



City of Santa Barbara
Downtown Parking Committee

Memorandum

DATE: September 10, 2020

TO: Downtown Parking Committee

FROM: Robert J. Dayton, Transportation Planning and Parking Manager

SUBJECT: Review of City Draft Automated License Plate Recognition (ALPR) Policy

RECOMMENDATION:

That the Committee receive a report and recommend that City Council approve the draft City of Santa Barbara Automated License Plate Recognition Policy.

EXECUTIVE SUMMARY:

Pursuant to California Civil Code Section 1798.90.51, the Airport, Public Works, and Waterfront Departments have jointly developed a policy governing the use of Automated License Plate Recognition (ALPR) systems for management of parking operations in City facilities. The proposed Policy outlines Department processes for using ALPR systems and data to manage City parking facilities, and ensures that the collection, management, use, maintenance, sharing, and dissemination of ALPR information is consistent with respect to individuals' privacy, security, and civil liberties.

DISCUSSION:

The City of Santa Barbara manages approximately 7,362 parking spaces in its lots located at the Waterfront, Airport, and within the Downtown corridor. Departments use access and revenue control systems to collect parking fees, control lot access, and ensure customer compliance with rules and regulations. Parking technology is advancing rapidly, and most newer Parking Access and Revenue Control Systems (PARCS) and enforcement systems incorporate Automated License Plate Recognition (ALPR) technology to optimize the collection of revenue, reduce staffing costs, and enhance the customer experience.

An ALPR-equipped PARCS uses specialized cameras to capture images of license plates. These images are fed through programs that use character recognition algorithms to convert the images into computer-readable data that is stored in a database, which can

then be used for many different applications. In parking lots, ALPR technology is typically used for access control, revenue collection, and improved customer service. Mounted cameras capture license plate data as vehicles enter and prior to exiting the parking facility. The data captured upon entry and exit is used by the system to calculate the fee due or automatically lift the gate if the vehicle is within the complimentary period. The ALPR system can also allow parking permit holders to pass into and out of lots without having to pull entrance tickets or pay fees upon exit. The license plate number takes the place of the traditional access card, hang tag, or permit sticker.

ALPR systems can improve customer service and parking management by:

- Reducing customer wait times at entrance and exit;
- Reducing or eliminating customer penalty charges for lost tickets;
- Improving revenue collection by preventing abuse of complimentary parking periods;
- Improving management of permit parking programs and creating a simpler, more efficient permitting process for customers;
- Simplifying revenue recovery and billing for customers unable to provide payment upon exit; and,
- Facilitating the use of mobile payment options.

California Civil Code 1798.90.51 requires the City, as an ALPR operator, to adopt a usage and privacy policy in order to ensure that the collection, use, maintenance, sharing, and dissemination of ALPR information is consistent with respect to individuals' privacy, security, and civil liberties. Civil Code Section 1798.90.55 further requires that the City provide an opportunity for the public to review and comment on this policy at a Council meeting.

Accordingly, the Waterfront, Airport, and Public Works Departments have jointly developed a draft City of Santa Barbara Automated License Plate Recognition Policy to govern any future use of ALPR systems in City parking operations. The proposed policy is separate from existing policies that govern Police Department uses of ALPR technology. Per Civil Code requirements, the proposed policy:

- **Defines the authorized uses for the ALPR system.** The Policy authorizes City departments to use ALPR in support of parking operations and compliance activities. The Policy prohibits the City from using ALPR data for monitoring individuals, and prohibits use of ALPR cameras in areas where there is a reasonable expectation of privacy.
- **Specifies which City employees and contractors are authorized to access the ALPR system.** Access to ALPR systems is limited to City staff in the Airport, Public Works, and Waterfront Departments who oversee or are responsible for parking operations and enforcement.
- **Outlines training requirements for City staff authorized to access the ALPR system.** The Policy requires all authorized users of ALPR systems to receive training prior to being granted system access, and refresher training each year thereafter.

- **Describes how ALPR systems will be monitored to ensure the security of information and compliance with applicable privacy laws.** The Policy requires ALPR systems to store information about all logins and data queries. These data points will be monitored periodically audited by the Department's designated Program Manager to ensure access to the data is made by authorized persons for authorized uses only.
- **Defines the purposes of, processes for, and restrictions on the sale, sharing, or transfer of ALPR information to other persons or agencies.** The Policy prohibits the sale, publication, exchange, or disclosure of ALPR data for commercial purposes, the unauthorized disclosure or publication of ALPR data, and the dissemination of ALPR information to unauthorized persons. For example, ALPR data would not be disclosable in response to a Public Records Request. The City will provide ALPR data to law enforcement agencies only if subpoenaed by a court or other public agency with the legal authority to require the release of ALPR data. ALPR data will not be disclosed to the public unless required by law or court order.
- **Defines the title of the official custodian, or owner, of the ALPR system responsible for implementing Civil Code requirements for ALPR systems.** The Policy designates the Program Manager in each department as the official custodian of that Department's ALPR system, and assigns responsibility for implementing Civil Code requirements to this individual.
- **Describes the reasonable measures that will be used to ensure the accuracy of ALPR information and correct data errors.** The Program Manager or their designee will review ALPR data for accuracy and correct license plate translation errors when identified. Authorized staff will confirm the computer translation of license plate characters prior to taking any action, such as applying fees or penalties, based on ALPR results.
- **Describes the length of time ALPR information will be retained, and the process the ALPR operator will utilize to determine if and when to destroy retained ALPR information.** The Policy requires the City or their vendors to purge ALPR data after 30 days, unless otherwise required by subpoena or court order.

This policy is scheduled for review by City Council at their regular meeting on September 29, 2020.

ATTACHMENT: DRAFT City of Santa Barbara Automated License Plate Recognition Policy

City of Santa Barbara

Automated License Plate Recognition Policy

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 data collected by 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 ALPR technology used by the Santa Barbara Police Department (SBPD). The SBPD maintains their own policy for ALPR.

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 shall supplement or replace 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 shall also supplement or replace 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 is used to improve access control and enforcement of City parking ordinance violations in the lots that utilize ALPR. For example, information on vehicles coming into a lot is anonymized and aggregated to analyze various metrics including parking patterns, permit-type usage, and compliance.

Restricted Uses: The City only uses ALPR technology to collect license plate data within public view. The City does 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, 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 granted access to an ALPR system and data. A record of all completed training is maintained by the respective City departments. ALPR operators receive initial training from the vendor providing the ALPR software and hardware. The training includes the procedure and proper use of the system prior to being granted access to an ALPR system. In addition, each user also receives an annual refresher training from the Program Manager or designee. The training includes:

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 to specifically oversee such a system 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 is the custodian and head administrator of its ALPR systems and their operation. The only individuals with access and the ability to query data in the system are:

- Program Manager, and their designee(s)
- 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 are stored and monitored, and contain the following information:

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

This data shall be stored and monitored by each respective Department's Program Manager, Harbor Patrol, Airport Patrol, Parking Services, and Parking Operations staff. License plates are only 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 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 shall be sent to and stored in the ALPR vendor's regional database. The database stores license plate numbers of monthly and annual parking permit holders and hourly customers. This information is 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 to supplement or replace proximity access cards, plastic hang tags, stickers, and other 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, the vendor shall purge routine data records. The data records stored on the regional ALPR 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; such records do 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 document all information access by username, and the database usage shall be monitored and audited.
- **Operational:** Training system users on proper use and secure practices when using ALPR and its database.
- **Physical:** All network equipment and servers containing sensitive data are maintained in a secure off-site location, and accessed only by authorized personnel. This includes the secure storage of computers with access to the off-site database.
- **Technical:** All information is encrypted to protect any personally identifiable information. ALPR system workstations and servers shall be updated with the 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 shall be notified by the City of Santa Barbara, via

the affected City Department(s).

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 ensure accuracy and correct license plate translation errors when identified. Users also confirm the computer translation prior to taking any action based on ALPR results.

Releasing ALPR Data: The City does not share ALPR information with any commercial or private entity, other than City parking contractors and enforcement vendors, as necessary to conduct City parking operations. The City includes 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 shall 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 shall not be disclosed to the public unless such disclosure is required by law or court order.

Requests for Images from Members of the Public: Persons that have a subpoena or preservation letter, and are interested in requesting ALPR, are directed to the Santa Barbara City Clerk's Office. Persons that do not have a subpoena or preservation letter, and are interested in requesting ALPR data are also directed to the Santa Barbara City Clerk's Office.

Enforcement: Violation of this Policy by a City employee, contractor, or other authorized user, may lead to suspension or termination of that user's access to the ALPR system.