



**Law
Enforcement
Operations**

Number: 05-24-01
Subject: Automatic License Plate Reader
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Review Date:

I. Purpose

This policy establishes guidelines and procedures for the use of automatic license plate reader technology.

II. Policy

The Nebraska State Patrol may utilize automatic license plate reader technology to promote public safety and in furtherance of law enforcement investigations. All use of automatic license plate reader technology shall be in accordance with the Nebraska Automatic License Plate Reader Privacy Act, Neb. Rev. Stat. §§ 60-3201 through 60-3209, and State Patrol policies and procedures.

A. Definitions:

1. Alert - means data held by the Department of Motor Vehicles, each criminal justice information system maintained in this state, the Federal Bureau of Investigation National Crime Information Center, the Federal Bureau of Investigation Kidnappings and Missing Persons list, the Missing Persons Information Clearinghouse established under Neb. Rev. Stat. § 29-214.01, and license plate numbers that have been manually entered into the automatic license plate reader system upon a law enforcement determination that the vehicles or individuals associated with the license plate numbers are relevant and material to an ongoing criminal or missing persons investigation
2. Automatic License plate reader system - means one or more mobile or fixed automated high-speed cameras used in combination with computer algorithms to convert images of license plates into computer-readable data
3. Captured plate data - means global positioning system coordinates, date and time information, photographs, license plate numbers, and any other data captured by or derived from any automatic license plate reader system
4. Manual Entry - means a temporary entry of a license plate into any Automatic License plate reader system database for the purpose of

receiving historical information, creating an alert to obtain future captured information from any Automatic License plate reader system, for a specific vehicle that is relevant and material to an ongoing criminal or missing person investigation.

5. Personally Identifiable Information - means information that identifies one or more specific individuals including an individual's name, address, social security number, photo, driver's license number, or biometric records.

B. Permissible Uses:

1. Only employees that have been trained in this policy and have received approval by his or her supervisor may access captured plate data and may only access systems approved by the Superintendent or his or her designee. A list of approved systems will be signed, updated, and provided in a separate memorandum on an annual basis by the Superintendent or his or her designee.
2. The following are the only permissible uses for captured plate data:
 - a. Identifying outstanding parking or traffic violations
 - b. Identifying an unregistered or uninsured vehicle
 - c. Identifying a vehicle in violation of the vehicle equipment requirements set forth under the Nebraska Rules of the Road
 - d. Identifying a vehicle in violation of any other vehicle registration requirement
 - e. Identifying a vehicle registered to an individual for whom there is an outstanding warrant
 - f. Identifying a vehicle associated with a missing person. This would include "Amber Alerts" or "EMA" as further provided in NSP policy 06-08 and 06-10.
 - g. Identifying a vehicle that has been reported as stolen
 - h. Identifying a vehicle that is relevant and material to an ongoing criminal investigation, OR
 - i. To assist weighing stations in performing their duties under Neb. Rev. Stat. § 60-1301
3. Any other use which is not specifically listed in the preceding section is prohibited and may be subject to discipline up to and including termination per State Patrol policy and applicable state statutes. Employees with knowledge of automatic license plate reader system usage in violation of this policy shall report such information to her or her supervisor before the end of their shift.

C. Manual Entries and system updates:

1. Employees may manually query captured plate data only when the employee determines that the vehicle or individuals associated with the license plate number are relevant and material to an ongoing criminal or missing person investigation. This would include entries pursuant to Policies 06-08 regarding missing children and 06-10 regarding missing persons.
2. Each time an employee manually queries captured plate data he or she must document the reason for the query and each manual query must be automatically purged at the end of each shift unless the criminal investigation or missing persons investigation remains ongoing.
3. License Plate Reader Systems must be updated at the beginning of each shift if such updates are available.

D. Records Retention:

Captured plate data may be retained for a maximum of 180 days unless the data is evidence of a criminal or traffic offense or subject to a preservation request, the subject of a warrant, subpoena, or court order pursuant to Neb. Rev. Stat. § 60-3205.

E. State Patrol maintained automatic license plate reader systems

When an automatic license plate reader system is maintained by the State Patrol, and not otherwise exempted from reporting, results in an alert or when a license plate is manually entered, the following information shall be retained and reported annually according to Neb. Rev. Stat. § 60-3206:

1. Names of each list captured data was checked against
2. Number of confirmed matches
3. Number of matches that upon further investigation did not correlate to an alert
4. Number of manually entered license plate numbers
5. Number of manually entered license plate numbers that resulted in a match

6. Number of manually entered license plate numbers that upon further investigation did not result in a match

III. Privacy Policy

- A. Employees may not disclose or otherwise disseminate captured plate data, or any personally identifiable information obtained from such data, to any individual or agency unless specifically authorized by law.

Captured plate data may be released:

1. To the person whom the vehicle is registered, or, with the registrant's written consent, to another party unless the driver, or co-registrant, of said vehicle is the protected party in an active Domestic Abuse protection order against one or more registrants.
 2. To alert the public of an emergency situation
 3. To further the investigation of a missing person
- B. Captured plate data is not considered a public record for purposes of Nebraska Revised Statutes Neb. Rev. Stat. §§ 84-712 to 84-712.09.