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**BLR**

## **LICENSE PLATE READERS (LPR)**

**Rule 1. Authority** – These Rules are promulgated under A.C.A. § 12-12-1805(4)(A), establishing the manner and method of obtaining, retaining, and destroying captured plate data, including specific rules concerning retention of data in excess of 150 days as specified in A.C.A. §12-12-1805(b)(4)(A).

**Rule 2. Effective Date** – These rules shall be effective on or after July 1, 2024.

**Rule 3. Title** – These rules shall be known as the License Plate Reader rules.

### **Rule 4. Definitions** –

- a. **Hot List** - License plate numbers of stolen cars, vehicles owned by persons of interest, and vehicles associated with AMBER Alerts, SILVER Alerts, and similar alerts that are regularly added to “hot lists” circulated among law enforcement agencies. Information can come from a variety of sources, including the National Crime Information Center (NCIC) database and the Arkansas Crime Information Center (ACIC) database. In addition to lists provided by other sources, users may enter license plate numbers into hot lists be alerted if and when a vehicle license plate of interest is read by the LPR system.
- b. **License Plate Reader (LPR)** – a system of one (1) or more mobile or fixed automated high-speed cameras used to convert images of license plates into computer-readable data.
  1. **Fixed LPR system** – LPR cameras that are permanently affixed to a structure such as a pole, a traffic barrier, a building, or a bridge.
  2. **Mobile LPR system** – LPR cameras that are affixed, either permanently or temporarily to a law enforcement vehicle for mobile deployment.
  3. **Portable LPR system** – LPR cameras that are transportable and can be moved and deployed in a variety of venues as needed.
- c. **Member** – Sworn law enforcement officer of Arkansas State Police.
- d. **Alert** – A visual and/or auditory notice that is triggered when the LPR system receives a potential “hit” on a license plate.

- e. **Read** – Digital images of license plates and vehicles associated and metadata (e.g. date, time, and geographic coordinates associated with eh vehicle image capture) that are captured by the LPR system.
- f. **Hit** – A read matched to a plate that has previously been registered on an agency’s “hot list” of vehicle plates related to stolen vehicles, wanted vehicles, or other factors supporting investigation, or which has been manually entered by a user for further investigation.
- g. **Legitimate Law Enforcement Purpose** – Accessing, imputing, reviewing or receiving data from the LPR system in the performance of his/her duties and in compliance with Arkansas Code Annotated §12-12-1803 and §12-12-1804. Duties include but are not limited to, locating wanted persons, missing persons, AMBER Alerts, SILVER Alerts, stolen vehicles, crime vehicles, narcotic investigations, criminal investigations, and similar circumstances.

Legitimate Law Enforcement Purposes does not include, enhancing or assisting a member’s position in a legal proceeding in this state or influencing the outcome of a legal proceeding in this state for the benefit of the member or a member’s family, causing a pecuniary or professional gain for the member or a member’s family, or any political purpose.

- h. **LPR Data Query Logs** – A record of a search or query of LPR data from the server.
- i. **ASP** – Arkansas State Police
- j. **ARDOT** – Arkansas Department of Transportation
- k. **ACIC** – Arkansas Crime Information Center
- l. **NCIC** – National Crime Information Center, which allows access to criminal history and other law enforcement information through the Federal Bureau of Investigation.

## **Rule 5. Procedures**

- a. The use of LPR systems is restricted to legitimate law enforcement purposes.

b. Anyone with access who misuses the LPR Systems that result in Arkansas Crime Information Center data being released or disclosed to an unauthorized person is punishable under A. C. A. §12-12-212 (A-misdemeanor or D-felony).

c. Anyone with access who misuse LPR Systems as defined in A.C.A. § 12-12-1803 are subject to penalties outline in A.C.A. § 12-12-1807.

d. ASP LPR systems, associated equipment, databases, and data are the property of the Arkansas State Police and for use in conducting official business for official law enforcement purposes.

e. The Interstate Criminal Patrol Commanders shall serve as the ASP LPR Administrator and shall establish and maintain protocols to document LPR usage and results, including appropriate documentation of all incidents, arrests, and property recoveries related to LPR usage in accordance with A. C. A. §12-12-1805. LPR usage reports and their results shall be provided to the Arkansas Legislative Council on a quarterly basis by the ASP for their interview.

f. Statistical data shall be compiled in accordance with A.C. A. § 12-12-1805 to allow the general public to review the compiled data. The compiled data shall be retained for eighteen (18) months.

## **Rule 6. ASP LPR Data Usage and Retention**

a. LPR Alerts/Hits: Prior to the initiation of a traffic stop based on LPR alter, the officer must:

1. Visually verify that the vehicle plate number matches the plate number run by the LPR system, including both alphanumeric characters of the license plate and the state of issuance, and

2. Verify the status of the plate through the communications center or ACIC/NCIC query.

3. Make reasonable efforts to verify that the driver and/or occupants physically match the description of any wanted person(s).

b. LPR operation and access to LPR collected data shall be for law enforcement purposes only and can be shared with other law enforcement agencies only as outlined in these rules and A. C. A. § 12-12-1803.

c. When ASP data is disseminated to another law enforcement agency, it shall be documented on a dissemination log that is maintained by the LPR Administrator.

d. All ASP LPR system data will be stored on the designated LPR system server for a period not to exceed 150 days.

e. If the LPR Administrator, or designee, determines that data should be retained based upon the criteria in A. C. A. § 12-12-1804(b), the LPR Administrator will authorize the transfer of the applicable data from the LPR server to a form of digital storage media (CD, DVD, etc.) or other portable storage device and make a notation in the log of the transfer of the data. Once the data is no longer needed as outline in A. C. A. § 12-12-1804(b), the data shall be permanently deleted, and a note of the deletion made on the log.