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SENATE BILL 6002

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State of Washington

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**By** Senators Trudeau, Holy, Alvarado, Bateman, Chapman, Conway, Dhingra, Frame, Hasegawa, Kauffman, Lovelett, Nobles, Pedersen, Shewmake, Slatter, Stanford, and Valdez

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1 AN ACT Relating to driver privacy protections and automated  
2 license plate reader systems; adding a new chapter to Title 10 RCW;  
3 prescribing penalties; and declaring an emergency.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** INTENT. The legislature finds that it  
6 plays an important role balancing the need to ensure public safety  
7 and an individual's right to privacy under both the federal Fourth  
8 Amendment to the United States Constitution and the broader  
9 protection of individual rights guaranteed by Article I, section 7 of  
10 the Washington state Constitution.

11 The legislature further finds that the dramatic expansion of  
12 surveillance technology across the country has demonstrated the need  
13 to establish sensible guardrails on the use of surveillance data  
14 collected from monitoring the location and travel of individuals,  
15 without a warrant, to ensure its use by law enforcement and other  
16 government agencies must not come into conflict with existing  
17 protections for Washingtonians and ensure that it is not being used  
18 for purposes prohibited under state and federal law.

1        NEW SECTION.        **Sec. 2.**        DEFINITIONS. The definitions in this  
2 section apply throughout this chapter unless the context clearly  
3 requires otherwise.

4        (1) "Agency" includes all state agencies and all local agencies.

5        (2) "Audit trail" means all records of queries and responses in  
6 an automated license plate reader system, and all records of actions  
7 in which system data is accessed, entered, updated, shared, or  
8 disseminated, including the:

9        (a) Location of cameras used as part of the automated license  
10 plate reader system;

11        (b) Date and time of access;

12        (c) Data elements used to query the automated license plate  
13 reader system;

14        (d) Specific purpose for accessing or querying the automated  
15 license plate reader system, including the offense type for any  
16 criminal investigation;

17        (e) Associated call for service or case number; and

18        (f) Username of the person or persons who accessed or queried the  
19 system.

20        (3) "Audit trail data" means all forms of data collected or  
21 generated by an automated license plate reader system for purposes of  
22 producing an audit trail.

23        (4) "Automated license plate reader data" means all data  
24 collected by automated license plate reader systems including, but  
25 not limited to, global positioning system coordinates, location, date  
26 and time, speed of travel, photograph, license plate number,  
27 automobile characteristics, or other identifying information.

28        (5) "Automated license plate reader system" or "ALPR" means a  
29 system, software, or computer algorithm, whether used independently  
30 or in combination with one or more mobile or fixed automated cameras,  
31 that is used to convert images of license plates into computer-  
32 readable data. An ALPR excludes automated traffic safety cameras that  
33 do not interface or interact with an ALPR system.

34        (6) "Court order," "warrant," or "subpoena" means a court order  
35 as defined in RCW 43.17.420.

36        (7) "Law enforcement agency" has the same meaning as in RCW  
37 10.116.010.

38        (8) "Local agency" includes every county, city, town, municipal  
39 corporation, quasi-municipal corporation, special purpose district,  
40 local housing authorities, or any office, department, division,

bureau, board, commission, or agency thereof, or other local public agency including their respective employees and agents.

(9) "State agency" includes every state office, department, division, bureau, board, commission, or other state agency, and their respective employees and agents.

(10) "Watch list" means a list of license plate numbers to be compared against a license plate number obtained from an automated license plate reader system.

NEW SECTION. **Sec. 3.** OPERATION. (1) Except as provided for in this section, it is unlawful for any agency to access, operate, or use an automated license plate reader system or its associated automated license plate reader data.

(2) An agency may access, operate, or use an automated license plate reader system and its associated data only for the following authorized purposes:

(a) Any law enforcement agency may use an automated license plate reader system for the purpose of comparing captured automated license plate reader data with:

(i) Data on any of the following watch lists maintained by either a federal or Washington state agency: The department of licensing, the state criminal justice information system, the federal bureau of investigation kidnappings and missing persons list, and the Washington missing persons list; or

(ii) License plate numbers that have been manually entered into a state or local automated license plate reader system database, upon an officer's determination that the license plate numbers are relevant and material to an investigation of a vehicle that is:

(A) Stolen;

(B) Associated with a missing or endangered person;

(C) Registered to an individual for whom there is an outstanding felony warrant; or

(D) Related to or involved in a felony.

(b) Any parking enforcement agency may use an automated license plate reader system for the following purposes:

(i) Enforcing time restrictions on the use of parking spaces; or

(ii) Identifying vehicles on a watch list for impoundment or immobilization under a local ordinance enacted under RCW 46.55.240, provided the list includes only license plates of vehicles subject to that ordinance.

1 (c) An automated license plate reader system may be used as a  
2 component of photo toll systems authorized by RCW 47.56.795 or  
3 47.46.105.

4 (d) Any transportation agency may use an automated license plate  
5 reader system for the following purposes:

6 (i) Providing real-time traffic information to the public,  
7 traffic modeling, and traffic studies such as determining  
8 construction delays and route use; and

9 (ii) Enforcing commercial vehicle systems at Washington state  
10 patrol enforcement sites and weigh stations.

11 (3) It is unlawful for any agency, as described in RCW 43.17.425,  
12 to use an automated license plate reader system for immigration  
13 investigation or enforcement, or both, in accordance with RCW  
14 10.93.160, or for any protected health care services under chapter  
15 7.115 RCW, or to track or otherwise monitor activity protected by the  
16 Washington state Constitution and the first amendment to the United  
17 States Constitution.

18 (4) It is unlawful for any agency to collect automated license  
19 plate reader data on the premises or immediate surroundings or access  
20 to or from facilities that provide protected health care, as  
21 described in chapter 7.115 RCW, or at facilities conducting an  
22 immigration matter as defined in RCW 19.154.020, schools, places of  
23 worship, courts, or food banks.

24 (5)(a) Any agency that intends to use, or currently uses an ALPR  
25 system as of the effective date of this section and intends to  
26 continue using the system, shall register it with the office of the  
27 attorney general on forms approved by the office for that purpose  
28 within 180 days of the effective date of this section. The head of  
29 the agency shall certify that the system meets all the requirements  
30 of this chapter, and that the agency has a policy or policies in  
31 effect governing its use and a documented training process for the  
32 officers that will use it. Agencies may not use ALPR systems that  
33 have not been properly registered under this section.

34 (6) A positive match by an automated license plate reader system  
35 alone does not constitute reasonable suspicion as grounds for a state  
36 or local law enforcement officer to stop the vehicle. The officer  
37 shall develop independent reasonable suspicion for the stop or  
38 immediately confirm visually that the license plate on the vehicle  
39 matches the image of the license plate displayed on the automated  
40 license plate reader system and confirm by other means that the

license plate number is on one of the lists specified in subsection (2)(a) of this section.

NEW SECTION. **Sec. 4.** RETENTION. Automated license plate reader data collected by or on behalf of an agency, as authorized pursuant to section 3(2) of this act, shall not be used or shared for any other purpose and shall not be retained longer than 72 hours, with the following exceptions:

(1) When retained pursuant to a valid, court-issued, probable cause felony warrant or subpoena, provided the data is deleted at the conclusion of the criminal or civil case. ALPR data may be shared in discovery in accordance with applicable court rules;

(2) When retained for the purpose of parking enforcement, provided the data is deleted no later than 12 hours after collection;

(3) When retained for the purpose of toll collection, for as long as such captured ALPR data is needed to support the assessment and collection of a toll pursuant to section 3(2)(c) of this act;

(4) When retained for the purpose of traffic studies, provided the data is deleted no later than 30 days after collection;

(5) When retained for the purpose of enforcing commercial vehicle systems, provided the data is deleted no later than four hours after collection; and

(6) When retained for the purpose in section 3(2)(a) of this act for as long as such captured ALPR data is needed as evidence of specific unlawful conduct enumerated in section 3(2)(a) of this act.

NEW SECTION. **Sec. 5.** PROHIBITED PRACTICES. (1) An agency that uses an automated license plate reader system pursuant to section 3(2) of this act shall not:

(a) Disclose, share, or permit access to automated license plate reader data except as required in a judicial proceeding;

(b) Provide any other entity with direct access to the automated license plate reader system, except with other state or local agencies authorized to collect ALPR data under section 3 of this act. A third-party vendor providing ALPR services may directly access an ALPR system and data.

(2) Any agency that uses a watch list pursuant to section 3(2)(a) and (b)(ii) of this act must ensure the watch list is updated no less than once every 24 hours.

1 (3) An agency shall not sell, lease, rent, or purchase automated  
2 license plate reader data or audit trail data.

3 (4) An agency may obtain privately held automated license plate  
4 reader data only pursuant to a valid, court-issued, probable cause  
5 warrant.

6 (5) Automated license plate reader data is not subject to  
7 disclosure under the public records act, chapter 42.56 RCW, except  
8 such data may be used for bona fide research as defined in RCW  
9 42.48.010 and does not include individually identifiable information.

10 (6) Any ALPR vendor must provide technical controls preventing  
11 unauthorized data sharing, secondary transfer, or access by  
12 nonauthorized agencies, including federal civil immigration  
13 enforcement in accordance with this chapter.

14 NEW SECTION. **Sec. 6.** RECORDKEEPING/LOG. If an ALPR operator  
15 accesses or provides access to ALPR data, the ALPR operator shall do  
16 both of the following:

17 (1) Maintain a record of that access. At a minimum, the record  
18 must include all of the following:

19 (a) The date and time the data is accessed;

20 (b) Data elements used to query the ALPR system;

21 (c) The username of the person who accesses the data and, as  
22 applicable, the organization or entity with whom the person is  
23 affiliated;

24 (d) The purpose for accessing the data;

25 (2) Require that ALPR data only be used for the authorized  
26 purposes in this act.

27 NEW SECTION. **Sec. 7.** ADMISSIBILITY IN COURT. Any information  
28 obtained in violation of section 3 of this act is inadmissible in any  
29 civil or criminal case in all courts of general or limited  
30 jurisdiction in this state, except with the permission of the person  
31 whose rights have been violated in an action brought for damages  
32 under section 11 of this act.

33 NEW SECTION. **Sec. 8.** POLICIES. (1) By July 1, 2027, the  
34 attorney general shall develop and publish model policies on the use  
35 of automated license plate reader systems consistent with this act.

1       (2)(a) By December 1, 2027, any agency that uses an automated  
2 license plate reader system pursuant to section 3(2) of this act  
3 shall:

4       (i) Adopt a policy governing use of the automated license plate  
5 reader system consistent with the model policies established under  
6 subsection (1) of this section and submit copies of the applicable  
7 policies to the attorney general; or, if the agency did not adopt  
8 policies consistent with the model policies, provide notice to the  
9 attorney general stating the reasons for any departures from the  
10 model policies and an explanation of how the agency's policies are  
11 consistent with the provisions of this act, and include a copy of the  
12 agency's relevant policies; and

13       (ii) Submit an annual report on its automated license plate  
14 reader system practices and usage to the appropriate committees of  
15 the legislature. The report must also be conspicuously posted on the  
16 agency's public website. The report shall include:

17       (A) The number of matches that resulted in arrest and  
18 prosecution;

19       (B) The number of stolen vehicles and stolen license plates  
20 recovered due to use of the system;

21       (C) The number of preservation requests and disclosure orders  
22 received;

23       (D) The number of times automated license plate reader data or  
24 audit trail data was shared with or accessed by another governmental  
25 entity and the identity of each of those governmental entities;

26       (E) The number of times automated license plate reader data was  
27 shared or accessed pursuant to a judicial warrant;

28       (F) Any changes in policy that affect privacy concerns;

29       (G) Results from the agency's internal audit of its ALPR system;  
30 and

31       (H) The total annual number of ALPR reads, hits, matches, and  
32 alerts.

33       (b) Prior to or coincident with implementation of an automated  
34 license plate reader system, a local law enforcement agency shall  
35 take measures to promote public awareness on the use of such system.

36       (3) After December 1, 2026, whenever an agency modifies or  
37 repeals any policies pertaining to the use of automated license plate  
38 reader systems, the agency shall submit notice of such action with  
39 copies of any relevant policies to the attorney general within 60  
40 days.

(4) By December 31st of each year, the attorney general shall publish on its website a report on the requirements of this section, including copies of the model policies, information as to the status of individual agencies' policies, and copies of any agency policies that depart from the model policies.

NEW SECTION.     **Sec. 9.**     AUDITS. (1) Each agency operating or accessing an automated license plate reader system shall maintain audit trail data documenting all access to and use of the system. Audit trail data must be retained for two years and must include, at a minimum:

(a) The identity of each user and the date, time, and purpose of each system access or search;

(b) Search term entered, where applicable;

(c) Any export, download, or sharing of ALPR data; and

(d) Any audit trail data generated by or made available through a third-party vendor providing ALPR services. Each agency shall ensure that all such vendor audit trail data is downloaded or otherwise obtained and retained by the agency in accordance with this section.

(2) Each agency shall conduct an internal audit at least once each year to review:

(a) All access to and use of the ALPR system, as reflected in the audit trail data; and

(b) The agency's compliance with the data retention, purging, and sharing requirements established under this chapter and agency policy.

(3) The state auditor has jurisdiction to audit agency compliance with this act.

(a) Upon request by the state auditor, each agency shall furnish all materials necessary to support such an audit, including but not limited to:

(i) ALPR audit trail data;

(ii) Internal audit reports; and

(iii) Any audit trail data provided by or made available through a third-party vendor providing ALPR services.

(b) After completing an audit, the attorney general shall:

(i) Issue findings of any noncompliance;

(ii) Make recommendations to achieve or restore compliance; and

(iii) Require corrective action as needed to ensure compliance with this act.



1        NEW SECTION.    **Sec. 10.**    VIOLATIONS—APPLICATION OF THE CONSUMER  
2 PROTECTION ACT. The legislature finds that the practices covered by  
3 this chapter are matters vitally affecting the public interest for  
4 the purpose of applying the consumer protection act, chapter 19.86  
5 RCW. A violation of this chapter is not reasonable in relation to the  
6 development and preservation of business and is an unfair or  
7 deceptive act in trade or commerce and an unfair method of  
8 competition for the purpose of applying the consumer protection act,  
9 chapter 19.86 RCW.

10       NEW SECTION.    **Sec. 11.**    CRIMINAL PENALTIES. Any person who  
11 willfully and intentionally queries, accesses, or uses an automated  
12 license plate reader system for a purpose not specifically authorized  
13 under this chapter, or who willfully and intentionally retains,  
14 sells, shares, permits access, or disseminates automated license  
15 plate reader system data or audit trail data in violation of this  
16 chapter, is guilty of a gross misdemeanor.

17       NEW SECTION.    **Sec. 12.**    CIVIL REMEDY. A person injured by a  
18 violation of this chapter may bring a civil action to recover any  
19 equitable, declaratory relief, or injunctive relief with respect to  
20 the violation; and recover all other appropriate relief, including  
21 monetary damages. The court may award to a person aggrieved by a  
22 violation of this chapter who prevails in an action brought under  
23 this section the costs of the action, including reasonable attorneys'  
24 fees.

25       NEW SECTION.    **Sec. 13.**    SEVERABILITY CLAUSE. If any provision of  
26 this act or its application to any person or circumstance is held  
27 invalid, the remainder of the act or the application of the provision  
28 to other persons or circumstances is not affected.

29       NEW SECTION.    **Sec. 14.**    Sections 1 through 12 of this act  
30 constitute a new chapter in Title 10 RCW.

31       NEW SECTION.    **Sec. 15.**    This act is necessary for the immediate  
32 preservation of the public peace, health, or safety, or support of

1 the state government and its existing public institutions, and takes  
2 effect immediately.

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