

Automated License Plate Readers (ALPRs)

639.1 PURPOSE AND SCOPE

Automatic License Plate Recognition (ALPR) is a computer-based system that utilizes special cameras to capture a color image, as well as an infrared image, of the license plate of a passing vehicle. The ALPR system is used when there is a legitimate and specific law enforcement reason for identifying a vehicle for the purpose of protecting public safety, conducting criminal investigations, or ensuring compliance with local, state, and federal laws.

639.2 DEFINITIONS

- (a) **Criminal Investigation** - An investigation based on reasonable suspicion to determine if a crime has been, is in the process of being committed or will be committed.
- (b) **Hot List** - An informational data file which contains information on stolen or wanted vehicles as well as vehicles associated with AMBER alerts, missing or wanted subjects and other agency-defined information as part of a criminal investigation. Hot lists can be generated by local, state, and federal law enforcement agencies, including the National Crime Information Center ("NCIC").
- (c) **ALPR Cameras** -Can be mobile (mounted on vehicles) or on fixed positions such as freeway overpasses or traffic signals. ALPR systems mounted have all the necessary equipment to scan plates, notify the user of a vehicle hit, and upload the "Plate Scan" information into an "ALPR Repository" for retention and research.
- (d) **Optical Character Recognition (OCR)** - Technology used by an ALPR to convert an infrared image into a text file for comparison with other data files (Hot List).

639.3 GUIDELINES

Law Enforcement use of the ALPR systems is limited by 41-6a-2003 to:

- (a) Apprehend an individual with an outstanding warrant;
- (b) Locate a missing or endangered person;
- (c) To enforce motor carrier laws, or
- (d) To locate a stolen vehicle, or
- (e) As part of an active criminal investigation.
- (f) Troopers will not run ALPR data prior to, or during a traffic stop unless reasonable suspicion can be articulated for an active criminal investigation.
- (g) Any time ALPR data is used, written documentation and a case number must be completed.

639.4 ALPR DATA COLLECTION AND VERIFICATION

- (a) ALPR systems maintained by the Department are restricted to legitimate law enforcement uses as defined in the Guidelines section of this policy.

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- (b) The ALPR system recognizes license plates and does not identify the person operating the motor vehicle. The Department may, as a separate step and, for legitimate law enforcement purposes per the Federal Driver's Privacy Protection Act, and as set forth in this Policy, seek to identify the owner of a vehicle in the event the ALPR system generates an alert.
- (c) It shall be the responsibility of the officer requesting or using ALPR data to confirm the accuracy of the information with the Source Agency before taking any action.

639.5 ALPR DATA ACCESS AND SECURITY

- (a) Persons approved to access ALPR data under these guidelines are permitted to access the data for legitimate law enforcement purposes only.
- (b) Any information received during an ALPR search shall be included in the officer's report.
- (c) ALPR data shall be accessible only through a login/password-protected system capable of documenting all access of information including the user name, date and time of a search of captured license data.
- (d) The ALPR system shall document the crime type and incident number associated with each search of captured license data.
- (e) The system shall preserve a record of the crime type and incident number associated with each search of captured license data for at least five years.
- (f) ALPR data may be released to law enforcement agencies who have signed and entered into a memorandum of understanding with the Department to share access to the automatic license plate reader system or captured plate data retained by the Department.
- (g) ALPR data sharing systems shall be CJIS compliant and reviewed through the Statewide Information & Analysis Center's Privacy Impact Assessment tool.

639.6 ALPR DATA RETENTION AND PRIVACY

- (a) The retention period for all ALPR scanned data will be according to the Automatic License Plate Reader System Act within Utah State Law.
- (b) ALPR data will be purged unless it is subject to a preservation request or disclosure order under §41-6a-2005 or a warrant. The data will be destroyed as soon as reasonably possible in an unrecoverable manner at the end of the 9-month retention period authorized by 41-6a-2004(1)(c).
- (c) If subject to a preservation request, disclosure order or warrant, the applicable data shall be downloaded and provided to the investigating agency.
- (d) The Department shall preserve aggregate captured plate data for planning and statistical purposes for five years and may disclose aggregate anonymized data upon request consistent with Government Records Access and Management Act, Automatic License Plate Reader System Act, and DPS Policy.
- (e) Data will be safeguarded and protected by both procedural and technological means.

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- (f) All non-law enforcement requests for access to stored ALPR data shall be referred to the Department's Records personnel and processed in accordance with Utah law.
- (g) ALPR system audits should be conducted on a regular basis.
- (h) Any breach of stored information will be disclosed to the SIAC Privacy Officer and/or affected party.