

PRELIMINARY STAFF MEASURE SUMMARY**CARRIER:**

Senate Committee on Judiciary

REVENUE: May have revenue impact, statement not yet issued**FISCAL: May have fiscal impact, statement not yet issued****SUBSEQUENT REFERRAL TO:****Action:****Vote:****Yeas:****Nays:****Exc.:****Prepared By:** Eric Deitrick, Counsel**Meeting Dates:** 3/17

WHAT THE MEASURE DOES: Restricts use of motor vehicle registration plate surveillance cameras. Limits use of data collected by surveillance cameras. Requires public bodies establish policies and produce annual report detailing the use of collected data. Establishes rules on admissibility of collected data in court proceedings. Defines terms.

ISSUES DISCUSSED:

EFFECT OF COMMITTEE AMENDMENT: Proposed (-4) amendment modifies the time for which public bodies may retain captured plate data from 24 hours to 1 year.

BACKGROUND: Motor vehicle registration plate surveillance cameras (“cameras”) are devices that contain small cameras, specific software, and networking capabilities. The cameras can be easily mounted anywhere, including cars and public highways. The cameras are programmed to survey and capture license plate information. When the camera captures license plate data it creates a time and location stamp. That data can be matched against information in certain databases, ranging from the Law Enforcement Data System, National Crime Information Center, the Mission Persons Clearinghouse, the Federal Bureau of Investigation, and the Oregon Department of Transportation. There is no statewide policy on the use or disposal of information captured by these cameras.

Senate Bill 639 restricts the use of motor vehicle registration plate surveillance cameras. Specifically, law enforcement may use the cameras for the purpose of enforcing parking and traffic laws, identifying a vehicle used in a crime, identifying a vehicle registered to a person with an outstanding warrant, and identifying missing or endangered people. The Oregon Department of Transportation may use the cameras for purposes of regulating common carriers and conduct traffic research and analysis. Toll operators may use the cameras for enforcing tolls. Public bodies may use the cameras for regulating access to controlled areas.

Public bodies that capture this data must destroy the data within 24 hours unless certain procedures are followed. Public bodies that use these cameras must produce an annual report and publish the report to their website. The bill defines the contents of the report. The bill also prohibits the use of collected data in court proceedings unless the data was obtained in compliance with the bill and notice is given to the party against whom the data will be used.