

1 SENATE BILL

2 **57TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2026**

3 INTRODUCED BY

4 Peter Wirth and Christine Chandler

10 AN ACT

11 RELATING TO LICENSE PLATE READERS; PROVIDING LIMITATIONS ON THE
12 SHARING OF AUTOMATED LICENSE PLATE READER INFORMATION AND
13 REQUIRING REPORTING.

15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

16 SECTION 1. A new section of Chapter 29 NMSA 1978 is
17 enacted to read:

18 "[NEW MATERIAL] AUTOMATED LICENSE PLATE READERS--
19 LIMITATIONS ON SHARING.--

20 A. An automated license plate reader user shall not
21 sell, share, allow access to or transfer automated license
22 plate reader information to any state or local jurisdiction for
23 the purpose of:

24 (1) investigating or otherwise assisting in
25 immigration enforcement;

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(2) investigating or prosecuting activities legal in the state, including protected health care activity;

or
(3) efforts to identify or impose civil or criminal liability upon a person or an entity based solely on the person's or entity's participation in activities protected by the United States constitution or the constitution of New Mexico, including assembly, petitioning and speech, except as required by state or federal law.

B. An automated license plate reader user in New Mexico that uses automated license plate reader systems shall not share automated license plate reader information with an out-of-state law enforcement agency without first obtaining from the out-of-state law enforcement agency a written declaration that the out-of-state law enforcement agency expressly affirms that automated license plate reader information obtained shall not be used in a manner that would constitute a violation of Subsection A of this section. The declaration shall include the case number used by the requesting agency associated with the relevant investigation. If a written declaration of affirmation is not executed, the law enforcement agency shall not share the automated license plate reader information with the out-of-state law enforcement agency.

C. An automated license plate reader user shall not

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1 sell, share, allow access to, transfer or otherwise make
2 available automated license plate reader information to non-law
3 enforcement officers or agencies.

4 D. Automated license plate reader information is
5 confidential and shall not be considered a public record for
6 the purposes of the Inspection of Public Records Act; provided
7 that the information may be disclosed to the person to whom the
8 vehicle is registered or with the written consent of the person
9 to whom the vehicle is registered unless there is an
10 outstanding protection order protecting the driver of a vehicle
11 jointly registered with or registered solely in the name of the
12 person against whom the protective order was issued.

13 E. A law enforcement agency may purchase, obtain,
14 receive or use privately captured automated license plate
15 reader information only pursuant to a valid court order.

16 F. Nothing in this 2026 act shall define or limit
17 any rights under the Reproductive and Gender-Affirming Health
18 Care Freedom Act or the Reproductive and Gender-Affirming
19 Health Care Protection Act."

20 SECTION 2. A new section of Chapter 29 NMSA 1978 is
21 enacted to read:

22 "[NEW MATERIAL] AUTOMATED LICENSE PLATE READERS--
23 REPORTING.--A law enforcement agency that is an automated
24 license plate reader user shall report to the attorney general
25 quarterly. The attorney general shall electronically publish
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each report received pursuant to this section within one month of receiving the report. The report shall include the:

A. number of requests for automated license plate reader information from out-of-state law enforcement agencies;

B. contents of declarations, including the case numbers, made by out-of-state law enforcement agencies pursuant to Subsection B of Section 1 of this 2026 act; and

C. number of requests that did not include a written declaration pursuant to Subsection B of Section 1 of this 2026 act."

SECTION 3. A new section of Chapter 29 NMSA 1978 is enacted to read:

"[NEW MATERIAL] DEFINITIONS.--As used in this 2026 act:

A. "automated license plate reader" means an electronic device that is mounted on a law enforcement vehicle or positioned in a stationary location and that is capable of recording data on or taking a photograph of a vehicle or the vehicle's license plate and comparing the collected data and photographs to existing law enforcement databases for investigative purposes, including a device that is owned or operated by a person or an entity other than a law enforcement agency to the extent that data collected by the reader is shared with a law enforcement agency;

B. "automated license plate reader information" means information gathered by an automated license plate reader

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1 or created from the analysis of data generated by an automated
2 license plate reader, excluding information used for the
3 purpose of auditing an automated license plate reader system;

4 C. "automated license plate reader system" means a
5 multi-agency or vendor agreement that allows the sharing of
6 automated license plate reader information;

7 D. "automated license plate reader user" means a
8 person or an entity that owns or operates an automated license
9 plate reader;

10 E. "law enforcement agency" means a state or local
11 agency, political subdivision of the state or private entity
12 that employs certified law enforcement officers or that is
13 charged with the enforcement of state, county or municipal laws
14 or with managing custody of detained persons in any state or
15 jurisdiction, including the police department of a
16 municipality, the sheriff's office of a county, the New Mexico
17 state police division of the department of public safety, the
18 department of public safety or the police department of an
19 Indian nation, tribe or pueblo that has entered into an
20 agreement with the department of public safety pursuant to
21 Section 29-1-11 NMSA 1978; and

22 F. "protected health care activity" means:

23 (1) seeking, providing or receiving
24 reproductive or gender-affirming health care; or
25 (2) assisting an individual who is seeking,

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receiving or providing reproductive or gender-affirming health care, including providing:

- (a) information;
- (b) transportation;
- (c) lodging; or
- (d) material support."

SECTION 4. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2026.

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