

December 15, 2014

Legislative Commission on Data Practices
72 State Office Building
100 Rev. Dr. Martin Luther King Jr. Blvd.
Saint Paul, MN 55155

Re: Proposed Recommendations by the Legislative Commission on Data Practices on Automated License Plate Reader Use by Law Enforcement

Commission Members:

As we look to articulate recommendations on issues related to the Minnesota Data Practices Act to the 2015-2016 Legislature, I propose that we adopt the provisions of HF 474 as drafted in its 1st Engrossment. This proposal includes the following:

- Classify automated license plate reader data as private or nonpublic data and provide that the data must not be retained, unless the license plate reader data file indicates a hit for certain types of offenses or the data is active investigative data.
- All data gathered by automated license plate readers that is not hit data or active investigative data must not be retained.
- Require all law enforcement agencies using automated license plate readers to maintain a log of their use and include the contents of this log to the public.
- Require a biennial audit by law enforcement agencies to verify whether data collected has been properly classified or destroyed.
- Prohibits law enforcement agencies from using an automated license plate reader unless they have implemented policies and procedures necessary to ensure compliance with the requirements of the above proposal.

Thank you for your consideration,

Sincerely,

Representative John Lesch

Attached: HF 474, 1st Engrossment