



Home	Bill Information	California Law	Publications	Other Resources	My Subscriptions	My Favorites
------	------------------	----------------	--------------	-----------------	------------------	--------------

SB-274 Automated license plate recognition systems. (2025-2026)

SHARE THIS:



Date Published: 09/17/2025 09:00 PM

ENROLLED SEPTEMBER 17, 2025
PASSED IN SENATE SEPTEMBER 13, 2025
PASSED IN ASSEMBLY SEPTEMBER 13, 2025
AMENDED IN ASSEMBLY SEPTEMBER 05, 2025
AMENDED IN ASSEMBLY JULY 17, 2025
AMENDED IN SENATE MAY 23, 2025
AMENDED IN SENATE MAY 01, 2025
AMENDED IN SENATE APRIL 10, 2025
AMENDED IN SENATE MARCH 26, 2025

CALIFORNIA LEGISLATURE— 2025–2026 REGULAR SESSION

SENATE BILL

NO. 274

**Introduced by Senator Cervantes
(Coauthor: Assembly Member Lowenthal)**

February 04, 2025

An act to amend Sections 1798.90.5, 1798.90.51, 1798.90.52, 1798.90.53, 1798.90.54, and 1798.90.55 of, and to add Sections 1798.90.56 and 1798.90.57 to, the Civil Code, relating to personal information.

LEGISLATIVE COUNSEL'S DIGEST

SB 274, Cervantes. Automated license plate recognition systems.

Existing law prohibits a public agency, which includes the state, a city, a county, a city and county, or any agency or political subdivision of the state, a city, a county, or a city and county, including, but not limited to, a law enforcement agency, from selling, sharing, or transferring automated license plate recognition (ALPR) information, except to another public agency, and only as otherwise permitted by law. Existing law defines ALPR information as information or data collected through the use of an ALPR system.

This bill would provide that “public agency” does not include a transportation agency, a public transit operator, or a local department of transportation or public works department, as specified. The bill would, beginning January 1, 2026, require new,

updated, expansions of, or addendums of contractual agreements with ALPR vendors, manufacturers, or suppliers to mandate that no default access is provided to any national ALPR database and that an agency's collected scans are by default not accessible to any other agency, and would impose new requirements on sharing between California state law enforcement agencies. The bill would authorize a law enforcement agency to use ALPR information only for purposes of locating vehicles or persons when either are reasonably suspected of being involved in the commission of a public offense. The bill would prohibit a public agency from retaining ALPR information for more than 60 days after the date of collection if it does not match information on an authorized hot list, as defined, and as of January 1, 2026, would require a public agency to delete all ALPR information that has been held for more than 60 days and does not match information on an authorized hot list within 14 days. By imposing new requirements on public agencies, which include local agencies, this bill would impose a state-mandated local program.

Existing law defines an ALPR operator as a person that operates an ALPR system, which does not include a transportation agency. Existing law defines an ALPR end-user a person that accesses or uses an ALPR system, which does not include, among other things, a transportation agency.

This bill would additionally exclude from the definitions of "ALPR operator" and "ALPR end-user" a public transit operator, a local department of transportation or public works department, or an airport or airport operator, as provided.

Existing law requires an ALPR operator and ALPR end-user to maintain reasonable security procedures and practices, including operational, administrative, technical, and physical safeguards, to protect ALPR information from unauthorized access, destruction, use, modification, or disclosure.

This bill would require those security procedures and practices to include safeguards for managing which employees can see the data from their systems, as specified, and requiring data security training and data privacy training for all employees that access ALPR information.

Existing law requires an ALPR operator and ALPR end-user to implement a usage and privacy policy that includes, among other things, a description of the job title or other designation of the employees and independent contractors who are authorized to access and use ALPR information.

This bill would require the usage and privacy policy to identify what purpose employees and independent contractors access and use ALPR information for. The bill would also require the Department of Justice to, contingent upon an appropriation of sufficient funds, conduct annual random audits on a public agency that is an ALPR operator or ALPR end-user to determine whether they have implemented and are adhering to that usage and privacy policy.

Existing law requires an ALPR operator that accesses or provides access to ALPR information to require that ALPR information only be used for the authorized purposes described in the usage and privacy policy and to maintain a record of that access that includes, among other things, the purpose for accessing the information.

This bill would instead require that record of access maintained by the ALPR operator to include the case file number or task force name, as applicable, that justifies the search query, and would provide that no queries shall be allowed without a log entry with a valid and current case file number or task force name from the agency conducting the query.

The bill would include findings that changes proposed by this bill address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities, including charter cities.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. This act shall be known as the Automated License Plate Recognition (ALPR) Data Accountability Act.

SEC. 2. Section 1798.90.5 of the Civil Code is amended to read:

1798.90.5. The following definitions shall apply for purposes of this title:

(a) "Airport or airport operator" means a city, county, city and county, airport authority, joint powers authority, special district, or other public entity that owns or operates a public-use airport, and its contracted parking operator acting on the airport's behalf.

(b) "Automated license plate recognition end-user" or "ALPR end-user" means a person that accesses or uses an ALPR system, but does not include any of the following:

- (1) A transportation agency when subject to Section 31490 of the Streets and Highways Code.
- (2) A public transit operator when subject to Section 40240 of the Vehicle Code.
- (3) A local department of transportation or public works department when subject to Section 21455.5 of, and Article 3 (commencing with Section 22425) of Chapter 7 of Division 11 of, the Vehicle Code.
- (4) An airport or airport operator when collecting, accessing, or using ALPR information solely for parking access control, fee calculation, lost-ticket resolution, fraud prevention, or transaction dispute resolution in an airport parking facility.
- (5) A person that is subject to Sections 6801 to 6809, inclusive, of Title 15 of the United States Code and state or federal statutes or regulations implementing those sections, if the person is subject to compliance oversight by a state or federal regulatory agency with respect to those sections.
- (6) A person, other than a law enforcement agency, to whom information may be disclosed as a permissible use pursuant to Section 2721 of Title 18 of the United States Code.

(c) "Automated license plate recognition information," or "ALPR information" means information or data collected through the use of an ALPR system.

(d) "Automated license plate recognition operator" or "ALPR operator" means a person that operates an ALPR system, but does not include any of the following:

- (1) A transportation agency when subject to Section 31490 of the Streets and Highways Code.
- (2) A public transit operator when subject to Section 40240 of the Vehicle Code.
- (3) A local department of transportation or public works department when subject to Section 21455.5 of, and Article 3 (commencing with Section 22425) of Chapter 7 of Division 11 of, the Vehicle Code.
- (4) An airport or airport operator when collecting, accessing, or using ALPR information solely for parking access control, fee calculation, lost-ticket resolution, fraud prevention, or transaction dispute resolution in an airport parking facility.

(e) "Automated license plate recognition system" or "ALPR system" means a searchable computerized database resulting from the operation of one or more mobile or fixed cameras combined with computer algorithms to read and convert images of registration plates and the characters they contain into computer-readable data.

(f) "Hot list" means a list or lists of license plates of vehicles of interest against which the ALPR system is comparing vehicles on the roadways. Authorized hot lists are limited to the National Crime Information Center (NCIC) list, the Stolen Vehicle System (SVS), California Department of Justice lists, official alerts, including AMBER, Silver, Feather, Blue, Yellow, Ebony, and any new alerts authorized by the Legislature, and custom BOLO lists that pertain solely to missing and at-risk persons, witness locations, burglaries, grand theft, and violent crimes.

(g) "Person" means any natural person, public agency, partnership, firm, association, corporation, limited liability company, or other legal entity.

(h) "Public agency" means the state, any city, county, or city and county, or any agency or political subdivision of the state or a city, county, or city and county, including, but not limited to, a law enforcement agency, but does not include

- (1) A transportation agency when subject to Section 31490 of the Streets and Highways Code.
- (2) A public transit operator when subject to Section 40240 of the Vehicle Code.
- (3) A local department of transportation or public works department when subject to Section 21455.5 of, and Article 3 (commencing with Section 22425) of Chapter 7 of Division 11 of, the Vehicle Code.

SEC. 3. Section 1798.90.51 of the Civil Code is amended to read:

1798.90.51. An ALPR operator shall do both of the following:

(a) Maintain reasonable security procedures and practices, including operational, administrative, technical, and physical safeguards, to protect ALPR information from unauthorized access, destruction, use, modification, or disclosure, including the following:

(1) Safeguards for managing which employees can see the data from their systems, including requiring supervisory approval, robust authentication protocols for establishing an account to access an ALPR system, and tracking searches of ALPR information made by employees.

(2) Requiring data security training and data privacy training for all employees that access ALPR information.

(b) (1) Implement a usage and privacy policy, under the supervision of the Department of Justice according to subdivision (c) of Section 1798.90.54, if applicable, in order to ensure that the collection, use, maintenance, sharing, and dissemination of ALPR information is consistent with respect for individuals' privacy and civil liberties. The usage and privacy policy shall be available to the public in writing, and, if the ALPR operator has an internet website, the usage and privacy policy shall be posted conspicuously on that internet website.

(2) The usage and privacy policy shall, at a minimum, include all of the following:

(A) The authorized purposes for using the ALPR system and collecting ALPR information.

(B) A description of the job title or other designation of the employees and independent contractors who are authorized to use or access the ALPR system, or to collect ALPR information, and for what purpose. The policy shall identify the training requirements necessary for those authorized employees and independent contractors.

(C) A description of how the ALPR system will be monitored to ensure the security of the information and compliance with applicable privacy laws.

(D) The purposes of, process for, and restrictions on, the sale, sharing, or transfer of ALPR information to other persons.

(E) The title of the official custodian, or owner, of the ALPR system responsible for implementing this section.

(F) A description of the reasonable measures that will be used to ensure the accuracy of ALPR information and correct data errors.

(G) The length of time ALPR information will be retained, and the process the ALPR operator will utilize to determine if and when to destroy retained ALPR information.

SEC. 4. Section 1798.90.52 of the Civil Code is amended to read:

1798.90.52. If an ALPR operator accesses or provides access to ALPR information, the ALPR operator shall do both of the following:

(a) Maintain a record of that access. At a minimum, the record shall include all of the following:

(1) The date and time the information is accessed.

(2) The license plate number or other data elements used to query the ALPR system.

(3) The username of the person who accesses the information, and, as applicable, the organization or entity with whom the person is affiliated.

(4) (A) The case file number that justifies the search query. No queries shall be allowed without a log entry with a valid and current case file number from the agency conducting the query.

(B) Notwithstanding subparagraph (A), in the event of a search query that is conducted as part of an inter-agency task force established by the Attorney General and overseen by the office's Bureau of Investigation, in lieu of a case file number, the log entry shall include the name of the task force and the name of the bureau commander in charge of the task force.

(b) Require that ALPR information only be used for the authorized purposes described in the usage and privacy policy required by subdivision (b) of Section 1798.90.51.

SEC. 5. Section 1798.90.53 of the Civil Code is amended to read:

1798.90.53. An ALPR end-user shall do both of the following:

(a) Maintain reasonable security procedures and practices, including operational, administrative, technical, and physical safeguards, to protect ALPR information from unauthorized access, destruction, use, modification, or disclosure, including the following:

(1) Safeguards for managing which employees can see the data from their systems, including requiring supervisory approval, robust authentication protocols for establishing an account to access an ALPR system, and tracking searches of ALPR information made by employees.

(2) Requiring data security training and data privacy training for all employees that access ALPR information.

(b) (1) Implement a usage and privacy policy, under the supervision of the Department of Justice according to subdivision (c) of Section 1798.90.54, if applicable, in order to ensure that the access, use, sharing, and dissemination of ALPR information is consistent with respect for individuals' privacy and civil liberties. The usage and privacy policy shall be available to the public in writing, and, if the ALPR end-user has an internet website, the usage and privacy policy shall be posted conspicuously on that internet website.

(2) The usage and privacy policy shall, at a minimum, include all of the following:

(A) The authorized purposes for accessing and using ALPR information.

(B) A description of the job title or other designation of the employees and independent contractors who are authorized to access and use ALPR information, and for what purpose. The policy shall identify the training requirements necessary for those authorized employees and independent contractors.

(C) A description of how the ALPR system will be monitored to ensure the security of the information accessed or used, and compliance with all applicable privacy laws and a process for periodic system audits.

(D) The purposes of, process for, and restrictions on, the sale, sharing, or transfer of ALPR information to other persons.

(E) The title of the official custodian, or owner, of the ALPR information responsible for implementing this section.

(F) A description of the reasonable measures that will be used to ensure the accuracy of ALPR information and correct data errors.

(G) The length of time ALPR information will be retained, and the process the ALPR end-user will utilize to determine if and when to destroy retained ALPR information.

SEC. 6. Section 1798.90.54 of the Civil Code is amended to read:

1798.90.54. (a) In addition to any other sanctions, penalties, or remedies provided by law, an individual who has been harmed by a violation of this title, including, but not limited to, unauthorized access or use of ALPR information or a breach of security of an ALPR system, may bring a civil action in any court of competent jurisdiction against a person who knowingly caused the harm.

(b) The court may award a combination of any one or more of the following:

(1) Actual damages, but not less than liquidated damages in the amount of two thousand five hundred dollars (\$2,500).

(2) Punitive damages upon proof of willful or reckless disregard of the law.

(3) Reasonable attorney's fees and other litigation costs reasonably incurred.

(4) Other preliminary and equitable relief as the court determines to be appropriate.

(c) (1) The Department of Justice shall conduct annual random audits on a public agency that is an ALPR operator or ALPR end-user to determine whether they have implemented and are adhering to a usage and privacy policy in compliance with subdivision (b) of Section 1798.90.51 or subdivision (b) of Section 1798.90.53, as applicable.

(2) The implementation of this subdivision is contingent upon an appropriation of sufficient funds in the annual Budget Act for those purposes.

SEC. 7. Section 1798.90.55 of the Civil Code is amended to read:

1798.90.55. Notwithstanding any other law or regulation:

(a) A public agency that operates or intends to operate an ALPR system shall provide an opportunity for public comment at a regularly scheduled public meeting of the governing body of the public agency before implementing the program.

(b) (1) A public agency shall not sell, share, or transfer ALPR information, except to another public agency, and only as otherwise permitted by law. For purposes of this section, the provision of data hosting or towing services shall not be considered the sale, sharing, or transferring of ALPR information.

(2) Beginning January 1, 2026, all new, updated, expansions of, or addendums of contractual agreements with ALPR vendors, manufacturers, or suppliers shall mandate that no default access is provided to any national ALPR database and that an agency's collected scans are by default not accessible to any other agency. A law enforcement agency may manually implement agency to agency sharing with other California state law enforcement agencies only as authorized by Department of Justice General Order 2023-05.

(c) ALPR information may be used by a law enforcement agency only for purposes of locating vehicles or persons when either are reasonably suspected of being involved in the commission of a public offense.

SEC. 8. Section 1798.90.56 is added to the Civil Code, immediately following Section 1798.90.55, to read:

1798.90.56. A public agency shall not retain ALPR information that does not match information on an authorized hot list for more than 60 days after the date of collection.

SEC. 9. Section 1798.90.57 is added to the Civil Code, to read:

1798.90.57. As of January 1, 2026, a public agency shall, within 14 days, delete all ALPR information that has been held for more than 60 days and does not match information on an authorized hot list.

SEC. 10. The Legislature finds and declares that Section 3 of this act amending Section 1798.90.51 of the Civil Code, Section 4 of this act amending Section 1798.90.52 of the Civil Code, Section 5 of this act amending Section 1798.90.53 of the Civil Code, Section 7 of this act amending Section 1798.90.55 of the Civil Code, Section 8 of this act adding Section 1798.90.56 to the Civil Code, and Section 9 of this act adding Section 1798.90.57 to the Civil Code address a matter of statewide concern rather than a municipal affair as that term is used in Section 5 of Article XI of the California Constitution. Therefore, Sections 3, 4, 5, 7, 8, and 9 of this act apply to all cities, including charter cities.

SEC. 11. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.