**South Carolina General Assembly**

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**S. 447**

**STATUS INFORMATION**

General Bill

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Summary: License plate reader system

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 3/12/2025 Senate Introduced and read first time (Senate Journal‑page 5)

 3/12/2025 Senate Referred to Committee on **Judiciary** (Senate Journal‑page 5)

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**VERSIONS OF THIS BILL**

[03/12/2025](https://www.scstatehouse.gov/sess126_2025-2026/prever/447_20250312.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 23‑1‑235 SO AS TO DEFINE TERMS RELATED TO LICENSE PLATE READER SYSTEMS, TO PROVIDE THAT ONLY CERTAIN ENTITIES MAY USE AN AUTOMATIC LICENSE PLATE READER SYSTEM, AND TO PROVIDE GUIDELINES FOR THE WAYS IN WHICH INFORMATION OBTAINED THROUGH THE SYSTEM MAY BE USED BY LAW ENFORCEMENT; AND BY ADDING SECTION 57‑3‑786 SO AS TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO PERMIT CERTAIN CAMERAS USED BY GOVERNMENTAL ENTITIES ON NON‑INTERSTATE HIGHWAY RIGHTS‑OF‑WAY.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chapter 1, Title 23 of the S.C. Code is amended by adding:

 Section 23‑1‑235. (A) As used in this section:

 (1) “Alert” means a notification generated by an automatic license plate reader system indicating that a vehicle passed an automatic license plate reader system camera with a license plate or vehicle characteristics that match data held by the National Crime Information Center or other database or hot list.

 (2) “Automatic license plate reader system” means a system of one or more automated high‑speed cameras used in combination with data processing to convert images of vehicles and license plates into computer‑readable data.

 (3) “Governmental entity” means a lawfully created branch, department, agency, or authority of the state, county, or local government.

 (4) “Hot list” means a list of license plates or vehicle characteristics against which vehicles passing by automatic license plate reader system cameras are checked for matches.

 (5) “License plate reader data” means the global positioning device coordinates, date and time, photograph, license plate number, and vehicle characteristics captured by an automatic license plate reader system.

 (6) “Secured area” means an area enclosed by clear boundaries to which access is or can be limited.

 (7) “SLED” means the South Carolina Law Enforcement Division.

 (B) Except as provided in subsection (D), it is unlawful for an individual, entity, partnership, corporation, association, or this State, its agencies, and political subdivisions to use an automatic license plate reader system.

 (C) Any person who knowingly requests, uses, obtains, or attempts to obtain captured license plate data of a law enforcement agency under false pretenses or for any purpose other than those set forth in subsection (D) is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars and imprisoned not more than two years.

 (D) An automatic license plate reader system may be used:

 (1) by a state, county, or municipal law enforcement agency for the comparison of license plate data held by the National Crime Information Center or other database or hot list, and for other law enforcement or criminal justice purposes, including the operation and maintenance of an automatic license plate reader database by SLED;

 (2) to regulate parking;

 (3) to control access to secured areas;

 (4) to promote public safety, deter crime, or address property theft and organized retail crime in coordination with law enforcement; or

 (5) by the Department of Public Safety and the Department of Transportation or its agents to collect tolls and to provide for the efficient and safe movement of vehicles on state highways.

 (E) License plate reader data obtained for the purposes described under this section must not be shared for any other purpose.

 (F) Prior to the use of an automatic license plate reader system, a law enforcement agency must adopt and make publicly available a written policy governing the use of the automatic license plate reader system that includes, at a minimum:

 (1) supervisory oversight of the automatic license plate reader system;

 (2) training protocol for automatic license plate reader system users;

 (3) protocol for ensuring hot lists stay up to date;

 (4) rules for access to and security of license plate reader data;

 (5) rules for retention and destruction of license plate reader data; and

 (6) an audit schedule and process to ensure that the system is used in accordance with this section and agency policy.

 (G) A law enforcement agency using an automatic license plate reader system must comply with the following:

 (1) Upon receipt of an alert and prior to performing a traffic stop, an officer, dispatcher, or other law enforcement agency employee must visually confirm that the scanned plate matches the alert with regard to plate letters, numbers, and issuing state and confirm that the stop is lawful.

 (2) Any license plate or vehicle added to a hot list in order to trigger an alert and any search performed of license plate reader data must be supported by a documented law enforcement purpose.

 (3) Access logs for the automatic license plate reader system must be maintained to provide a clear audit trail for oversight and accountability purposes.

 (4) License plate reader data obtained by law enforcement shall not be preserved for more than ninety days unless it is part of an ongoing investigation.

 (5) License plate reader data retained by law enforcement as part of an ongoing investigation must be retained and destroyed in accordance with all applicable records laws.

 (H) A governmental entity authorized to use an automatic license plate reader system under this section shall not sell license plate reader data for any purpose.

SECTION 2. Chapter 3, Title 57 of the S.C. Code is amended by adding:

 Section 57‑3‑786. (A) As used in this section:

 (1) “Camera” is a device that captures and records still images or video and includes an automatic license plate reader system as defined in Section 23‑1‑235. For the purposes of this section, camera means one that is used by a governmental entity.

 (2) “Non‑interstate highway rights‑of‑way” are the public ways being maintained by the South Carolina Department of Transportation, excluding interstates.

 (B) The Department of Transportation shall establish a permitting process for the installation of cameras on non‑interstate highway rights‑of‑way.

SECTION 3. This act takes effect upon approval by the Governor.

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