required to provide notice of the disclosure
17 to the person to whom the ALPR data pertains within 15 days of the
18 disclosure or, if providing notice would compromise a criminal
19 investigation, within 15 days of the conclusion of the investigation.