

AUTOMATIC LICENSE PLATE READER LEGISLATION

Overview

Four bills introduced during the 104th Illinois General Assembly would establish or expand state regulation of automatic license plate readers (ALPRs): HB 5151, SB 3816, HB 5231 and SB 3257.

The bills reflect substantially different approaches to ALPR regulation. HB 5151 and SB 3816 are companion bills proposing a comprehensive new regulatory framework emphasizing privacy, restrictions on data sharing, short retention periods, public oversight and enforcement. HB 5231 would also establish substantial statewide regulation but takes a somewhat more law-enforcement-oriented approach, including a 21-day retention period and specifically enumerated permissible uses. SB 3257 is considerably narrower and would amend existing Illinois law primarily to establish rules governing retention and access to historical ALPR records.

None of the four bills has passed the General Assembly.

HB 5151 — Automated License Plate Recognition System Act

Chief Sponsor: Rep. Nicolle Grasse (D-Arlington Heights)

Current Status: HB 5151 was approved by the House Executive Committee on March 25 by an 8-4 vote. The bill did not advance through the House before the applicable deadline and was re-referred to the House Rules Committee on April 17, 2026.

Summary

HB 5151 would create the Automated License Plate Recognition System Act, establishing a comprehensive statewide framework governing the acquisition, operation, use and sharing of ALPR information by law-enforcement agencies and other governmental entities. The legislation would also regulate private ALPR vendors when their systems or information are made available to government.

The bill would significantly restrict the purposes for which ALPR systems could be used. Law enforcement could compare captured plate information against information associated with missing persons, stolen vehicles, hit-and-run crashes, individuals with outstanding felony warrants and vehicles related to forcible felonies. Government entities could continue using ALPR technology for such non-law-enforcement purposes as electronic toll collection, parking enforcement and access to secured facilities.

The legislation would expressly prohibit ALPR systems from being used to collect information about individuals or organizations based solely upon political, social or religious activities; participation in

lawful organizations or events; protected personal characteristics; or seeking or providing lawful health care. It would prohibit using ALPR information for immigration enforcement and prohibit combining ALPR systems with facial-recognition or other biometric technology.

Data Retention

One of HB 5151's most consequential provisions is its three-day default retention period.

Captured plate information generally would have to be deleted within three days unless it falls within one of several exceptions, including information associated with a confirmed hit, information needed for specifically authorized investigations, information preserved pursuant to a court-related preservation request, or information retained pursuant to a valid criminal warrant based upon probable cause.

The bill establishes a procedure allowing specified information to be temporarily preserved for 30 days while a law-enforcement agency, governmental entity or criminal defendant seeks a court order. A court could authorize extended retention and disclosure upon a showing of probable cause that the information is relevant and material to an ongoing felony investigation, missing-person investigation, prosecution or defense.

Data Sharing

HB 5151 would significantly restrict automatic sharing of locally collected ALPR information.

New and amended vendor contracts would have to provide that agencies do not receive default access to a national ALPR database and that locally collected information is not automatically accessible by other agencies or foreign entities. Sharing would be permitted only under specified circumstances.

Among other requirements, an Illinois law-enforcement agency requesting information generally would need a valid case number and supporting documentation. Other access could require a criminal warrant or qualifying disclosure order.

Local Government Requirements

HB 5151 would impose significant procedural requirements on counties, municipalities and law-enforcement agencies using ALPR technology.

Before adopting an ALPR system, an agency or governmental entity would have to make a presentation during a regularly scheduled public meeting and provide a meaningful opportunity for public comment. The presentation would have to explain the technology, vendors, authorized uses and where, why and how the technology would be deployed.

Agencies already operating ALPR systems would also have to make a public presentation concerning their existing systems and describe how their practices would be changed to comply with the legislation.

The legislation would additionally require policies, access controls, documentation of searches, collection of detailed usage information and public reporting.

Enforcement and Liability

HB 5151 contains unusually strong enforcement mechanisms.

Intentional failure by a government employee to perform duties required by the Act could constitute official misconduct. Knowing and intentional violations could result in employee discipline, including termination. Noncompliant agencies could also lose authority to operate ALPR systems for three months for a first violation and six months for subsequent violations.

The legislation also establishes a private right of action and potential civil liability. Vendor violations could expose a vendor to civil penalties of \$10,000 per violation, injunctive relief and attorney's fees, with individual searches or information-sharing events potentially constituting separate violations.

County Impact

HB 5151 would represent a substantial change for county sheriffs and other county entities currently operating or accessing ALPR systems. Counties would face new public-meeting, policy, reporting, auditing, contracting, retention and data-sharing requirements. The three-day default retention period would also substantially limit the availability of historical ALPR information for investigations unless an exception applies.

SB 3816 — Automated License Plate Recognition System Act

Chief Sponsor: Sen. Celina Villanueva (D-Chicago)

Current Status: SB 3816 was assigned to the Senate Executive Committee and then to the Special Issues Subcommittee. It did not advance before the Senate deadline and was re-referred to the Senate Assignments Committee on May 22, 2026.

Summary

SB 3816 is the Senate companion legislation to HB 5151. As introduced, the bills contain substantively parallel language creating the Automated License Plate Recognition System Act.

Accordingly, SB 3816 would establish the same basic framework described for HB 5151, including:

- A three-day general retention limit for captured plate information, subject to enumerated exceptions.
- Restrictions on the purposes for which law enforcement and governmental entities may use ALPR technology.
- Restrictions on interstate and interagency sharing.
- Prohibitions against ALPR surveillance based on political, religious or other protected activities.
- Restrictions involving immigration enforcement and lawful health-care activities.

- A prohibition against combining ALPR systems with facial-recognition or other biometric technologies.
- Public-meeting and public-comment requirements before agencies implement ALPR systems.
- Written policies governing access and operation.
- Documentation and audit requirements for ALPR searches.
- Statewide data collection and reporting requirements.
- Judicial procedures for preserving information beyond ordinary retention periods.
- Penalties for violations and a private right of action.

Because HB 5151 and SB 3816 are companion measures, the policy implications for Illinois counties are essentially the same.

HB 5231 — Law Enforcement Use of ALPR Systems

Sponsor: Rep. Jaime M. Andrade Jr. (D-Chicago)

Current Status: HB 5231 was assigned to the House Executive Committee but did not advance before the applicable deadline. It was re-referred to the House Rules Committee on March 27, 2026.

Summary

HB 5231 would amend the Illinois Vehicle Code to create a statewide framework specifically governing law-enforcement use of ALPR systems.

Unlike HB 5151/SB 3816, the legislation would involve the state's procurement apparatus in determining acceptable ALPR systems. The Chief Procurement Office for General Services would determine which ALPR systems could be used in Illinois, and law-enforcement agencies could contract with vendors for approved systems.

The bill would limit ALPR use to several specified purposes. An agency could use the system as part of a criminal investigation when there is reasonable suspicion that a crime occurred; as part of an active missing- or endangered-person or human-trafficking investigation; or to receive notifications involving missing or endangered persons, persons with outstanding warrants, human trafficking, stolen vehicles or stolen license plates.

21-Day Retention Period

HB 5231 would establish a 21-day retention period for ALPR system information.

System information generally would have to be permanently purged 21 days after collection. Vendor systems would have to be capable of destroying the information so that neither the vendor nor the contracting law-enforcement agency could recover it. Audit-trail information documenting access and searches would be retained for two years.

This represents an important middle ground between the three-day default retention period proposed in HB 5151/SB 3816 and the five-year retention period contemplated by SB 3257.

Searches and Vehicle Stops

HB 5231 would require agencies to maintain an audit trail showing searches and other access to the system and would restrict searches to authorized purposes.

Importantly, the legislation expressly provides that an ALPR notification alone would not constitute reasonable suspicion sufficient to stop a vehicle. Before conducting a stop, an officer would have to independently establish reasonable suspicion or confirm that the plate or identifying characteristics of the vehicle correspond to the information responsible for generating the alert.

This provision is intended to address false positives, outdated database information and erroneous plate identification.

Agency Policies and Reporting

Law-enforcement agencies using ALPR systems would be required to establish policies governing their use and maintain records sufficient to support public reporting, audit trails and discovery in criminal and civil proceedings.

Agencies would also have reporting responsibilities involving the Illinois State Police, Governor, General Assembly and Illinois Criminal Justice Information Authority. ⁵

The bill would require agencies to take steps to increase public awareness concerning their use of ALPR systems.

Penalties

A person who willfully and intentionally accesses or uses an ALPR system for an unauthorized purpose, or intentionally sells, shares or disseminates protected ALPR information in violation of the law, could be guilty of a Class A misdemeanor.

County Impact

HB 5231 would impose meaningful new obligations on county sheriffs and other law-enforcement agencies but would provide a somewhat longer window for investigative use of historical information than HB 5151/SB 3816.

The 21-day retention limit could nevertheless affect investigations in which the significance of a particular vehicle is not discovered until several weeks after an offense. Conversely, the mandatory destruction provision would substantially reduce the amount of historical location information maintained concerning motorists who are not subjects of investigations.

SB 3257 — ALPR Record Retention

Chief Sponsor: Sen. Laura M. Murphy (D-Des Plaines)

Current Status: SB 3257 was re-referred to the Senate Assignments Committee on May 22, 2026. It has not passed the Senate.

Summary

SB 3257 takes a substantially different approach from the other proposals.

Rather than establishing a comprehensive new regulatory regime, SB 3257 would amend Section 2-130 of the Illinois Vehicle Code and focus principally on how long ALPR records may be retained and when older records may be accessed.

The bill would permit law-enforcement agencies to retain ALPR detection records for five years after their creation.

Records would generally be handled in two stages.

For the first 90 days, records would remain in the agency's ordinary ALPR system.

After 90 days, records would have to be archived unless they are relevant to an ongoing investigation or pending criminal trial. Archived information could be accessed only for a felony criminal investigation or an investigation of police misconduct. Access to records older than 90 days would require written approval from the head of the law-enforcement agency or the agency head's designee.

Archived records older than 90 days could not be searched by out-of-state agencies.

Records generally would have to be destroyed after five years unless they remained relevant to an ongoing investigation or pending criminal trial. The Illinois State Police would be subject to retention periods consistent with the Expressway Camera Act and State Records Act.

County Impact

Of the four proposals, SB 3257 would provide county law enforcement with the greatest ability to conduct retrospective investigations using historical ALPR information.

The legislation attempts to balance that investigative value against privacy concerns by creating a distinction between relatively recent information and older archived information. Records would remain available for five years, but access would become considerably more restricted after 90 days.

The bill nevertheless represents a fundamentally different policy judgment from HB 5151/SB 3816 and HB 5231: rather than protecting privacy primarily through rapid deletion, SB 3257 would protect older information primarily through restricted access, archiving and supervisory approval.

Comparison of the Four Proposals

The competing retention periods reveal the central policy disagreement among the legislation.

HB 5151 and SB 3816 presume that information concerning vehicles should ordinarily disappear quickly unless a legitimate investigative reason exists to preserve it. This approach provides the strongest protection against the creation of long-term databases capable of reconstructing motorists' movements, but it could prevent law enforcement from accessing information that only becomes relevant after the three-day period has expired.

HB 5231 provides a longer investigative window of 21 days while still preventing the development of a long-term repository of motorists' location histories.

SB 3257 places substantially greater weight on the potential future investigative value of ALPR information. Its five-year retention period could allow investigators to identify vehicle movements long after a crime occurs or a suspect becomes known. Its privacy protections instead rely upon archiving after 90 days, limiting the purposes for accessing archived records, requiring supervisory approval and preventing out-of-state searches of archived information.

The bills also differ in their scope.

HB 5151/SB 3816 would establish the broadest privacy and civil-liberties protections. They regulate not simply retention but also permissible purposes, interagency sharing, vendor access, public disclosure, government procurement and operation, biometric integration, protected activities, health-care information and immigration enforcement. They also create significant enforcement mechanisms, including a private right of action.

HB 5231 focuses more specifically on creating operational standards for law enforcement. Its requirement that an ALPR alert cannot independently establish reasonable suspicion is particularly significant from a policing perspective.

SB 3257 is the least comprehensive proposal. It does not attempt to replace Illinois' existing ALPR framework with an entirely new regulatory structure. Instead, it would establish a statutory framework allowing agencies to preserve historical ALPR records while progressively restricting access as those records age.

Considerations for Illinois Counties

From a county-government perspective, the bills present three different models for balancing public safety and privacy.

The HB 5151/SB 3816 model prioritizes data minimization and privacy, but would impose the most extensive administrative, reporting, public-meeting, contracting and compliance obligations on counties and sheriffs.

The HB 5231 model provides law enforcement somewhat greater operational flexibility while establishing a relatively short 21-day retention period, audit requirements, statewide standards and safeguards against stops based solely upon automated alerts.

The SB 3257 model preserves considerably more historical information for law-enforcement purposes while using access restrictions rather than rapid deletion as the principal privacy safeguard.

For county officials, the debate is therefore broader than simply whether ALPR technology should be authorized. The four bills raise several distinct policy questions: how long information should exist, what investigative threshold should justify accessing it, who should be permitted to receive it, what role county boards should have in approving or overseeing the technology, and whether privacy should be protected principally through deletion of information or restrictions on access to information that is retained.