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H. R. 10691

To prohibit the use of automatic license plate readers by the Federal Government without explicit statutory authorization, to withhold grants awarded by certain agencies from State and local governments that use automatic license plate readers, and to prohibit the use of Federal funds to purchase automatic license plate readers.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 1, 2026

Ms. OCASIO-CORTEZ introduced the following bill; which was referred to the Committee on Oversight and Government Reform, and in addition to the Committees on the Judiciary, Transportation and Infrastructure, Energy and Commerce, Education and Workforce, Ways and Means, Natural Resources, Financial Services, and Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To prohibit the use of automatic license plate readers by the Federal Government without explicit statutory authorization, to withhold grants awarded by certain agencies from State and local governments that use automatic license plate readers, and to prohibit the use of Federal funds to purchase automatic license plate readers.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Ban Flock Act”.

3 **SEC. 2. DEFINITIONS.**

4 In this Act:

5 (1) **AUTOMATIC LICENSE PLATE READER.**—The
6 term “automatic license plate reader” means a sys-
7 tem that—

8 (A) uses cameras, sensors, software, data-
9 bases, or a combination of technologies to cap-
10 ture, record, analyze, and store vehicle license
11 plate information;

12 (B) identifies, locates, and tracks a vehicle
13 through the license plate or other persistent vis-
14 ual identifier of the vehicle; or

15 (C) compares license plate numbers
16 against databases to generate alerts and create
17 records of vehicle activity.

18 (2) **CAPTURED PLATE DATA.**—The term “cap-
19 tured plate data” means—

20 (A) any plate number, image, date, time,
21 location, direction of travel, vehicle characteris-
22 tics, confidence score, associated photographs or
23 video, and any information derived from those
24 records; and

25 (B) data produced by or derived from fixed
26 cameras, mobile readers, police vehicles, trail-

1 ers, drones, tolling infrastructure, parking sys-
2 tems, private security networks, homeowners’
3 associations, commercial parking operators, and
4 data brokers.

5 (3) FEDERAL AGENCY.—The term “Federal
6 agency” has the meaning given the term “agency”
7 in section 551 of title 5, United States Code.

8 (4) FEDERAL FUNDS.—The term “Federal
9 funds” means amounts made available by the Fed-
10 eral Government through an appropriation, grant,
11 subgrant, contract, subcontract, cooperative agree-
12 ment, subaward, reimbursement, transfer, allocation,
13 or other form of Federal financial assistance, includ-
14 ing amounts provided through a pass-through entity.

15 (5) FEDERAL OFFICIAL.—The term “Federal
16 official” means any officer, employee, agent, con-
17 tractor, or subcontractor of the Federal Government.

18 (6) IN THE UNITED STATES.—The term “in the
19 United States” means all areas within the external
20 boundary of the United States, its territories and
21 possessions, including airports, ports of entry, and
22 border zones.

23 (7) STATE.—The term “State” means each of
24 the several States, the District of Columbia, the
25 Commonwealth of Puerto Rico, the United States

1 Virgin Islands, Guam, American Samoa, and the
2 Commonwealth of the Northern Mariana Islands.

3 **SEC. 3. PROHIBITION ON FEDERAL GOVERNMENT USE OF**
4 **AUTOMATIC LICENSE PLATE READERS.**

5 (a) IN GENERAL.—Except as provided in subsections
6 (b) and (c), the head of any Federal agency and any Fed-
7 eral official, in an official capacity, and any person acting
8 on behalf of the Federal Government may not acquire,
9 possess, access, or use in the United States—

- 10 (1) an automatic license plate reader; or
11 (2) captured plate data, including information
12 collected in any database, derived from an automatic
13 license plate reader operated by another entity.

14 (b) EXCEPTION.—The prohibition under subsection
15 (a) with respect to an automatic license plate reader and
16 captured plate data shall not apply to an activity explicitly
17 authorized by an Act of Congress that describes with par-
18 ticularity—

- 19 (1) the entities permitted to use the automatic
20 license plate reader or captured plate data, the spe-
21 cific type of automatic license plate reader or cap-
22 tured plate data authorized, the purposes for such
23 use, and a prohibition on any uses not permitted;
24 (2) standards for use and management of infor-
25 mation derived from the automatic license plate

1 reader or captured plate data, including sharing, ac-
2 cess, audit trails, and data retention of no more
3 than 48 hours;

4 (3) auditing requirements to ensure the accu-
5 racy of automatic license plate reader or captured
6 plate data technologies, standards for minimum ac-
7 curacy rates, and compliance with this Act;

8 (4) rigorous protections for due process, pri-
9 vacy, free speech and association, and racial, gender,
10 and religious equity; and

11 (5) mechanisms to compel compliance with the
12 provisions of the Act.

13 (c) TOLLING.—

14 (1) IN GENERAL.—The prohibition under sub-
15 section (a) with respect to an automatic license plate
16 reader and captured plate data shall not apply to an
17 automatic license plate reader or captured plate data
18 derived from an automatic license plate reader used
19 solely to assess, bill, collect, audit, dispute, or en-
20 force the payment of a toll.

21 (2) LIMITATION ON USE.—Captured plate data
22 collected by an automatic license plate reader to
23 which paragraph (1) applies—

(A) may be used only for the tolling purpose for which the captured plate data were collected; and

(B) may not be—

(i) compared against a law enforcement hot list;

(ii) used for any civil or criminal law enforcement or intelligence purpose;

(iii) use for the monitoring or reconstruction of the movement of any person;

(iv) incorporated into, made searchable through, or stored in a law enforcement, commercial, or general-purpose automatic license plate reader database; or

(v) sold, licensed, or used for advertising, product development, or any other unrelated commercial purpose.

(3) DISCLOSURE.—Captured plate data collected by an automatic license plate reader to which paragraph (1) applies may be disclosed only—

(A) to a vehicle owner or person responsible for payment of a toll;

(B) to a contractor performing a tolling function on behalf of a tolling operator and subject to the requirements of this subsection;

1 (C) to another tolling operator to the ex-
2 tent reasonably necessary to process or collect
3 the toll through an interoperable tolling system;

4 (D) pursuant to a warrant issued upon a
5 finding of probable cause that particularly de-
6 scribes a vehicle or license plate, the data
7 sought, and the period covered; or

8 (E) to a law enforcement agency if reason-
9 ably necessary to prevent an imminent danger
10 of death or serious bodily injury if—

11 (i) disclosure is documented and lim-
12 ited to the information necessary to ad-
13 dress the emergency; and

14 (ii) the requesting agency applies for
15 and obtains a warrant described in sub-
16 paragraph (D) within 14 days of request-
17 ing the data.

18 (4) RETENTION AND DELETION.—With respect
19 to captured plate data collected by an automatic li-
20 cense plate reader to which paragraph (1) applies—

21 (A) not later than 48 hours after a suc-
22 cessfully reconciled electronic toll payment has
23 been completed relating to the captured plate
24 data, the captured plate data shall be deleted;

1 (B) if the captured plate data is reason-
2 ably necessary for pay-by-plate billing, collection
3 of an unpaid toll, resolution of a disputed
4 charge, or an administrative or judicial pro-
5 ceeding, the captured plate data may be re-
6 tained until the matter is finally resolved and
7 for not more than 30 days thereafter;

8 (C) nothing in this paragraph shall be con-
9 strued to prohibit the retention of a financial or
10 accounting record required by law, provided
11 that any plate image, precise location informa-
12 tion, or other captured plate data not necessary
13 for that purpose is removed; and

14 (D) a contractor or other recipient of the
15 captured plate data shall delete the data ac-
16 cording to the same schedule that applies to the
17 tolling operator.

18 (5) SECURITY AND ACCOUNTABILITY.—A toll-
19 ing operator and any contractor with access to cap-
20 tured plate data collected by an automatic license
21 plate reader to which paragraph (1) applies shall—

22 (A) maintain reasonable administrative,
23 technical, and physical safeguards against un-
24 authorized access, use, or disclosure;

1 (B) maintain an audit log identifying each
2 access to or disclosure of captured plate data,
3 the person making the access or disclosure, its
4 date and purpose, and the legal authority sup-
5 porting it; and

6 (C) remain subject to the enforcement, au-
7 diting, reporting, and remedy provisions of this
8 Act.

9 (d) JUDICIAL INVESTIGATIONS AND PRO-
10 CEEDINGS.—

11 (1) ADMISSIBILITY.—Except in a judicial inves-
12 tigation or proceeding alleging a violation of this sec-
13 tion, information obtained in violation of this section
14 shall not be admissible as evidence introduced by the
15 Federal Government in any criminal, civil, adminis-
16 trative, or other investigation or proceeding.

17 (2) CAUSE OF ACTION.—

18 (A) IN GENERAL.—A violation of this sec-
19 tion shall constitute an injury to any individual
20 aggrieved by a violation of this Act.

21 (B) RIGHT TO SUE.—An individual de-
22 scribed in subparagraph (A) may institute pro-
23 ceedings against the Federal Government for an
24 allegation of a violation of this section by a
25 Federal agency or Federal official for the relief

1 described in subparagraph (D) in any court of
2 competent jurisdiction.

3 (C) ENFORCEMENT BY STATE ATTORNEYS
4 GENERAL.—The chief law enforcement officer
5 of a State, or any other State officer authorized
6 by law to bring actions on behalf of the resi-
7 dents of a State, may bring a civil action, as
8 parens patriae, on behalf of the residents of
9 that State in an appropriate district court of
10 the United States to enforce this Act, whenever
11 the chief law enforcement officer or other State
12 officer has reason to believe that the interests
13 of the residents of the State have been or are
14 being threatened or adversely affected by a vio-
15 lation of this Act.

16 (D) RELIEF.—In a civil action brought
17 under subparagraph (B) in which the plaintiff
18 prevails, the court may award—

- 19 (i) actual damages;
20 (ii) punitive damages;
21 (iii) reasonable attorneys’ fees and
22 costs; and
23 (iv) any other relief, including injunc-
24 tive relief, that the court determines to be
25 appropriate.

1 (e) CIVIL PENALTIES.—Any Federal official who is
 2 found to have violated this section may be subject to re-
 3 training, suspension, termination, or any other penalty, as
 4 determined in an appropriate tribunal, subject to applica-
 5 ble due process requirements.

6 (f) RULES OF CONSTRUCTION.—Nothing in this sec-
 7 tion may be construed—

8 (1) to prohibit the Director of the National In-
 9 stitute of Standards and Technology from testing or
 10 researching automatic license plate readers or other
 11 similar technologies in commercial use; or

12 (2) to preempt or supersede any Federal, State,
 13 or local law that imposes a more stringent limitation
 14 than the limitations described in this section.

15 **SEC. 4. MORATORIUM ON STATE AND LOCAL GOVERNMENT**
 16 **USE OF AUTOMATIC LICENSE PLATE READ-**
 17 **ERS.**

18 Beginning on the first day of the first fiscal year be-
 19 ginning after the date of the enactment of this Act, no
 20 Federal financial assistance administered, awarded, allo-
 21 cated, transferred, or otherwise made available by the De-
 22 partment of Justice, the Department of Transportation,
 23 the Department of Health and Human Services, the De-
 24 partment of Housing and Urban Development, or the De-
 25 partment of Homeland Security may be obligated, award-

1 ed, disbursed, or otherwise provided directly or indirectly,
 2 to a State or unit of local government unless the State
 3 or unit of local government has in effect a law or binding
 4 policy that prohibits the use of automatic license plate
 5 readers by its agencies, officials, employees, contractors,
 6 and persons acting on its behalf to the same or greater
 7 extent as the prohibition applying to the Federal Govern-
 8 ment under section 3(a).

9 **SEC. 5. PROHIBITION ON USE OF FEDERAL FUNDS TO PUR-**
 10 **CHASE AUTOMATED LICENSE PLATE READ-**
 11 **ERS.**

12 (a) PROHIBITION.—Except as provided in subsections
 13 (c) and (d), no Federal funds may be obligated or ex-
 14 pended, directly or indirectly, to—

15 (1) purchase, acquire, lease, install, operate,
 16 maintain, or upgrade an automatic license plate
 17 reader;

18 (2) purchase, license, obtain, access, search, re-
 19 tain, analyze, or disclose captured plate data or in-
 20 formation derived from captured plate data;

21 (3) enter into, renew, or extend a contract, sub-
 22 scription, data-sharing agreement, or other arrange-
 23 ment for the use of an automatic license plate reader
 24 or captured plate data; or

1 (4) reimburse or replace non-Federal funds
2 used for an activity described in paragraphs (1)
3 through (3).

4 (b) CONDITIONS ON AWARDS.—

5 (1) IN GENERAL.—The head of each Federal
6 agency providing an award with Federal funds shall
7 include the prohibition under subsection (a) in the
8 terms and conditions of the applicable award.

9 (2) PROHIBITION.—A recipient or subrecipient
10 of an award with Federal funds may not—

11 (A) treat an activity prohibited under sub-
12 section (a) as an allowable direct or indirect
13 cost; or

14 (B) evade the prohibition under subsection
15 (a) by—

16 (i) transferring Federal funds among
17 accounts;

18 (ii) using Federal funds to pay costs
19 that would otherwise have been paid with
20 non-Federal funds; or

21 (iii) directing another entity to con-
22 duct the prohibited activity on its behalf.

23 (c) EXCEPTION.—The prohibition under subsection
24 (a) shall not apply to an activity explicitly authorized pur-
25 suant to section 3(b).

1 (d) TOLLING EXCEPTION.—The prohibition under
2 subsection (a) shall not apply to an automatic license plate
3 reader or captured plate data used solely to assess, bill,
4 collect, audit, dispute, or enforce payment of a toll, subject
5 to the limitations and requirements of section 3(c).

6 (e) ENFORCEMENT.—

7 (1) IN GENERAL.—Federal funds used in viola-
8 tion of this section shall be treated as an unallow-
9 able cost and shall be repaid to the United States.

10 (2) SUSPENSION AND TERMINATION.—The
11 head of a Federal agency—

12 (A) may suspend or terminate the portion
13 of an award connected to a violation of sub-
14 section (a); and

15 (B) impose additional remedies otherwise
16 available under Federal law.

17 (3) CONSIDERATIONS.—Before imposing a rem-
18 edy under paragraph (2) for a violation of subsection
19 (a), the head of a Federal agency shall consider the
20 nature, circumstances, extent, and severity of the
21 violation, including whether—

22 (A) the recipient acted knowingly; and

23 (B) the violation was corrected promptly.

24 (f) RULE OF CONSTRUCTION.—Nothing in this sec-
25 tion shall be construed to prohibit a State, political sub-

1 division, or other non-Federal entity from using non-Fed-
2 eral funds for an activity that is otherwise lawful under
3 this Act.

