

**CITY OF BURLINGTON, VERMONT
PRIVACY POLICY:
LICENSE PLATE READERS AT PUBLIC PARKING GARAGES**

Location. The City of Burlington maintains automatic license plate readers for payment purposes at its airport and at the following City-owned or City-operated garages: Lakeview Garage, College Street Garage, Marketplace Garage, and Courthouse Plaza Garage. The City also uses automatic license plate readers to patrol payment for street parking. The City owns two readers, which are mounted to a vehicle that patrols the garages and streets for parking enforcement purposes. The airport garage has readers mounted near the entrances and exists to the garage, and other City-owned garages may have readers installed in the future in lieu of mobile patrols.

Data Collected & Use. Payment is by license plate number at the City's garages and for paid street parking. When you enter and leave the garage, your license plate will be scanned, and a readable electronic image of the scan will be obtained and saved, together with information about the date and time of entry and exit ("LPR Data"). That will be linked to payment information. Payment records may be kept indefinitely, but assuming proper payment, license plate scans will be retained by the City's vendor for not more than thirty (30) days.

In case of nonpayment, a ticket will be generated, and City staff may access vehicle registration information ("Driver Data"), including the registrant's address or other contact information, from the National Law Enforcement Telecommunications system. Driver Data will be obtained only on a need-to-know basis, including to send parking tickets by mail or for collections purposes. LPR Data will be retained up to sixty (60) days after payment is made or all collection proceedings are resolved. Driver Data shall be accessed only from the National Law Enforcement Telecommunications system and shall not be downloaded or printed for retention by the City.

Persons Entitled to Data. Parking enforcement staff can access payment information by logging into accounts hosted by the City's vendors. To protect data from those not entitled to view it, each City employee with access privileges will have unique log-in credentials. The City's contract with its license plate reader vendor requires the vendor to provide certain privacy protections. The contract is available for viewing upon request. (Please contact a Parking Services Coordinator by calling 802-540-2380.) LPR and Driver Data will be made available only to staff as described in the Administration & Enforcement section, below.

Driver Data is not considered City data, and LPR Data are considered exempt from disclosure pursuant to 1 V.S.A. § 317(c)(10). C.f. also 18 U.S.C., ch. 123, 23 V.S.A., ch. 15. The City will only release these data in response to a valid court order or subpoena, or upon the request of a government agency with the legal right to

request access to the data. It is not the policy of the Parking Services Division to volunteer LPR and Driver Data to another government agency.

Prohibited Use of Data. The following uses of automatic license plate readers or of LPR and Driver Data are prohibited:

- (1) To read any license plate not exposed to public view;
- (2) To intimidate or harass any individual or group;
- (3) To target individuals or groups based on race, color, sex, gender identity or expression, religion, political affiliation, national origin, ethnicity, sexual orientation, ability status, age, veteran status, family status, or other classification protected by law;
- (4) For any personal use;
- (5) For the purpose of infringing First Amendment rights;
- (6) To the City's Police Department for law enforcement purposes; and
- (7) To any county, state, or federal agency for law enforcement purposes, subject to applicable law and City policy.

Any person who engages in any of these prohibited uses may be subject to criminal prosecution, civil liability, or administration sanctions, including employee discipline up to and including termination.

Administration & Training.

Parking Services Agents will have access to payment information, and if a vehicle does not have a credential to park (i.e., the driver did not pay for parking), a ticket will be generated for issuance by Parking Services Agents. Otherwise, Parking Services Agents will not have access to LPR Data or Driver Data. Only employees who are Criminal Justice Information Services ("CJIS") certified will have other access to LPR Data, and only the City's Parking Services Coordinators, the Director of Public Works, and the Parking Services Operation Manager, all of whom are CJIS Certified, will have access to Driver Data, except that LPR and Driver Data may also be provided to the City Attorney's Office on a need-to-know basis for collections purposes only. The Parking Services Operation Manager is responsible for ensuring compliance with the restrictions set forth in this paragraph.

Public Notice. This policy will be posted on the City's website, and a web address will be posted near each garage entrance.