



Oregon

John A. Kitzhaber, M.D., Governor

Department of Transportation

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DATE: February 10, 2014

TO: Senate Committee on General Government, Consumer and Small Business Protection

FROM: Amy Joyce, Legislative Liaison

RE: SB 1522, license plate surveillance cameras

INTRODUCTION

Senate Bill 1522 restricts the ability of a public body to use license plate surveillance cameras, and further limits the length of time the data may be held and with whom the data may be shared. The Department of Transportation (ODOT) uses these cameras in three ways, and has worked with the ACLU to reach a workable amendment, the -1. This technology is important for ODOT to efficiently run its business, but the department understands that individuals' privacy is important as well.

DISCUSSION

ODOT uses, or would like to use, license plate readers in three ways. First, the Motor Carrier Transportation Division (MCTD) uses this tool in its regulation of heavy trucks. MCTD uses license plate readers for two things. At the Woodburn Port of Entry it uses ALPR after a truck has entered the facility. The technology checks each truck against a database of regulated trucks and, if it is found, enters the information in a database for use in collecting weight-mile tax and for safety inspection decisions. It is a sorting tool that is faster and more accurate than the other system currently used: manually entering the license plate number to check against the same database for the same purpose. MCTD also is beginning to use this technology as an unmanned weigh station. A new installation at Junction City on Highway 99W will check trucks against that same database and use it for weight-mile tax and safety purposes. By sensing vehicle weight and the number of axles, the system does not pick up information on vehicles that are not motor carriers. Safeguards include the fact that only motor carriers use a port of entry. On the open highway the photographs and data for non-matching vehicles – including any vehicle that is not a motor carrier – are not picked up or are immediately deleted. Also, even for the heavy trucks it is regulating ODOT may keep the data only as long as necessary to enforce motor carrier laws.

Second, ODOT seeks to use this technology for tolling enforcement. If ODOT institutes a project using tolls as a revenue source, license plate readers will be critical to toll collection. Open-road tolling requires electronic payment; vehicles will not stop to pay an attendant or put cash in a collection basket. As envisioned, those users who do not have a transponder for immediate payment would receive a bill by mail. The camera would capture an image of the license plate when a sensor indicates the vehicle lacks a transponder. The converted data can be checked against state vehicle registration records to determine where to send the bill. Safeguards include that the department or tollway operator may not maintain the data longer than necessary to

collect the toll. Also, the information cannot be exchanged with anyone other than for toll collection purposes.

Third, ODOT seeks to use this technology to make effective planning decision. ODOT traffic planners envision using the data to assist in determining how vehicles move through the system. License plate readers can count vehicles and their speeds, and do so with great specificity. For example, not only could it count how many vehicles use Highway 217 in a day, but how many vehicles enter 217 at a particular on-ramp and exit at a particular off-ramp, at what time of day, at what speed, and which are heavy trucks or passenger vehicles. Such data is critical for making the most efficient planning decisions, including what and where to build, as well as immediate decisions about routing traffic in the event of a planned or unplanned detour. Safeguards include requiring any such data is converted to a unique identifying number (not associated with a particular vehicle), and further prohibiting checking the information against any outside databases, such as vehicle ownership.

Each of these uses and safeguards are covered by the bill with the -1 amendment. The bill with the amendment will allow ODOT to continue leveraging technology to provide a safe and efficient system for its users. The amendment also ensures the department obtains only the information it needs for that purpose and retains the data only as long as needed to complete its work.

SUMMARY

The Department of Transportation currently uses this technology, and seeks to use it in the future. The technology and the data it provides can assist the department in regulating heavy trucks, collecting tolls, and intelligently planning the system. The technology also can and will be limited to the uses and retention periods appropriate. The bill with the -1 amendment achieves that aim.