

License Plate Readers (LPRs)

414.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance for the capture, storage and use of digital data obtained through the use of License Plate Reader (LPR) technology that the Santa Barbara Police Department uses through a contracted vendor AutoChalk parking enforcement solutions. The City of Santa Barbara has a separate Automated License Plate Recognition (ALPR) Procedure. [See attachment: City of Santa Barbara ALPR Procedures.pdf](#)

414.2 POLICY

The policy of the Santa Barbara Police Department is to utilize LPR technology to capture and store digital license plate data and images for parking enforcement related activity while recognizing the established privacy rights of the public.

All data and images gathered by the LPR are for the official use of this department.

414.3 ADMINISTRATION

The License Plate Recognition (LPR), allows for the automated detection of license plates. It is used by the Santa Barbara Police Department to convert data associated with vehicle license plates for official law enforcement purposes, including identifying stolen or wanted vehicles, stolen license plates and missing persons.

All installation and maintenance of LPR equipment, as well as LPR data retention and access, shall be managed by the vendor - AutoChalk solutions company in communications with the Public Safety Information Technology Manager, and in compliance with contracted policy and procedures.

414.3.1 LPR ADMINISTRATOR

The Public Safety Information Technology Manager with the assistance of the Parking Enforcement Supervisor shall be responsible for developing guidelines and procedures to comply with the requirements of Civil Code § 1798.90.5 et seq. This includes, but is not limited to (Civil Code § 1798.90.51; Civil Code § 1798.90.53):

- (a) A description of the job title or other designation of the members and independent contractors who are authorized to use or access the LPR system or to collect LPR information.
- (b) Training requirements for authorized users.
- (c) A description of how the LPR system will be monitored to ensure the security of the information and compliance with applicable privacy laws.
- (d) Procedures for system operators to maintain records of access in compliance with Civil Code § 1798.90.52.
- (e) The title and name of the current designee in overseeing the LPR operation.

Santa Barbara Police Department

Santa Barbara PD Policy Manual 2022

License Plate Readers (LPRs)

- (f) Working with the Custodian of Records and the AutoChalk solution vendor on the retention and destruction of LPR data.
- (g) Ensuring this policy and related procedures are conspicuously posted on the department's website.

414.4 OPERATIONS

Use of an LPR is restricted to the purposes outlined below. Department members shall not use, or allow others to use the equipment or database records for any unauthorized purpose (Civil Code § 1798.90.51; Civil Code § 1798.90.53).

- (a) An LPR shall only be used for official law enforcement business, including parking enforcement
- (b) An LPR may be used in conjunction with any routine patrol operation or criminal investigation. Reasonable suspicion or probable cause is not required before using an LPR.
- (c) No member of this department shall operate LPR equipment or access LPR data without first completing department-approved training.
- (d) No LPR operator may access department, state or federal data unless otherwise authorized to do so.
- (e) If practicable, the parking enforcement officer should verify an LPR response through the California Law Enforcement Telecommunications System (CLETS) before taking enforcement action that is based solely on an LPR alert.

414.5 DATA COLLECTION AND RETENTION

The Public Safety Information Technology Manager with the assistance of the Parking Enforcement Supervisor is responsible for ensuring systems and processes are in place for the proper collection and retention of LPR data. Data will be transferred from parking enforcement vehicles to the designated vendor storage in accordance with department procedures and vendor policies.

All LPR data downloaded to the vendor server should be stored in accordance with the established records retention schedule per contracted procedures and legal requirements.

Routine Data Collection shall not be stored beyond 30 days, except when lawfully required to by subpoena, court order or during an ongoing investigation. After 30 days records will be purged by the vendor. The data records stored on the regional LPR server include photographs of the vehicle (close-up of the license plate and context photo of the rear of the vehicle) and accompanying license plate number, date, time, and location in the field, and does not directly identify a particular person.

Thereafter, LPR data should be purged unless it has become, or it is reasonable to believe it will become, evidence in a criminal or civil action or is subject to a discovery request or other lawful action to produce records. In those circumstances, the applicable data should be downloaded from the contracted companyserver onto portable media and booked or digitally retained into evidence.

Santa Barbara Police Department

Santa Barbara PD Policy Manual 2022

License Plate Readers (LPRs)

414.6 ACCOUNTABILITY

All data will be closely safeguarded and protected by both procedural and technological means. The Santa Barbara Police Department will observe the following safeguards regarding access to and use of stored data (Civil Code § 1798.90.51; Civil Code § 1798.90.53):

- (a) All LPR data downloaded to the vendor regional database storage shall be accessible only through a login/password-protected system capable of documenting all access of information by name, date and time (Civil Code § 1798.90.52).
- (b) Members approved to access limited LPR data under these guidelines are permitted to access the limited data for legitimate law enforcement purposes only, such as when the data relate to a specific parking enforcement action, criminal investigation or department-related civil or administrative action.
- (c) LPR system audits should be conducted on a regular basis.

For security or data breaches, see the Records Release and Maintenance Policy.

414.7 RELEASING LPR DATA

The LPR data may be shared only with other law enforcement or prosecutorial agencies for official law enforcement purposes or as otherwise permitted by law, using the following procedures:

- (a) The agency makes a written request for the LPR data that includes:
 - 1. The name of the agency.
 - 2. The name of the person requesting.
 - 3. The intended purpose of obtaining the information.
- (b) The request is reviewed by the Strategic Operations and Personnel Division Commander or the authorized designee and approved before the request is fulfilled.
- (c) The approved request is retained on file.

Requests for LPR data by non-law enforcement or non-prosecutorial agencies will be processed as provided in the Records Maintenance and Release Policy (Civil Code § 1798.90.55).

414.8 TRAINING

The Training Manager working with the Parking Enforcement Supervisor should ensure that members receive department-approved training for those authorized to use or access the ALPR system (Civil Code § 1798.90.51; Civil Code § 1798.90.53).

Attachments

Cityof Santa Barbara ALPR Procedures.pdf

City of Santa Barbara

Automated License Plate Recognition Procedure

What is it: Automated License Plate Recognition (ALPR) technology utilizes cameras to capture and store digital images of license plates, and uses character recognition algorithms to identify license plate characters. An ALPR system creates a searchable computerized database resulting from the fixed cameras located at the entrance/exit of numerous City-operated public parking lots, and vehicle-mounted or handheld cameras for on-street parking spaces designated as priced or paid parking. ALPR system data includes license plate number as well the date, time, and location when the image was collected.

Purpose: The purpose of this policy is to define the City's appropriate use, maintenance, collection, security, and retention of all ALPR information, and the authorized users of the City's ALPR technology, in compliance with all applicable federal, state, and local laws. This policy is separate from any ALPRs used by the Santa Barbara Police Department (SBPD). The SBPD maintains their own policy for ALPRs.

The City of Santa Barbara utilizes ALPR technology to capture, analyze, and store digital license plate data and images to enable the rapid identification of vehicles in support of parking operations and compliance activities. ALPR will be used in addition to or in place of paper tickets to log the times at which a vehicle enters or exits a City parking lot in order to determine the fee due upon exit. ALPR and customer license plate data will also be used in addition to or in lieu of proximity access cards and permit stickers to grant lot entry to monthly and annual parking permit holders.

License plate information paired to vehicles entering City-operated public parking lots will be used to improve access control, improve enforcement of City parking ordinance violations in the lots that utilize ALPR. For example, information on vehicles coming into a lot will be anonymized and aggregated to analyze various metrics including parking patterns, permit-type usage, and compliance.

Restricted Uses: The City will only use ALPR technology to collect license plate data within public view. The City will not use ALPR technology for the purpose of monitoring individual activities that are otherwise protected by the First Amendment to the United States Constitution. The cameras shall not be used in areas where there is a reasonable expectation of privacy, such as off City property, and shall not be used to harass, intimidate, or discriminate against any individual or group.

Training: Pursuant to California Civil Code Section 1798.90.51(b), all Authorized Users shall receive training prior to being provided Access to ALPR system and data. A record of all completed training will be maintained by the respective City departments. ALPR

operators will receive initial training from the company providing the software and hardware on the procedure and proper use of the system prior to being granted access to the ALPR system. In addition, each user will also receive annual refresher training from the Program Manager or designee. Training shall include:

1. Applicable federal and state law.
2. Functionality of the equipment.
3. Safeguarding password information, access to ALPR systems, and ALPR information.

Access: Authorized users with access to ALPR data shall include staff with a City operational need who specifically oversee and/or are responsible for parking operations and enforcement within City Departments including Public Works, Waterfront, and Airport, as well as City-contracted parking operations and enforcement vendors. The Program Manager for each City Department employing an ALPR system will be the custodian and head administrator of the ALPR systems and its operation. The only individuals who have access and ability to query data in the system are:

- Program Manager
- Parking Supervisors
- Parking Coordinators
- Parking Resources Specialist
- Parking Office Specialist
- Waterfront Operations Manager
- Downtown Plaza and Parking Manager
- Harbor Patrol Supervisor
- Airport Patrol Supervisor
- Harbor Patrol Officers
- Airport Patrol Officers

All logins and queries will be stored and monitored and will contain the following information:

- Username
- Date
- Time
- Purpose of query
- License plate and other elements used to query the system

These data points will be stored and monitored by the Department's respective Program Manager, Harbor Patrol, Airport Patrol, Parking Services, and Parking Operations staff. License plates will only be referenced against the respective Department's Annual Parking/Parking Permit vehicle database and tickets generated at the entrance columns.

The Program Manager or their designee will also run periodic audits to ensure access to the data was made by authorized persons for authorized uses.

Information Collected: The following information may be collected by the ALPR system:

- License plate image captured
- License plate number
- License plate state
- Date
- Time
- Location

Information Stored & Data Retention: ALPR data will be sent and stored at the vendors regional database. The database will store license plate numbers of monthly and annual parking permit holders and hourly customers. This information will be used by the ALPR system to allow permit holders to gain entry to the City parking lot for which their permit is valid and to exit without having to provide payment. The permit holder's license plate number is used in lieu of, or in addition to, proximity access cards, plastic hang tags, stickers, and other types of permit materials. Routine Data Collection shall not be stored beyond 30 days, except when lawfully required to by subpoena, court order or during an ongoing investigation. After 30 days records will be purged by the vendor. The data records stored on the regional LPR server include photographs of the vehicle (close-up of the license plate and context photo of the rear of the vehicle) and accompanying license plate number, date, time, and location in the field, and does not directly identify a particular person.

Security: The City of Santa Barbara uses administrative, operational, technical and physical safeguards to protect ALPR information from unauthorized access, use, destruction, modification or disclosure including the following safeguards:

- Administrative: Username and password-protected access to the ALPR system. The system shall be capable of documenting all information accessed by username. Database usage will be monitored and audited.
- Operational: Training on proper use and secure practices when using ALPR and its database.
- Physical: All network equipment and servers containing sensitive data maintained in a secured location and accessed only by authorized personnel. Secure storage of computers with access to database, and secure off-site database.
- Technical: All information is encrypted to protect any personally identifiable information. ALPR system workstations and servers shall be updated with latest security patches on a regular basis. ALPR data shall be secured, encrypted, and backed up regularly.

In the very unlikely event of an information breach that constitutes a violation under California Penal Code section 502, all individuals who are believed to be affected or have their information compromised will be notified by the City of Santa Barbara, via the affected City Department.

Quality Assurance: Collection of ALPR is automated so the license plate images and

details of collection are included in the system without review. Although infrequent, license plate translation may be incomplete or inaccurate. The Program Manager or their designee will ensure accuracy and correct license plate translation errors when identified. Users will also confirm the computer translation prior to taking any action based on ALPR results.

Releasing ALPR Data: The City will not share ALPR information with any commercial or private entity, other than City parking contractors and enforcement vendors, as necessary for the conduct of City parking operations. The City will include confidentiality provisions in its agreements with any parking contractors and/or vendors to prohibit any use or distribution of ALPR information for any purpose other than the Authorized Uses under this Policy. Information gathered or collected and records retained by the City of Santa Barbara must not be:

- Sold, published, exchanged, or disclosed for commercial purposes.
- Disclosed or published without authorization.
- Disseminated to persons not authorized to access or use the information.

The City will provide ALPR data to law enforcement agency if subpoenaed by a court or other public agency that has the legal authority to require the release of ALPR data. In addition, information gathered will not be disclosed to the public unless such disclosure is required by law or court order.

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Requests for Images from Members of the Public:

Enforcement: Violation of this Policy by a City employee may lead to suspension or termination of that staff person's access to the ALPR system.