

October 10, 2014

The Minnesota Chiefs of Police and the Minnesota Sheriffs' Association propose the following provisions regulate the use of License Plate Readers by Minnesota law enforcement:

- All LPR data must be destroyed no later than 180 days from the time of collection unless it becomes part of an active criminal investigation.
- LPR data is classified as confidential data.
- New Safe at Home protections should be included.
- A new public log must be maintained containing:
 - ◆ Specific time of day that LPR data are collected.
 - ◆ The aggregate number of vehicles or license plates that data are collected for each period of active use.
 - ◆ For a reader at a stationary location, the location where the reader was actively collecting data. Some stationary reader locations need to remain confidential due to security issues (example: MSP, power plants).
- The law enforcement agency must also maintain logs showing the date data was collected and how the data was classified (hit or not).
- LPR data may be shared with another law enforcement agency, however the requesting agency must also provide a reasonable suspicion basis for the request and a case file number as part of their request.
- A biennial audit is required.
- Compliance with existing data practice requirements relating to data access.
- A Responsible Authority establishes written procedures to ensure that law enforcement personnel have access to data only with written authorization from a sheriff, chief, or their designee.
 - ◆ Law enforcement suggests that the RA, Sheriff, or Chief or their designee establish written procedures that require that only law enforcement personnel who have received training on the law, department policy, and the use of ALPR and software may access the data.
- Access may be obtained only for a specific law enforcement purpose. Access must be based only on reasonable suspicion, a record of the reasonable factual basis for the query, and the associated case number, complaint, or event.
- Law enforcement must notify the BCA within 10 days of installation or current use of an ALPR.
- BCA must maintain a list of agencies currently using LPRs, including the location of stationary readers, unless that location disclosure would be a security risk.