

Department of Planning and Budget 2021 Fiscal Impact Statement

1. Bill Number: SB1198S1

House of Origin Introduced Substitute Engrossed
Second House In Committee Substitute Enrolled

2. Patron: Petersen

3. Committee: General Laws and Technology

4. Title: Government Data Collection and Dissemination Practices Act; license plate readers.

5. Summary: Provides that absent a criminal or administrative warrant, law enforcement and regulatory agencies must not use license plate readers to collect or maintain personal information in a manner where such personal information is of unknown relevance and will not be promptly evaluated and potentially used to investigate suspected criminal activity or terrorism by any person, or in support of the emissions inspection program authorized elsewhere in the Code. Under the provisions of the bill, law enforcement agencies are allowed to collect information from license plate readers without a warrant, but any information collected must not be subject to any outside inquiries or internal usage except for the investigation of a report of a missing person, suspected criminal activity or terrorism by any person, and must be retained for no more than 30 days, unless such personal information is being used for such purposes. Additionally, a law enforcement or regulatory agency must not acquire personal information from any third party private vendor collected by such vendor from a license plate if such agency would be prohibited from collecting or maintain the personal information itself, unless such license plate reader technology is being used as part of the emissions inspection program.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Preliminary. See Item 8 below.

8. Fiscal Implications: There is no anticipated fiscal impact as a result of the provisions of this bill on the Department of State Police (VSP). There is also no anticipated fiscal impact on the Office of the State Inspector General (OSIG) or the Division of Capitol Police (DCP). Any potential fiscal impact on other state or local law enforcement agencies cannot be determined at this time. However, if additional information is made available by law enforcement agencies, the fiscal impact statement will be updated.

9. Specific Agency or Political Subdivisions Affected: Department of State Police, Department of Motor Vehicles, Department of Corrections, Department of Juvenile Justice, Virginia Alcoholic Beverage Control Authority, Department of Conservation and Recreation, College and University Police Departments, Division of Capitol Police, Department of

Wildlife Resources, Marine Resources Commission, Virginia Lottery, Office of the State Inspector General, Sheriff's offices, and local law enforcement agencies.

10. Technical Amendment Necessary: No.

11. Other Comments: None.