

SENATE THIRD READING
SB 1013 (Cervantes)
As Amended August 27, 2026
Majority vote

SUMMARY

Requires operators and end-users of automated license plate recognition (ALPR) systems to bolster their safeguards relating to employee access and usage of such systems; requires the Department of Justice (DOJ) to conduct random annual audits of public agency operators and end-users to ensure compliance with their usage and privacy policies; imposes additional use restrictions on public agencies and places retention limits on ALPR data, with exceptions.

Major Provisions

Prohibit a public agency from retaining ALPR information for more than 30 days if it does not match information on an authorized hot list.

- 1) Require a public agency, as of January 1, 2028, to delete all ALPR information, within 14 days, unless it is retained in the evidence file of an active investigation or criminal proceeding or matches information on an authorized hot list.
- 2) Define "hot list" to mean 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 National Center for Missing and Exploited Children (NCMEC) 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.
- 3) Require that ALPR operators record a brief, accurate, specific and plain language statement describing the purpose for accessing ALPR information and requires the agency to maintain a record of that access, including specified information.
- 4) Provide that, beginning January 1, 2027, 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.
- 5) Provide that 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 or locating an individual who has been reported as missing to a law enforcement agency.
- 6) Carve the following entities out of the definition of ALPR end-user and ALPR operator:
 - a) A public transit operator when subject to Section 40240 of the Vehicle Code;

- b) A local department of transportation or public works department when subject to specified provisions of law;
 - c) 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;
 - d) A campus transportation agency; and,
 - e) A public agency contracted parking operator when collecting, accessing, or using ALPR information solely for parking access control, violations, parking enforcement, zone enforcement, fee calculation, lost-ticker resolution, fraud prevention, or transaction dispute resolution.
- 7) Carve the following entities out of the definition of "public agency":
- a) A transportation agency when subject to Section 31490 of the Streets and Highways Code;
 - b) A public transit operator when subject to Section 40240 of the Vehicle Code;
 - c) A local department of transportation or public works department when subject to specified provisions of law; and,
 - d) Public agencies implementing various speed and red-light camera enforcement programs.

COMMENTS

ALPRs utilize high-speed camera systems combined with computer algorithms to capture images of license plates, log their GPS coordinates, and cross-reference them against law enforcement databases ("hot lists"). Modern ALPR systems can capture up to 1,800 plates per minute at speeds exceeding 120 mph, and are deployed via stationary poles, police cruisers, or mobile devices.

While law enforcement relies on ALPR data to track stolen vehicles, apprehend suspects, or locate missing individuals under Amber Alerts, the widespread accumulation of location data on individuals not suspected of any crime has raised persistent civil liberties and privacy concerns.

California's use of ALPRs and legislative response: ACLU indicated in a 2013 report that law enforcement was collecting and storing ALPR images related to individuals not suspected of a crime, and that this data could be used inappropriately to monitor the movements of individuals such as ex-spouses, neighbors, and other associates. Such information could be used to locate places people regularly visit, to determine their acquaintances, and to blackmail them.

Out of increasing concern surrounding the privacy of individuals' data collected through ALPR systems, SB 34 (Hill), Chapter 532, Statutes of 2015, was enacted. SB 34 imposed a range of privacy protections on ALPR data, including requiring ALPR operators to secure information collected by ALPR systems with reasonable operational, administrative, technical, and physical safeguards to ensure confidentiality and integrity.

In 2019, the State Auditor reviewed four local law enforcement agencies' use of ALPR and found that these agencies were accumulating massive amounts of data unrelated to criminal investigations. Also, the Auditor found that none of the agencies they reviewed were complying with the requirements set forth in SB 34, and that the Los Angeles Police Department (LAPD) had no ALPR policy at all. The other three agencies did not completely or clearly specify who has system access, who has system oversight, or how to destroy ALPR data. For example, of the 320 million images LAPD had collected, only 400,000 generated an immediate match against a hot list. In addition, the State Auditor conducted a statewide survey of law enforcement agencies and found that 70% operate or plan to operate an ALPR system, and that 84% of those operating a system shared their images. The report indicates that this "raises concerns that these agencies may share the deficiencies [they] identified at the four agencies [they] reviewed."

The State Auditor found that "ALPR systems should be accessible only to employees who need the data, and accounts should be promptly disabled otherwise. However, the agencies often neglected to limit ALPR system access and have allowed accounts that should be disabled to remain active longer than is prudent. To further ensure that individuals with access do not misuse the ALPR systems, the agencies should be auditing the license plate searches that users perform, along with conducting other monitoring activities. Instead, the agencies have conducted little to no auditing and monitoring and thus have no assurance that misuse has not occurred."

The State Auditor recommended that the Department of Justice (DOJ) draft and make available on its website a policy template that local law enforcement agencies can use as a model for their ALPR policies, and that DOJ develop and issue guidance to help local law enforcement agencies identify and evaluate the types of data they are currently storing in their ALPR systems. It also suggested the Legislature set a requirement for when law enforcement agencies should delete ALPR data. The State Auditor recommended that the Legislature should establish a maximum data retention period for ALPR images.

In October of 2023, the DOJ released two information bulletins providing guidance to California state and local law enforcement agencies regarding the governance of ALPRs. According to the guidance, the DOJ believes California law prohibits ALPR information from being shared with federal agencies or local agencies outside of the state of California. The bulletin included a template use policy that recommended law enforcement agencies maintain the data for 60 days to six months.

Flock Safety, the ALPR company most prominently used in California, has a 30-day retention policy. The Los Angeles Police Department stores ALPR data for five years. After two years, a supervisor is required to access the data.

Recent troubles with ALPRs. In August of 2025, a local news outlet in Colorado discovered that Customs and Border Protection (CBP) had accessed ALPR data in Flock's database generated by customers who had not intended to share it with federal authorities. A Ventura, California audit in 2026 of Flock Safety license plate readers found that the company had inadvertently shared Ventura County's data with out-of-state law enforcement agencies, including federal agents. The audit found that out-of-state agencies accessed the Ventura County Sheriff's Office's data more than 364,000 times between February and March last year without the department's approval or knowledge. Deputies said 299 justifications to enter the system referenced immigration enforcement. Ventura County disabled the "national lookup" feature in June 2023 to comply with state law barring local agencies from sharing data out-of-state, however several California law enforcement agencies reported the "national lookup" feature had been reactivated without any

explanation. Flock has since removed California from the "national lookup" service. However, multiple California cities have since removed their Flock security cameras because of the data sharing in violation of California law. Flock Safety has since corrected the issue to ensure California law enforcement agencies cannot share their data outside of the state.

In October of 2025, Attorney General Rob Bonta filed a lawsuit against the City of El Cajon over its refusal to comply with state law by sharing data pulled from ALPRs with over 100 out-of-state law enforcement agencies. According to the DOJ, despite outreach from the department notifying the city of the violation, "the El Cajon Police Department and the City of El Cajon have refused to cease the unlawful practice of sharing ALPR data with out-of-state agencies. These include law enforcement agencies in Alabama, Arizona, Arkansas, Florida, Georgia, Idaho, Illinois, Indiana, Kansas, Louisiana, Massachusetts, Minnesota, Missouri, Nebraska, Nevada, New Jersey, North Carolina, Ohio, Oregon, Pennsylvania, South Carolina, Texas, Utah, Virginia, Washington, and Wisconsin.

According to the Author

"Currently, at least 230 police and sheriff departments in California use an automated license plate recognition (ALPR) system, with at least three dozen more plan to use them in the future. Senate Bill 34 by Senate Hill in 2016 requires operators of these systems and those using ALPR data to implement policies to govern the usage of the data and provide safeguards to protect individual privacy. However, a 2020 report from the State Auditor confirmed that law enforcement agencies across the state are not complying with SB 34.

"ALPRs are a form of location surveillance, the data they collect can reveal our travel patterns and daily routines, the places we visit, and the people with whom we associate and love. Along with the threat to civil liberties, these data systems pose significant security risks. There have been multiple known breaches of ALPR data and technology in recent years, indicating potential cybersecurity threats. In a climate where the current federal administration is pursuing mass deportations of U.S. citizens and undocumented individuals alike, ALPR is a powerful surveillance technology that can invade the privacy of all individuals and violate the rights of entire communities."

Arguments in Support

Oakland Privacy, *writing in support of this bill*, argues: "The Legislature has been hearing bills regarding strengthening automobile license plate reader enforcement oversight for many years now including a state audit in 2018, which concluded legislative action was needed to better protect the privacy of Californian residents, and bills from Senator Weiner, Assembly Speaker Pro Tempore Lowenthal, and in almost identical form last year, Senator Cervantes. That bill, SB 274, passed the Senate Judiciary committee 10-2, the Senate Public Safety committee 5-1 and the Senate Floor 28-6.

"In the last year, the news has only gotten worse. Automated License Plate Reader programs, as currently operated, directly threaten everything the State of California has done to protect access to reproductive care and gender treatment and to defend non-citizen residents from kidnapping, detention, deportation and rendition. Senate Bill 1013 seeks to close the leaks to immigration and return the program to its intended purpose of helping to locate stolen cars and identifying the perpetrators of criminal incidents.

Arguments in Opposition

The California Police Chiefs Association, writing in opposition to this bill, argues "SB 1013's requirement that all ALPR data be deleted after 30 days unless it is associated with a narrowly defined "hotlist" would severely limit the effectiveness of this technology. Many crimes are not reported immediately, particularly offenses such as sexual assault, domestic violence, human trafficking, and complex property crimes. In these situations, victims may come forward weeks or months after the incident, at which point ALPR data showing vehicles in the area becomes essential to identifying suspects or corroborating evidence.

FISCAL COMMENTS

According to Assembly Appropriations Committee:

- 1) The DOJ estimates eventual ongoing annual costs of approximately \$2.6 million to administer the bill, with DOJ's costs ranging from \$3.0 million and \$3.8 million in the first three years of implementation (General Fund). The DOJ attributes these costs to the bills direction to DOJ, upon appropriation, to conduct annual random audits, which, the DOJ contends, will require it to implement a new electronic case management system, at a one-time cost of \$950,000 in fiscal year (FY) 2026-27 and ongoing annual costs of \$125,000 for licensing and subscription fees, as well as \$300,000 annually for oversight of the system by the Department of Technology. The DOJ costs also include salaries and related expenses for a staff of four in its Justice Data and Investigative Services Bureau, of three in its Application Development Bureau and of four in its Enterprise Services Bureau.
- 2) Annual costs (various funds) of an unknown amount, but likely in the hundreds of thousands of dollars at least, to each state agency that operates ALPRs, such as the California Highway Patrol. For example, the Air Resources Board, which operates ALPRs for several of its vehicle air pollution programs, provided the committee with an estimate of \$3.8 million to implement the bill and \$3.3 million annually ongoing to carry it out (Air Pollution Control Fund).
- 3) Potential annual costs (General Fund) of an unknown amount, but likely in the hundreds of thousands of dollars at least, to reimburse local public agency costs to comply with this bill. The state would incur these cost only if a local agency or agencies filed a claim with the Commission on State Mandates and the commission determined the state liable for reimbursement.

VOTES

SENATE FLOOR: 28-9-3

YES: Allen, Archuleta, Arreguín, Ashby, Blakespear, Cabaldon, Caballero, Cervantes, Cortese, Durazo, Gonzalez, Grayson, Laird, Limón, McGuire, McNerney, Menjivar, Padilla, Pérez, Reyes, Richardson, Rubio, Smallwood-Cuevas, Stern, Umberg, Wahab, Weber Pierson, Wiener

NO: Alvarado-Gil, Choi, Dahle, Jones, Niello, Ochoa Bogh, Seyarto, Strickland, Valladares

ABS, ABST OR NV: Becker, Grove, Hurtado

ASM TRANSPORTATION: 11-4-1

YES: Wilson, Ahrens, Carrillo, Elhawary, Harabedian, Hart, Jackson, Papan, Ransom, Rogers, Ward

NO: Davies, Hoover, Lackey, Macedo

ABS, ABST OR NV: Ávila Farías

ASM PRIVACY AND CONSUMER PROTECTION: 9-2-4

YES: Bauer-Kahan, Lowenthal, McKinnor, Ortega, Pellerin, Petrie-Norris, Ward, Bennett, Wilson

NO: Macedo, DeMaio

ABS, ABST OR NV: Bryan, Hoover, Irwin, Patterson

ASM APPROPRIATIONS: 11-3-1

YES: Wicks, Arambula, Calderon, Caloza, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache

NO: Hoover, Dixon, Tangipa

ABS, ABST OR NV: Ta

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