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LAW/KR

P.L. 2013, CHAPTER 127, *approved August 9, 2013*
Assembly Committee Substitute for
Assembly, No. 1677

1 **AN ACT** concerning the access to information indicating the
2 location of law enforcement vehicles and supplementing Title 2C
3 of the New Jersey Statutes.

4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7

8 1. a. (1) A person commits a disorderly persons offense if,
9 without license or privilege to do so, he knowingly intercepts a
10 signal transmitted by an automatic vehicle location system which
11 identifies the current location of a law enforcement vehicle.

12 (2) A person commits a disorderly persons offense if, without
13 license or privilege to do so, he knowingly discloses information
14 provided by a signal transmitted by an automatic vehicle location
15 system which identifies the current or prior location of a law
16 enforcement vehicle to a person who is not authorized to receive or
17 access such information.

18 (3) A person commits a crime of the fourth degree if he uses
19 information provided by a signal transmitted by an automatic
20 vehicle location system which identifies the current or prior
21 location of a law enforcement vehicle for an unlawful purpose.

22 b. (1) This section shall not in any way limit the authority of any
23 law enforcement officer acting within the scope of his official
24 duties.

25 (2) It shall not be deemed an unlawful purpose for any person to
26 use information provided by a signal transmitted by an automatic
27 vehicle location system which identifies the prior location of a law
28 enforcement vehicle to evaluate or examine the operations of a law
29 enforcement agency; provided, however, that nothing in this act
30 shall be deemed to authorize any person to receive or access
31 information provided by a signal transmitted by an automatic
32 vehicle location system which identifies the location of a law
33 enforcement vehicle if such receipt or access could reasonably
34 jeopardize the safety of a law enforcement officer or the public, or
35 compromise the integrity of any ongoing investigation.

36 c. Nothing in this act shall preclude an indictment and conviction
37 for any other offense defined by the laws of this State.

38 d. For purposes of this section:

39 “Automatic vehicle location system” means an automated
40 system, such as a global positioning system, for tracking the
41 geographic location of a motor vehicle and transmitting that
42 location information to an authorized receiving entity; and

43 “Global positioning system” means a reporting technology that is

1 monitored by a network of electronic navigation components in
2 which a vehicle may be identified and tracked via satellite.

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4 2. This act shall take effect immediately.

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9 Establishes offense of unlawfully accessing location information
10 of law enforcement vehicles through certain electronic means.

ASSEMBLY, No. 1677

STATE OF NEW JERSEY 215th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2012 SESSION

Sponsored by:

Assemblyman GORDON M. JOHNSON

District 37 (Bergen)

Assemblywoman ANNETTE QUIJANO

District 20 (Union)

Co-Sponsored by:

Assemblymen Caputo, O'Scanlon, Schroeder, Coughlin, Gusciora and O'Donnell

SYNOPSIS

Prohibits access to police vehicle global positioning system.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



(Sponsorship Updated As Of: 10/16/2012)

1 AN ACT concerning the access to police vehicle global positioning
2 systems and supplementing Title 2C of the New Jersey Statutes.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. Except for a law enforcement officer working in an official
8 capacity or by order of the court, no person shall knowingly
9 intercept information as to the location of a police vehicle provided
10 by a global positioning system installed in that police vehicle, or
11 shall obtain possession of the record of a police vehicle's previous
12 locations as provided by the global positioning system. The
13 provisions of this section shall not apply to a police dispatcher
14 working in an official capacity, or to a county prosecutor or his
15 designee, or the Attorney General or his designee acting in an
16 official capacity during the course of an investigation. Any person
17 who violates this section is guilty of a crime of the fourth degree.

18 For the purpose of this act, "global positioning system" means a
19 reporting technology that is monitored by a network of electronic
20 navigation components in which a vehicle may be identified and
21 tracked via satellite.

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23 2. This act shall take effect immediately.

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STATEMENT

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28 This bill makes it a fourth degree crime for a person, who is not
29 a law enforcement officer or under order by a court, to knowingly
30 intercept information as to the location of a police vehicle provided
31 by a global positioning system or to obtain possession of a record of
32 the police vehicle's previous locations as provided by the global
33 positioning system. A fourth degree crime is punishable by up to 18
34 months imprisonment, a fine of up to \$10,000, or both.

ASSEMBLY HOMELAND SECURITY AND STATE
PREPAREDNESS COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, No. 1677

STATE OF NEW JERSEY

DATED: NOVEMBER 19, 2012

The Assembly Homeland Security and State Preparedness Committee reports favorably an Assembly Committee Substitute for Assembly Bill No.1677.

The Assembly Committee Substitute for Assembly Bill No. 1677 sets forth certain penalties for unauthorized access to information transmitted by an automatic vehicle location system which identifies the current or prior location of a law enforcement vehicle. The bill defines automatic vehicle location system as an automated system, such as a global positioning system, used for tracking the geographic location of a motor vehicle and transmitting that location information to an authorized receiving entity.

Under the provisions of this bill, it is a disorderly persons offense to intercept a signal transmitted by an automatic vehicle location system which identifies the current location of a law enforcement vehicle. In addition, it is a disorderly persons offense to disclose such information indicating the current or prior location of a law enforcement vehicle to another person. The bill establishes a fourth degree crime if a person uses such information for an unlawful purpose.

Under current law, a disorderly persons offense is punishable by up to six months imprisonment, a fine of up to \$1,000, or both. Fourth degree crimes are punishable by up to 18 months imprisonment, a fine of up to \$10,000, or both.

The bill clarifies that it is not unlawful for any person to use such vehicle location information to evaluate or examine the operations of a law enforcement agency. The bill clarifies that no person is to receive or access police vehicle location information if it would jeopardize the safety of a law enforcement officer or the public, or compromise the integrity of any ongoing investigation.

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR **ASSEMBLY, No. 1677**

STATE OF NEW JERSEY

DATED: JUNE 17, 2013

The Senate Law and Public Safety Committee reports favorably Assembly Committee Substitute No. 1677.

This bill sets forth certain penalties for unauthorized access to information transmitted by an automatic vehicle location system which identifies the current or prior location of a law enforcement vehicle. The bill defines automatic vehicle location system as an automated system, such as a global positioning system, used for tracking the geographic location of a motor vehicle and transmitting that location information to an authorized receiving entity.

Under the provisions of the bill, it is a disorderly persons offense to intercept a signal transmitted by an automatic vehicle location system which identifies the current location of a law enforcement vehicle. In addition, it is a disorderly persons offense to disclose such information indicating the current or prior location of a law enforcement vehicle to another person. The bill establishes a fourth degree crime if a person uses such information for an unlawful purpose.

Under current law, a disorderly persons offense is punishable by up to six months imprisonment, a fine of up to \$1,000, or both. Fourth degree crimes are punishable by up to 18 months imprisonment, a fine of up to \$10,000, or both.

The bill clarifies that it is not unlawful for any person to use such vehicle location information to evaluate or examine the operations of a law enforcement agency. The bill clarifies that no person is to receive or access police vehicle location information if it would jeopardize the safety of a law enforcement officer or the public, or compromise the integrity of any ongoing investigation.

As reported by the committee, this bill is identical to Senate Bill No. 2477, which also was reported on this date.

ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, No. 1677

STATE OF NEW JERSEY
215th LEGISLATURE

ADOPTED NOVEMBER 19, 2012

Sponsored by:

Assemblyman GORDON M. JOHNSON

District 37 (Bergen)

Assemblywoman ANNETTE QUIJANO

District 20 (Union)

Assemblywoman MARLENE CARIDE

District 36 (Bergen and Passaic)

Assemblyman BENJIE E. WIMBERLY

District 35 (Bergen and Passaic)

Co-Sponsored by:

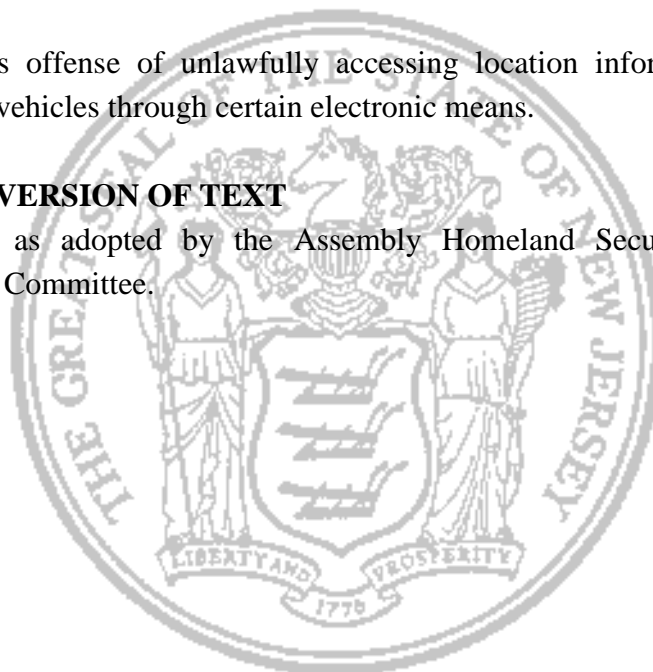
**Assemblymen Caputo, O'Scanlon, Schroeder, Coughlin, Gusciora,
O'Donnell, Assemblywoman Mosquera, Senators Weinberg and Norcross**

SYNOPSIS

Establishes offense of unlawfully accessing location information of law enforcement vehicles through certain electronic means.

CURRENT VERSION OF TEXT

Substitute as adopted by the Assembly Homeland Security and State Preparedness Committee.



(Sponsorship Updated As Of: 6/25/2013)

1 AN ACT concerning the access to information indicating the
2 location of law enforcement vehicles and supplementing Title 2C
3 of the New Jersey Statutes.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

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9 without license or privilege to do so, he knowingly intercepts a
10 signal transmitted by an automatic vehicle location system which
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13 license or privilege to do so, he knowingly discloses information
14 provided by a signal transmitted by an automatic vehicle location
15 system which identifies the current or prior location of a law
16 enforcement vehicle to a person who is not authorized to receive or
17 access such information.

18 (3) A person commits a crime of the fourth degree if he uses
19 information provided by a signal transmitted by an automatic
20 vehicle location system which identifies the current or prior
21 location of a law enforcement vehicle for an unlawful purpose.

22 b. (1) This section shall not in any way limit the authority of any
23 law enforcement officer acting within the scope of his official
24 duties.

25 (2) It shall not be deemed an unlawful purpose for any person to
26 use information provided by a signal transmitted by an automatic
27 vehicle location system which identifies the prior location of a law
28 enforcement vehicle to evaluate or examine the operations of a law
29 enforcement agency; provided, however, that nothing in this act
30 shall be deemed to authorize any person to receive or access
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32 vehicle location system which identifies the location of a law
33 enforcement vehicle if such receipt or access could reasonably
34 jeopardize the safety of a law enforcement officer or the public, or
35 compromise the integrity of any ongoing investigation.

36 c. Nothing in this act shall preclude an indictment and conviction
37 for any other offense defined by the laws of this State.

38 d. For purposes of this section:

39 "Automatic vehicle location system" means an automated
40 system, such as a global positioning system, for tracking the
41 geographic location of a motor vehicle and transmitting that
42 location information to an authorized receiving entity; and

43 "Global positioning system" means a reporting technology that is
44 monitored by a network of electronic navigation components in
45 which a vehicle may be identified and tracked via satellite.

46
47 2. This act shall take effect immediately.

SENATE, No. 2477

STATE OF NEW JERSEY
215th LEGISLATURE

INTRODUCED JANUARY 14, 2013

Sponsored by:

Senator LORETTA WEINBERG

District 37 (Bergen)

Senator DONALD NORCROSS

District 5 (Camden and Gloucester)

SYNOPSIS

Establishes offense of unlawfully accessing location information of law enforcement vehicles through certain electronic means.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/21/2013)

S2477 WEINBERG, NORCROSS

2

1 AN ACT concerning the access to information indicating the
2 location of law enforcement vehicles and supplementing Title 2C
3 of the New Jersey Statutes.

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5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

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STATEMENT

This bill sets forth certain penalties for unauthorized access to information transmitted by an automatic vehicle location system which identifies the current or prior location of a law enforcement vehicle. The bill defines automatic vehicle location system as an automated system, such as a global positioning system, used for tracking the geographic location of a motor vehicle and transmitting that location information to an authorized receiving entity.

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Under current law, a disorderly persons offense is punishable by up to six months imprisonment, a fine of up to \$1,000, or both. Fourth degree crimes are punishable by up to 18 months imprisonment, a fine of up to \$10,000, or both.

The bill clarifies that it is not unlawful for any person to use such vehicle location information to evaluate or examine the operations of a law enforcement agency. The bill further clarifies that no person is to receive or access police vehicle location information if it would jeopardize the safety of a law enforcement officer or the public, or compromise the integrity of any ongoing investigation.

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

SENATE, No. 2477

STATE OF NEW JERSEY

DATED: JUNE 17, 2013

The Senate Law and Public Safety Committee reports favorably Senate Bill No. 2477.

This bill sets forth certain penalties for unauthorized access to information transmitted by an automatic vehicle location system which identifies the current or prior location of a law enforcement vehicle. The bill defines automatic vehicle location system as an automated system, such as a global positioning system, used for tracking the geographic location of a motor vehicle and transmitting that location information to an authorized receiving entity.

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As reported by the committee, this bill is identical to the Assembly Committee Substitute for Assembly Bill No. 1677, which also was reported on this date.