

# PROPOSED USE POLICY FOR VEHICLE-MOUNTED AUTOMATED LICENSE PLATE RECOGNITION (ALPR) FOR PARKING MANAGEMENT AND ENFORCEMENT

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## 1. Purpose

Vehicle-mounted Automated License Plate Recognition (ALPR) technology shall be used to automate the processing of vehicle license plate information by transforming images into alphanumeric characters with optical recognition software and storing those images, plate information and related metadata, including time and geo-location information.

City of Oakland Department of Transportation (DOT) staff proposes to use ALPR for parking management and enforcement purposes.

## 2. Authorized Use

Authorized uses of ALPR technology include:

- ALPR-assisted citation issuance (i.e., a “hit”);
- “Hotlist” identification, including scofflaw and stolen vehicles (so a “hit” also includes vehicles found to be on such lists, which may result in the issue of a citation and or other legal consequences such as booting or towing);<sup>1</sup>
- “Virtual chalk,” automating the time-stamping of vehicles in time-limited parking spaces and areas (i.e., a “read” as opposed to a “hit”);
- “Digital permits,” including annual, weekly, and other limited-duration permits in parking privilege permit areas, e.g., Residential Permit Parking (RPP) areas and City-owned or managed parking facilities (i.e., valid permits result in “reads,” which permits identified by the system as expired may result in a citation and thus a “hit”);
- Parking payment verification, including “pay-by-phone” and “pay-by-plate” systems (again, with the possibility of both “reads” and “hits”);
- Parking demand management, including parking occupancy and turn-over counts and analysis (requiring only meta data to determine counts and length of stay);
- Support for “smart parking” applications, including mobile apps providing parking availability and wayfinding information.

All other uses not referenced above shall be prohibited.

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<sup>1</sup> Vehicles with five or more outstanding citations at least 30 days old.

### **3. Data Collection**

DOT is responsible for ensuring proper collection and retention of ALPR data, in accordance with this policy and applicable laws. DOT staff drive Parking Enforcement vehicles with vehicle-mounted ALPR that capture still images and metadata indiscriminately as the vehicle moves through the right-of-way. Data collected include still images (e.g., of license plates, street signs, wheel position) and meta data (e.g., date, time and geolocation).

Images of vehicle license plates are processed using optical character recognition<sup>2</sup>, time and geo-stamped, and analyzed in real time with the aim of registering potential violations and matching license plates against “hotlists” (as described above). Data is stored on servers secured and administered by the City’s third-party Parking Citation system vendor, Conduent.

### **4. Data Access**

Authorized staff may be from the City’s Department of Transportation (DOT), Finance Management Bureau (FMB), Oakland Police Department (OPD) or other departments that contribute to the City’s parking operations. Procurement and administration of ALPR contracts and systems is the responsibility of the City’s Revenue and Tax Administrator in the Revenue Division of the Finance Management Bureau.

Metadata and still images may be downloaded and released to a third party as required by law. DOT is responsible for reviewing and retaining all requests for ALPR data or images in accordance with the City’s Records Retention Policy and approving only those requests that have an official City purpose to obtain the information.

### **5. Data Protection**

City staff depends on its vendor, Conduent, to source and administer its ALPR solution. As such, the City is relying on the safeguards to protect ALPR information from unauthorized access through the use of appropriate control mechanisms as provided by Conduent, e.g., user access to and use of the system is controlled and recorded for audit purposes.

The ALPR system shall be operated only by DOT personnel who have been trained in its operation, including Parking Control Technicians, Parking Enforcement Supervisors and Managers, Program Analysts and Transportation Planners.

Copies of metadata or still images released to an Investigating Officer for law enforcement activities shall be handled by the Investigating Officer pursuant to the Police Department’s General Orders and the California Evidence Code.

### **6. Data Retention**

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<sup>2</sup> Optical character recognition (also optical character reader, OCR) is electronic conversion of images of text.

### Retention of Hit Data

All ALPR data and images downloaded to City servers that are associated with citations (i.e., “hits”) shall be retained for a minimum of 90 days pursuant to California Government Code 34090.7 and maximum of 5 years<sup>3</sup> in accordance with the City’s Records Management Policy<sup>4</sup>. In addition, DOT has incorporated the following into Conduent’s scope of services:

- Archive or Purge citation data on an agreed upon schedule or as directed by City Staff.
- Archived data should remain accessible to online inquiry and retrieval as needed.
- Provide method for access for archived data, as well as disaster and recovery plans.
- Provide electronic images of citations issued on demand.
- Transfer data in format determined by City Staff as needed.
- Retain all payment documentation for 7 years.

The reason for these requirements is that they meet the City’s minimum needs for administering the parking citation administrative process.

### Retention Read Data

The same requirements do not apply to images and meta data from “reads”. Only anonymous meta data will be retained for parking management purposes. All images and identifying information from “reads” will be automatically purged from the system after 24 hours.

## **7. Public Access**

Except where prohibited or limited by law, the public may access ALPR data through public records requests. Again, the available information would depend on whether or not data was associated with a simple “read” (no related citation issued) or a “hit” (related citation issued).

## **8. Third-Party Data-Sharing**

The City depends on Conduent and other third-party vendors for a comprehensive parking citation system, e.g., the Conduent system will build a “hot list” of vehicles subject to scofflaw and share this information with Paylock, a vendor contracted with the City since 2009 to provide a “smart parking boot” solution.

Parking occupancy information originating from the ALPR technology may be shared with and used by third-parties for smart parking applications. In such cases, license plate and other identifiable forms of data would be purged, resulting in only anonymous “counts” or “turn-over” indicators with time and geo-spatial information.

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<sup>3</sup> Fiscal year +5 or calendar year +5 depending on type of record.

<sup>4</sup> "Establishing a City-Wide Records Management Program", Ordinance No. 11370 C.M.S.

## **9. Training**

Training for operating ALPR will be provided by the Conduent and will be limited to authorized City staff. Staff will direct Conduent to incorporate this use policy and related privacy policies and procedures into its training materials.

## **10. Auditing and Oversight**

City staff depends on Conduent to provide a “fully auditable” ALPR solution. For example, with the Conduent system staff expect transactions to be recorded in audit logs that capture the user ID of persons performing transactions, including the date, time and description of the functions performed. General oversight of the system falls to the City’s contract manager, currently the Tax and Revenue Administrator. DOT oversight and responsibility for the ALPR solution will fall to the Parking and Mobility Division Manager. The legally enforceable sanctions for violations of the policy include relevant administrative instructions as well as provisions in the Surveillance and Community Safety Ordinance .

DOT will make available to the public, in an Annual Surveillance Report pursuant to Chapter 9.64 of the Oakland Municipal Code, a description of how the technology was used, including the type and quantity of data gathered or analyzed by the technology; whether and how often data acquired through the technology was shared with outside entities, the name of any recipient entity, the type(s) of data disclosed, under what legal standards the information was disclosed, and the justification for the disclosure(s); and other information required per Section 9.64.010 of that Ordinance.

DOT has demonstrated a willingness and ability to source citation data (less license plate or other personal identifying information) for open source use. DOT commits to making this data available upon request going forward.

## **11. Maintenance**

The City’s third-party vendor, Conduent, will be required to maintain the integrity of the Parking Citation system in general and the ALPR solution in particular. Details of the mechanisms and procedures are included in the City’s contract.

Questions or comments concerning this draft Use Policy should be directed to Michael Ford, Manager, Parking and Mobility Division, via email at [mford@oaklandca.gov](mailto:mford@oaklandca.gov) or phone at (510) 238-7670.