

**MINNESOTA COALITION ON GOVERNMENT INFORMATION**  
**Informational brief on ALPR**  
**(Automated License Plate Reader) data**

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**House Civil Law Committee, February 10, 2015**

**Executive summary:** ALPR data are currently governed by a temporary data classification issued by the Commissioner of Administration on March 18, 2013. The temporary classification makes certain ALPR data “not public” until August 1, 2015, after which time such data will revert to its presumptively public status.

**Analysis of data status**

**1) All government data are presumed to be public unless otherwise classified.** (Minn. Stat. 13.03 Subd. 1).

This public presumption is the baseline for all government data under Minnesota law. Exceptions to the public presumption stem from Minnesota statutes, temporary data classifications, or federal law.

**2) ALPR data (in general) has no specific status under Minnesota law, and was presumed to be “public” prior to March 18, 2013.**

The Minnesota legislature is vested with the authority to classify Minnesota government data, unless federal law controls. Under circumstances in which the legislature is unable to act, the Commissioner of Administration has statutory authority to issue temporary data classifications. Prior to the issuance of the Commissioner’s ALPR data classification of March 18, 2013, the legislature had not acted to classify ALPR data. Thus, such data was presumptively public up until the Commissioner’s classification took effect.

**3) The Commissioner’s ALPR classification made specific ALPR data “not public” for a limited time.**

The Commissioner’s ALPR classification made the following ALPR data either “private or “nonpublic”:

- a) License plate numbers captured by ALPR systems;

b) Date, time, and location of where/when vehicle license plates were captured by ALPR systems;

c) Images of license plates, vehicles, and surroundings captured by ALRP systems.

The Commissioner's ALPR opinion currently applies to all government entities in Minnesota. It expires on August 1, 2015.