

HOUSE RESEARCH

Bill Summary

FILE NUMBER: H.F. 155
Version: First engrossment

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Subject: Automatic License Plate Reader Data

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Overview

This bill classifies data collected from an automated license plate reader used by a government entity, and in certain circumstances prohibits the data's retention.

A current temporary classification of the data, issued by the Commissioner of Administration, classifies the data as private or nonpublic data. The temporary classification will expire August 1, 2015. After the temporary classification expires, automated license plate reader data will be presumptively public unless otherwise classified by law.

The contents of this bill are identical to a version adopted by the House during the 2013-14 biennium (H.F. 474, the second engrossment).

Section

1 License plate reader data. Classifies or requires destruction of data collected from an automated license plate reader.

Paragraph (a) defines “automated license plate reader data.”

Paragraph (b) classifies automated license plate reader data as **private or nonpublic data, but provides that the data must not be retained in any format unless it indicates a “hit” or is part of an active investigation.** A hit would be determined through a search of the Minnesota license plate data file for an indication that the vehicle, its license plate, or its driver may be wanted for certain types of offenses.

Section

Paragraph (c) requires a **log of automated license plate reader use by the law enforcement agency**. The contents of the log are provided in the bill. The log is public.

Paragraph (d) requires a **biennial audit** by the law enforcement agency, to verify whether data collected has been properly classified or destroyed as required by this bill.

Paragraph (e) prohibits a law enforcement agency from using an automated license plate reader unless the agency has implemented **necessary policies and procedures to ensure compliance** with the requirements of this bill.