

**CONFIDENTIAL**  
**LEGISLATIVE BILL REVIEW FORM: 2015**

Bill Number: S.18 Name of Bill: Privacy; electronic communications; medical records; drones; automated license plate readers

Agency/Dept: DPS / VSP Author of Bill Review: Senator Ashe and Senator Benning

Date of Bill Review: May 21 , 2015 Related Bills and Key Players: \_\_\_\_\_

Status of Bill: (check one)

☐ Upon Introduction ☐ As passed by 1<sup>st</sup> body ☒ As passed by both bodies

Recommended Position:

☒ Support ☐ Oppose ☐ Remain Neutral ☐ Support with modifications identified in # 8 below

**Analysis of Bill**

**1. Summary of bill and issue it addresses.** *The initial bill introduced proposed a number of measures to enhance privacy protections. 1. Required a search warrant for law enforcement to obtain records from a company providing electronic communication services, remote computing services or location information. 2. Established right of action for a person whose health care information was improperly disclosed. 3. Established regulations for law enforcement agencies to use unmanned aerial vehicles or drones. It is proposed a search warrant must be obtained or emergency circumstances must exist. 4. Restricted the time frame to 24 hours that captured data is kept from the automated license plate recognition (ALPR) systems.*

**The final bill (S.18) was amended and passed by the house and senate. All parts of the bill were deleted except for the effective date and sunset of the current. Law. The current law applying to our ALPR system (23VSA 1607 and 1608) states it will be repealed on July 1, 2015. The passing of this bill would make the effective date and sunset July 1, 2016. All other details of the current law remain in effect.**

- 2. Is there a need for this bill?** Yes. The ALPR system is used statewide by a number of different law enforcement agencies. The current law gives law enforcement guidance on how to law enforcement uses, stores and retrieves data from the ALPR system.
- 3. What are likely to be the fiscal and programmatic implications of this bill for this Department?**
- 4. What might be the fiscal and programmatic implications of this bill for other departments in state government, and what is likely to be their perspective on it?**
- 5. What might be the fiscal and programmatic implications of this bill for others, and what is likely to be their perspective on it?** (for example, public, municipalities, organizations, business, regulated entities, etc)
- 6. Other Stakeholders:** Department of Health, Communication companies, Federal Aviation Administration (FAA) and the Vermont Judiciary.

Please return this bill review as a Microsoft Word or PDF document to [laura.gray@state.vt.us](mailto:laura.gray@state.vt.us) and [Jessica.mishaan@state.vt.us](mailto:Jessica.mishaan@state.vt.us)

6.1 Who else is likely to support the proposal and why?

6.2 Who else is likely to oppose the proposal and why?

7. Rationale for recommendation:

8. Specific modifications that would be needed to recommend support of this bill:

9. Gubernatorial appointments to board or commission?

Secretary/Commissioner has reviewed this document

A handwritten signature in dark ink, reading "Francis J. Aumand III". The signature is written in a cursive style with a horizontal line at the end.

Date: 05/21/15