

House File 2161

H-8006

1 Amend House File 2161 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. Section 321P.4, Code 2026, is amended by adding
5 the following new subsections:

6 NEW SUBSECTION. 01. A person shall not use an automatic
7 registration plate reader in a local authority unless
8 the governing body of the local authority has adopted an
9 ordinance authorizing the use of a plate reader in the local
10 authority. The ordinance must provide the name or employment
11 classification of persons authorized to access a plate reader.

12 NEW SUBSECTION. 001. *a.* A person shall not access an
13 automatic registration plate reader to perform a search unless
14 the search is related to a call for service or case and the
15 call for service or case is identified by an assigned specific
16 number. However, if exigent circumstances exist and a specific
17 number has not been assigned, a person may search a plate
18 reader without providing a call for service number or case
19 number at the time of the search, and the person shall add the
20 call for service number or case number, as applicable, after
21 the number is assigned.

22 *b.* A person who accesses a plate reader shall record the
23 person's access in a records log maintained by the local
24 authority or in the plate reader's vendor-generated audit
25 logs. The log must include the call for service number or case
26 number, as applicable, and the reason for accessing the plate
27 reader.

28 NEW SUBSECTION. 0001. *a.* A person shall not add a
29 registration plate to a database if the database includes
30 specific registration plates for which an automatic
31 registration plate reader is designed to provide an alert
32 when the plate reader identifies a registration plate from
33 the database, unless the person provides the call for service
34 number or case number in the database entry.

35 *b.* A person shall not rely on an alert from a plate reader

1 unless the person independently verifies the validity of the
2 alert other than by using a plate reader.

3 NEW SUBSECTION. 2A. A person shall not provide a copy
4 of an image of a vehicle registration plate, or any other
5 accompanying data, captured by an automatic registration plate
6 reader to a third party unless the third party is one of the
7 following:

8 a. A peace officer or law enforcement agency.

9 b. A person who has a contract with a law enforcement agency
10 for the sole purpose of protecting public safety, conducting
11 criminal investigations, or ensuring compliance with federal,
12 state, or local law.

13 c. The national insurance crime bureau or its successor
14 organization, an insurance carrier, or an insurance support
15 organization, solely for the purpose of investigating insurance
16 fraud, assisting in vehicle recovery, or adjudicating insurance
17 claims.

18 NEW SUBSECTION. 2B. A person shall not use an automatic
19 registration plate reader that is able to recognize or identify
20 a person based on a photograph or recording of the person's
21 face captured by the plate reader. A person who uses a plate
22 reader shall not use software designed to recognize or identify
23 a person based on a photograph or recording of the person's
24 face captured by the plate reader.

25 NEW SUBSECTION. 2C. A person shall not place an automatic
26 registration plate reader directed at a church, synagogue, or
27 other established place of religious worship, unless the person
28 has consent from the affected church, synagogue, or other
29 established place of religious worship, as applicable.

30 NEW SUBSECTION. 2D. The governing body of a local authority
31 that authorized the use of an automatic registration plate
32 reader shall audit or cause an audit of the use of each plate
33 reader within the local authority at least once every three
34 months. The governing body of the local authority shall
35 document the audit.

1 Sec. 2. Section 321P.4, subsection 4, Code 2026, is amended
2 to read as follows:

3 4. a. A person who willfully and intentionally violates
4 subsection 01, 001, 0001, 1, or 2C commits a simple
5 misdemeanor.

6 b. A person who violates subsection 2A or 2B for personal
7 gain or while violating any other provision of law commits
8 unauthorized computer access in violation of section 716.6B,
9 subsection 1, paragraph "a".

10 Sec. 3. Section 716.6B, subsection 1, paragraph a, Code
11 2026, is amended to read as follows:

12 a. An aggravated misdemeanor if computer data is accessed
13 that contains a confidential record, as defined in section
14 22.7, an image of a vehicle registration plate or any other
15 accompanying data captured by an automatic registration plate
16 reader in violation of section 321P.4, subsection 2A or 2B,
17 operational or support data of a public utility, as defined
18 in [section 476.1](#), operational or support data of a rural
19 water district incorporated pursuant to [chapter 357A](#) or [504](#),
20 operational or support data of a municipal utility organized
21 pursuant to [chapter 388](#) or [389](#), operational or support data
22 of a public airport, or a trade secret, as defined in section
23 550.2.>

COMMITTEE ON TRANSPORTATION
JONES of Clay, Chairperson