

LICENSE PLATE READERS

LEGISLATOR NOTICE

The Legislative Services Division is required to offer a brief history on the subject matter of a bill draft request prior to drafting (5-4-105, MCA; [Chapter 309, Laws of 2017](#)). The history must include related legislation introduced over the last five sessions and hyperlinks to the bill, hearing information, and fiscal notes. The legislation links below open to the page showing the status and history of bills introduced on this topic in the past. The bill text and any related fiscal notes can be accessed through the link at the top of that page.

Legislation can be complex and this history is not intended to be exhaustive. Please contact the drafter of the requested bill for more information.

Background Materials and Research

Topic Summary: License plate readers (also known as license plate scanners) are electronic devices that can collect information on motor vehicles.

In 2015 the House of Representatives passed a bill generally prohibiting governmental use of license plate scanners. The bill died in the Senate.

In 2017, the Legislature passed a bill into law generally prohibiting governmental use of license plate readers, but with several exceptions. Exceptions include use by local governments for planning and parking enforcement, use by the Department of Transportation (DOT) for virtual ports of entry and weigh stations, use for certain types of criminal investigations, and for additional purposes specified in the law. License plate data collected by law enforcement may not be preserved for more than 90 days, but extensions are possible. Data collected by local governments, by the DOT, and for other exceptions can be kept for 18 months.

The law is codified as MCA 46-5-117.

Introduced Legislation

2017

[House Bill 149](#) – Chapter Number Assigned -- AN ACT GENERALLY PROHIBITING THE USE OF A LICENSE PLATE READER BY THE STATE OR A LOCAL GOVERNMENT; PROVIDING EXCEPTIONS; PROVIDING A PENALTY FOR A VIOLATION OF THE PROHIBITION; AND LIMITING ACCESS TO INFORMATION OBTAINED BY USING A LICENSE PLATE READER.

2015

[House Bill 344](#) – (S) Died in Standing Committee -- A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY PROHIBITING THE USE OF A LICENSE PLATE SCANNER BY THE STATE OR A LOCAL GOVERNMENT; PROVIDING EXCEPTIONS; PROVIDING A PENALTY FOR A VIOLATION OF THE PROHIBITION; AND LIMITING ACCESS TO INFORMATION OBTAINED BY USING A LICENSE PLATE SCANNER; AND EXTENDING RULEMAKING AUTHORITY."