

CITY OF SANTA ROSA
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL
FROM: JANET REISNER, PARKING SUPERVISOR,
FINANCE DEPARTMENT
SUBJECT: REVISION OF AUTOMATED LICENSE PLATE RECOGNITION
PRIVACY AND USAGE POLICY

AGENDA ACTION: RESOLUTION

RECOMMENDATION

It is recommended by the Finance Department that the Council, by resolution, approve amended Council Policy 400-04, Automated License Plate Recognition User Rules and Privacy Agreement Policy, to reflect recent case law, to exempt automated license plate data from public disclosure and to address occupancy data collection.

EXECUTIVE SUMMARY

The proposed revision to the Automated License Plate Recognition User Rules and Privacy Agreement Policy exempts automated license plate data from public disclosure and addresses the usage of automated license plate recognition (ALPR) equipment to gather parking occupancy data.

BACKGROUND

A recent court case, American Civil Liberties Union Foundation v. Superior Court (County of Los Angeles) (2017) 3 Cal.5th 1032, held that automated license plate data is exempt from public disclosure under the catchall exemption of Section 6255 of the California Public Records Act.

The Automated License Plate Recognition system has recently been used to capture occupancy data by scanning the number of vehicles, without regard to specific vehicle information such as license plate number. This data is used to manage parking spaces more effectively by counting the number of vehicles the Automated License Plate Recognition system detects on each block and sending that information to a database that provides occupancy data.

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On December 13, 2016, the City Council approved, by consent, Council Policy 400-04, Automated License Plate Recognition User Rules and Privacy Agreement Policy.

ANALYSIS

The Automated License Plate Recognition system gathers occupancy data, by counting number of vehicles, without regard to specific vehicle information such as vehicle make, or license plate information. The revised Council Policy 400-04, Automated License Plate Recognition User Rules and Privacy Agreement Policy, will reflect this additional usage.

Additionally, in order to comply with published case law, the policy shall indicate data gathered from the Automated License Plate Recognition system is exempt from public disclosure.

FISCAL IMPACT

Approval of this action does not have a fiscal impact on the General Fund or Parking Fund.

ENVIRONMENTAL IMPACT

This action is exempt from the California Environmental Quality Act (CEQA) because it is not a project which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, pursuant to CEQA Guideline section 15378

BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

Not applicable.

NOTIFICATION

Not applicable.

ATTACHMENTS

- Attachment 1 - Redlined Draft - Council Policy 400-04
- Resolution/Exhibit A – Revised Policy 400-04

CONTACT

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