

INSTALLING AUTOMATED LICENSE PLATE READER SYSTEMS ON CDOT RIGHT OF WAY

PURPOSE

The purpose of this document is to provide guidance for law enforcement requests made to the Colorado Department of Transportation (CDOT) regarding the installation and use of automated license plate reader (ALPR) systems on CDOT right of way.

APPLICABILITY

This guidance is applicable to all requests from state, county or local law enforcement agencies requesting the placement and use of ALPR systems on CDOT right of way. These procedures are not applicable to the placement of ALPR systems utilized for administrative and/or compliance purposes (such as tolling, fees, inspections, intelligent transportation systems, etc.) otherwise approved by CDOT or authorized by statute.

SCOPE

The use of law enforcement ALPRs affixed to or installed on CDOT ITS infrastructure are meant to ensure that ALPRs and ALPR-generated data will be used in an appropriate manner and only for bonafide public safety purposes. An ALPR and data generated by an ALPR on CDOT right of way shall only be used for official and legitimate law enforcement business.

DEFINITIONS

1. **24-72-113 C.R.S.** is the Colorado Revised Statutes addressing the limit on retention on passive surveillance records, applicable to ALPR data.
2. **28 CFR PART 23** is the United States Code of Federal Regulation addressing criminal intelligence systems operating policy.
3. **AUTHORIZED USER** means a sworn or civilian employee of a law enforcement agency who has been authorized by the chief of the agency, or by his or her designee, to operate an ALPR, or to access and use ALPR stored data, and who has successfully completed training provided by the agency on the agency's ALPR policy.
4. **ALPR** is an acronym for Automated License Plate Reader which means a system consisting of a camera, or cameras, and related equipment that automatically and without direct human control locates, focuses on, and photographs license plates and vehicles that come into range of the device, that automatically converts digital photographic images of scanned license plates into electronic text documents, that is capable of comparing scanned license plate text data with data files for vehicles on a BOLO list programmed into the device's electronic memory, and that notifies police, whether by an audible alert or by other means, when a scanned license plate matches the license plate on the programmed BOLO list. ALPR is known by several other names, including Automatic Number Plate Recognition (ANPR), Automatic Vehicle Identification (AVI), Car Plate Recognition (CPR), and License Plate Recognition (LPR).
5. **BOLO** is an acronym for Be on the Lookout which refers to a determination by a law enforcement agency that there is a legitimate and specific law enforcement reason to identify or locate a particular vehicle, or, in the case of a post-scan BOLO, there is a legitimate and specific reason to ascertain the past location(s) of a particular vehicle.
6. **CCIC** is an acronym for the Colorado Crime Information Center maintained by the Colorado Bureau of Investigation.
7. **CRIME ANALYSIS** refers to the analytical process by which stored ALPR data is used, whether alone or in conjunction with other sources of information, to detect crime patterns by studying and linking common elements of recurring crimes; to predict when and where future crimes may occur; and to link specific vehicles to potential criminal or terrorist activity.
8. **HIT** is a license plate that has been scanned and is believed to be contained in the current Hotlist.
9. **HOT LIST** is a compilation of one or more license plates, or partial license plates, of a vehicle or vehicles for which a BOLO situation exists that is programmed into an ALPR so that the device will alert if it captures the image of a license plate that matches a license plate included on the BOLO list. The term also includes a

compilation of one or more license plates, or partial license plates, that is compared against stored license plate data that had previously been scanned and collected by an ALPR, including scanned license plate data that is stored in a separate data storage device or system.

10. **NCIC** is an acronym for the National Crime Information Center maintained by the Federal Bureau of Investigation.
11. **PERSONAL IDENTIFYING INFORMATION** as defined by 24-74-102(1) C.R.S. "means information that may be used, along or in conjunction with any other information, to identify a specific individual, including but not limited to a name; a date of birth; a place of birth; a social security number or tax identification number; a password or pass code; an official government-issued driver's license or identification card number; information contained in an employment authorization document; information contained in a permanent resident card; vehicle registration information; a license plate number; a photograph, electronically stored photograph, or digitized image; a fingerprint; a record of a physical feature, a physical characteristic, a behavioral characteristic, or handwriting; a government passport number; a health insurance identification number; an employer, student, or military identification number; a financial transaction device; a school or educational institution attended; a source of income; medical information; biometric data; financial and tax record; home or work addresses or other contact information; family or emergency contact information; status as a recipient of public assistance or as a crime victim; race; ethnicity; national origin; immigration or citizenship status; sexual orientation; gender identity; physical disability; intellectual and developmental disability; or religion."
12. **SCAN** refers to the process by which an ALPR automatically focuses on, photographs, and converts to digital text the license plate of a vehicle that comes within range of the ALPR.
13. **STORED DATA** refers to all information captured by an ALPR and stored in the device's memory or in a separate data storage device or system. The term includes the recorded image of a scanned license plate and optical character recognition data, a contextual photo (i. e., a photo of the scanned vehicle and/or occupants), global positioning system("GPS") data (when the ALPR is equipped with a GPS receiver) or other location information, and the date and time of the scan. The term applies to both alert data and non-alert data that has been captured and stored by an ALPR or in a separate data storage device or system.

PROCEDURES

A request regarding the installation and use of ALPR systems on CDOT right of way on a state highway is a multi-step process. Instructions and forms for applying to install an ALPR on the CDOT right of way are available at <https://www.codot.gov/business/permits/utilitiesspecialuse>. The requesting agency must first complete the **CSP ALPR Evaluation Checklist** and submit it to CSP for review. Following CSP review and approval, the requesting agency must agree to and comply with **Terms and Conditions of Automated License Plate Reader Permits** and then file and obtain approval for a **CDOT Special Use Permit**. The Permit must be approved by CDOT as a condition of and prior to installing the agency's ALPR system on CDOT right of way.

1. THE COLORADO STATE PATROL ALPR EVALUATION CHECKLIST

In order to assist local, county and state law enforcement agencies, the Colorado State Patrol will perform a review of the CSP ALPR Evaluation and Checklist. The intent of this review is to confirm that use of law enforcement ALPRs, and ALPR generated data, on CDOT right of way will be used in an appropriate manner and only for bonafide public safety purposes and legitimate law enforcement business. Agencies are encouraged to communicate and coordinate with the Colorado State Patrol Investigative Services Section throughout this review process.

The review will also include identification of existing ALPR systems on the CDOT right of way to minimize redundancy, the ability and intent of the ALPR system to share ALPR reads with other law enforcement agencies, and the use of general guidance, best practices and standards for the use of ALPR, such as those published by the International Association of Chiefs of Police,¹ Criminal Justice Information Sharing System²,

¹ <http://www.theiacp.org/ALPR-Policy>

² 28 Code of Federal Regulations Part 23

and applicable Colorado Revised Statutes.³ The review may engage advice from the Governor's Office of Information Technology, CJIS Compliance, ALPR vendor, Colorado Information Sharing Consortium, or other specialized entity or agent.

Should concerns arise, the requesting agency may be contacted for further explanation or submission of documentation. Upon completion, the CSP Review will provide a recommendation to CDOT as either approved, not approved or recommended for further study.

To initiate the CSP Review Process, the requesting agency should contact:

Investigative Services Section
Colorado State Patrol
15055 S Golden Road, Golden, CO 80401
303-273-1771

2. CONSIDERATIONS AND ADVISORIES

Agencies requesting installation of an ALPR on CDOT right of way should be cognizant of varying complexities involved with requesting, installing and operating an ALPR system on CDOT right of way. These complexities include:

- a. The agency's knowledge, experience and ability to manage, operate and control the ALPR system being requested for installation on CDOT right of way,
- b. The vendor's experience, background and ability to demonstrate responsiveness and conformity with requirements of the requesting law enforcement agency and permitting, installation and maintenance conditions which may be required of CDOT.
- c. The ALPR system's ability to perform, including:
 - i. Capture Efficacy - the measure of effectiveness of the ALPR unit to capture the license plate information that passes through the ALPR camera's field of view.
 - ii. Read Accuracy – the measure of accuracy of the ALPR's interpretation of captured plates with the actual alphanumeric characters of the plate.
 - iii. Matching Effectiveness – the measure of effectiveness of the ALPR unit's software matching algorithms to accurately match license plate reads to a hot list.
 - iv. Capture/Read Factors – this includes the ability of the ALPR to capture, accurately read and match license plates for character and plate color, plate design (stacked characters), state of origin, plate obstructions (bent, dirty, etc.), plate location, weather conditions, camera angle, and vehicle speed.
 - v. Database and Sharing Capabilities - this includes the ability of the ALPR system's database to provide security compliance regarding criminal justice information sharing and an ability to enable ease of sharing of the ALPR system's data among state-wide law enforcement agencies.
- d. The design of the ALPR system, including the types of:
 - i. Hardware and software to be installed,
 - ii. Power system(s) required for the ALPR system (e.g., hard-wired, solar powered, battery backup, etc.),
 - iii. Communications system required for the ALPR system (e.g., WiFi, LTE, etc.),
 - iv. Mounting system required for the ALPR system (e.g., pole, overhead, etc.), and
 - v. Data management requirements (e.g., retrieval of CCIC hotlists, data management, etc.), and/or
 - vi. Durability and sustainability of the ALPR system during inclement weather conditions,
- e. Special requirements for ALPR installation may include:
 - i. Installation of mounting systems for the ALPR system (e.g., poles, brackets, etc.),
 - ii. Installation of power and communications systems for the ALPR system (e.g., battery backup, LTE communications box, etc.), and/or

³ 24-72-113 C.R.S. Passive Surveillance Records

- iii. Engaging a certified traffic control supervisor or licensed professional engineer from a traffic management company to generate a Traffic Control Plan (TCP) or Method of Handling Traffic (MHT).
- f. Maintenance and management of the ALPR system (once installed) due to changes or cancellation of the ALPR system. As with all technology systems, the ALPR industry has experienced fast-paced innovations, enhancements, and upgrades. These innovations have resulted in a growing number of vendors, upgraded communication systems, camera systems, advancements in imagery captures, hardware and software improvements, and cost reduction efforts for purchasing and/or subscription services. These changes require the law enforcement agency to be cognizant that any maintenance or removal of an installed ALPR system on CDOT right of way requires communication with CSP and permitting with CDOT.

CSP ALPR Evaluation and Checklist

Applicant Agency: _____

Agency Representative Name: _____ Title: _____

Email: _____ Phone: _____

ALPR Vendor Name: _____ Vendor Representative: _____

ALPR Make: _____ ALPR Model: _____

Requested ALPR Location: _____

Latitude: _____ Longitude: _____

The following questions must be answered for the Colorado State Patrol to provide an evaluation on installing ALPR system(s) on CDOT Infrastructure.

1. Does the requesting agency have written policies and procedures that address the use of ALPR and ALPR databases?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2. Does the requesting agency manage, control and update authentication for personnel authorized to use, access and retrieve ALPR equipment, devices and related databases?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
3. Does the requesting agency have written policies and procedures on database retention of ALPRs?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
4. Does the requesting agency limit database retention of ALPRs to no more than 1 year?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
5. Does the requesting agency have a written policy or procedure to upload the CCIC and NCIC Hotlist on the ALPR on a minimum of a daily basis?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
6. Does the requesting agency have a written policy or procedure which addresses operational confirmation of hits from the ALPR?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
7. Does the requesting agency have written policies and procedures on information sharing with specific non-governmental entities to ensure data retention and information sharing is compliant with federal, state and local laws and regulations?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
8. Is the requesting agency willing to submit ALPR results, such as the number of ALPR reads, hours deployed and number of hits, to the State Patrol and/or CDOT upon request?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
9. Does the requesting agency have written policies or procedures that address security and access of the ALPR data specifically that the ALPR data can only be accessed by authorized law enforcement personnel and used only for legitimate, specified and documented law enforcement purposes?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
10. Does the requesting agency have written policies or procedures regarding identifying wanted person(s) or motor vehicle(s) through the use of a hot list provided by the Colorado Crime Information Center and/or the National Crime Information Center?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
11. Does the requesting agency have written policies or procedures to address identifying person(s) or motor vehicle(s) of public safety interest for who or whom there is a legitimate and documented law enforcement reason to identify and locate?	<input type="checkbox"/> Yes	<input type="checkbox"/> No

12. Does the requesting agency have written policies or procedures to address comparing license plates that are associated with specific vehicle(s) or person(s) for which or whom there is a legitimate and documented law enforcement reason to identify and locate?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
13. Does the requesting agency have written policies or procedures to address crime analysis of stored ALPR data for detection, prevention or apprehension of criminal activity or criminal person(s), including protecting the homeland from terrorist attack, while safeguarding the personal privacy rights of motorist?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
14. Does the requesting agency have written policies or procedures regarding crime analysis of stored ALPR data which is not used as a means to disclose personal identifying information about an individual unless there is a legitimate and documented law enforcement reason for disclosing such personal information to a law enforcement officer or crime analyst?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
15. Does the requesting agency have written policies or procedures regarding stored ALPR data purging prior to the first anniversary of its creation?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
16. Is the requesting in agreement to notify the Colorado State Patrol and CDOT in the event the installed ALPR system is no longer needed, may be life-cycled or are otherwise inoperable?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
17. Is the requesting agency in agreement to annually notify the Colorado State Patrol that the ALPR system is in operational condition and is being maintained by the requesting agency?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Comments and Remarks			
State Patrol Review		Acknowledged By:	
Signature	Date	Signature	Date
Printed Name	Title	Printed Name	Title
Recommendation			
<input type="checkbox"/> Approved <input type="checkbox"/> Further Study <input type="checkbox"/> Not approved			