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April 26, 2011

To: J. David Allen
Director
Transportation Services

David Mitchell
Chief of Police
Department of Public Safety

From: Linda Mabbs 
Chair, University Senate

Subject: Recommendations Regarding the Proposal to Review the Practice of Scanning License Plates (Senate Document#: 10-11-24)

The Senate Executive Committee (SEC) charged the Campus Affairs Committee with reviewing a proposal entitled, "Proposal to Review the Practice of Scanning License Plates", Senate Document 10-11-24. The committee was charged with conducting a thorough review of the new license plate registration system recently implemented by the University Department of Transportation Services (DOTS). Specifically, the committee was asked to review the information collected by the system how it is stored, how long it is kept, and how it is shared. The committee was also asked to make recommendations as to whether changes should be made in the use of the system.

The Campus Affairs Committee reported back to the SEC at its meeting on April 21, 2011. The committee recommends that:

1. DOTS store the data collected from the License Plate Recognition (LPR) system scans for no more than 30 days.
2. DOTS and Public Safety report back to the Campus Affairs Committee after one year on the usefulness of the stored data; if the length of data storage time is appropriate for its needs; and who has requested the data during the year.

Since our University is the first to use this technology for parking processes, it is still unclear what the potential impact on our community might be. It is important that we collect and review data collected from this new system during its initial year of operation. This will allow us to compare the risks and benefits in order to make a more informed decision on how best to continue use of the system.

The SEC endorses the Campus Affairs Committee's recommendations and would like to request that you report back to that committee by April 2, 2012. Thank you for your attention to this request.

Attachment



University Senate TRANSMITTAL FORM

Senate Document #:	10-11-24
PCC ID #:	NA
Title:	Review of the New License Plate Registration System
Presenter:	Gene Ferrick, Chair, Campus Affairs Committee
Date of SEC Review:	April 21, 2011
Date of Senate Review:	May 4, 2011
Voting (highlight one):	<ol style="list-style-type: none"> 1. On resolutions or recommendations one by one, or 2. In a single vote 3. To endorse entire report
Statement of Issue:	The University Department of Transportation Services (DOTS) has begun using License Plate Recognition (LPR) systems to scan campus parking lots for parking violations. There is a concern about what information from the LPR scans is being collected, how that information is stored, and who has access to the data.
Relevant Policy # & URL:	NA
Recommendation:	<p>The Campus Affairs Committee recommends that DOTS store the data collected from the LPR system scans for no more than 30 days.</p> <p>Additionally, CAC requests that DOTS and Public Safety report back to the committee after one year on the usefulness of the stored data; if the length of time to store the data is appropriate for their needs; and who has requested the data.</p>
Committee Work:	<p>The Campus Affairs Committee (CAC) was charged with reviewing the new License Plate Recognition (LPR) system recently implemented by the University Department of Transportation Services (DOTS).</p> <p>CAC first reviewed and discussed the charge at its December 7, 2011 meeting. There were concerns with the length of time the data was being stored (1 year) and if or by whom the data could be requested via a Freedom of Information Act (FOIA). CAC agreed to consult with: DOTS, The University of Maryland Department of Public Safety (UMPD), and the Office of Legal Affairs (Legal Office).</p>

	<p>At the January 25, 2011, CAC met with David Allen, Director of DOTS to explain the LPR system and the current practice of storing the data. Allen described in detail exactly how the LPR system works.</p> <p>In February, CAC contacted the Legal Office about the legality of persons requesting the data from the LPR scans. At the March 8, 2011 meeting the CAC reviewed responses from both the Legal Office and Chief Mitchell. The Legal Office informed the committee that the scanned data was in fact public information and could be requested. In addition, a letter from Chief Mitchell stated that the data from the DOTS LPR system could be kept for 90 days instead of 1 year. CAC decided to ask Chief Mitchell to consider lowering that recommendation to 30 days maximum.</p> <p>At the April 5, 2011 meeting Chief Mitchell and Diane Krejsa, University Council were present to explain the benefits of the data and the method of requesting a release of the data. After a thorough discussion of both the DOTS LPR system and UMPD's stationary LPR system, and a review of what the data looks like and the information contained within it; the committee and Chief Mitchell came to the agreement to keep the LPR system data for a maximum of 30 days.</p>
Alternatives:	The current practice of keeping the stored data for a year could continue.
Risks:	There are no known risks.
Financial Implications:	There are no financial implications.
Further Approvals Required:	No further approvals are required.

Campus Affairs Committee Report
Review of the New License Plate Registration System
April 2011

Background

The Senate Executive Committee (SEC) charged the Campus Affairs Committee (CAC) with reviewing the new License Plate Recognition (LPR) system recently implemented by the University Department of Transportation Services (DOTS). DOTS is using the LPR system to scan campus parking lots for parking violations. The University of Maryland Department of Public Safety (UMPD) has a similar stationary LPR system throughout campus entrances and exits for public safety purposes. It was requested that the data collected in scans from the DOTS LPR system be stored for a year for possible assistance in UMPD Safety investigations. Concerns were raised about the LPR scans and what information is being collected, how that information is stored, and who has access to the data.

Committee Work

CAC first reviewed and discussed the charge at the December 7, 2011 meeting. There were immediate concerns with the length of time the data was being stored (1 year). The basis of the concerns stemmed from the Freedom of Information Act (FOIA) and whether the information could be requested and by whom. It was at this meeting that CAC agreed to consult with: DOTS, UMPD, and the President's Office of Legal Affairs.

At the January 25, 2011 meeting David Allen, Director of DOTS was on hand to explain the LPR system and the current practice of storing the data. The University is the first university in the country to use this type of LPR system. Allen described exactly how the LPR system works; a scanner is mounted to a DOTS vehicle that scans license plates while in motion; license plates can be scanned at speeds up to 129mph. The scans are then filtered into a database where it is compared to data for the parking lots to determine if the vehicles are registered on campus and whether they are in the correct parking lot.

The data from the scans is stored in the LPR system for three days, after three days the system automatically dumps the data. The data of vehicles scanned and found in violation are kept for three years, similar to the previous practice of DOTS while using the hanging permits and verifying violations manually. For records purposes, DOTS only needs the data from the ticketed vehicles. All of the data being scanned by the DOTS LPR system is downloaded into the DOTS server and is only accessible to Allen and his Senior Associate Director.

DOTS shared information about their new LPR system with the UMPD. They were excited at the potential for using the data collected to help with police investigations. Initially, DOTS agreed to UMPD's request to retain all the data scanned with the LPR system for 1 year, in the event UMPD would need to request the data to assist in an investigation.

Because of FIOA requests there was still concern with the length of time the data is being stored. It was also unclear if the data could be requested for a specific day, allowing for all license plate data from that day to be released or if it would need to be a narrower request for specific license plate numbers. There was also concern about stalking, as well as other issues of privacy. However, members of CAC saw the

potential benefits of having the data readily available for the use in UMPD's investigations into crimes and other high-risk situations, but did not feel it was necessary for the data to be stored for a full year. Instead, it was suggested that 90 days should be the maximum, but closer to 30 days or less would be better. CAC agreed to contact Chief David Mitchell, UMPD for his input on the appropriate and optimal number of days for the data to be stored.

In February, CAC contacted the Office of Legal Affairs for comment on the legality of persons requesting the data from the LPR scans. At the March 8, 2011 meeting the CAC reviewed responses from both Diane Krejsa, Counsel from the Office of Legal Affairs and Chief Mitchell. Ms. Krejsa informed the committee that the scanned data was in fact public information and could be requested. It had been thought that the license plate scans of students would be protected under the statute of Educational Records, but because the LPR systems scans are only a picture of the license plate and do not have any direct personal information linking the picture to someone it would be public record and not protected. In addition, a letter from Chief Mitchell stated that the data from the DOTS LPR system could be kept for 90 days instead of 1 year. CAC decided to ask Chief Mitchell to consider lowering that recommendation to 30 days maximum.

At the April 5, 2011 meeting Chief Mitchell and Diane Krejsa were present to explain the benefits of the data and the method of requesting a release of the data. After a thorough discussion of the DOTS LPR system, the UMPD's stationary LPR system at exits and entrances of campus, and a review of what the data looks like and information contained within it; the committee and Chief Mitchell came to an agreement to keep the LPR system data for a maximum of 30 days.

Recommendation

The Campus Affairs Committee recommends that DOTS store the data collected from the LPR system scans for no more than 30 days.

Additionally, CAC requests that DOTS and UMPD report back to the committee after one year on the usefulness of the stored data; if the length of time to store the data is appropriate for their needs; and who has requested the data.

Appendices

Appendix 1- Letter from Chief Mitchell

Appendix 2- Charge

Appendix 3- Proposal



UNIVERSITY OF MARYLAND

DEPARTMENT OF PUBLIC SAFETY

Internationally Accredited

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February 8, 2011

TO: CAMPUS AFFAIRS COMMITTEE
CAMPUS TRANSPORTATION ADVISORY COMMITTEE

It has come to my attention that there is some issue over the length of time that the Department of Transportation Services maintains their data of vehicles parking on campus. These are not vehicles that receive parking tickets, but rather all vehicles that are scanned on a daily basis.

This information would prove useful to us in matters of criminal investigation, and some time for retention is warranted. I would be comfortable if DOTS were to maintain this data for a period of 90 days. This would give us a window of opportunity to ascertain the presence of a vehicle on campus if an investigation were active.


Sincerely,

A handwritten signature in blue ink, appearing to read "David B. Mitchell", followed by a long horizontal line.

David B. Mitchell
Chief of Police and
Director of Public Safety



University Senate CHARGE

Date:	November 19, 2010
To:	Gene Ferrick Chair, Campus Affairs Committee
From:	Linda Mabbs Chair, University Senate 
Subject:	Review of the New License Plate Registration System
Senate Document #:	10-11-24
Deadline:	March 28, 2011

The Senate Executive Committee (SEC) requests that the Campus Affairs Committee review the new license plate registration system recently implemented by the University Department of Transportation Services (DOTS).

Recently, DOTS has begun using License Plate Recognition (LPR) systems to scan campus parking lots for parking violations. The State of Maryland Police Departments have been using this system for the past five years. Our University Police Department has also uses stationary LPR systems throughout campus entrances and exits for public safety purposes. Recently, there has been concern about what information is collected when the LPR systems are used, how that information is stored, and who has access to this data. The attached request expands on some of those concerns.

The SEC requests that the Campus Affairs Committee conduct a thorough review of the new license plate registration and scanning system that is being implemented by DOTS and report back on your findings and any areas of concern.

Specifically, we ask that you:

1. Review what information is collected using this new system, how it is stored, how long it is kept, and how it is shared.
2. Research whether similar systems are being used at our peer institutions.
3. Consult with the Department of Transportation Services and their Director, Mr. J. David Allen, regarding the specific uses of this new system.

4. Consult with the University Chief of Police or a representative of the University Department of Public Safety regarding the department's intentions for using information collected by the DOTS scanning system for matters of public safety.
5. Consult with a representative of the University's Legal Office regarding the legality of sharing this data with law enforcement (e.g. University, Prince Georges County, Montgomery County Police Departments) or with other individuals.
6. Review the process by which data from the scanning system can be requested and by whom.
7. Recommend whether changes should be made to how the system is used, how data is collected, and how it is shared.

We ask that you submit your report and recommendations to the Senate Office no later than March 28, 2011. If you have questions or need assistance, please contact Reka Montfort in the Senate Office, extension 5-5804.



University Senate PROPOSAL FORM

Name:	Mark P. Leone, SEC
Date:	10/18/10
Title of Proposal:	Review of the New License Plate Registration System
Phone Number:	405-1429
Email Address:	mleone@anth.umd.edu
Campus Address:	1124 Woods Hall
Unit/Department/College:	Anthropology/BSOS
Constituency (faculty, staff, undergraduate, graduate):	Faculty
Description of issue/concern/policy in question:	<p>The introduction of the new license plate registration system the Department of Transportation Services (DOTS) has raised questions and concerns. I request that the Campus Affairs Committee examine the new registration system. The committee needs to look at the entirety of the new process and provide a description of it to the SEC.</p> <p>One place to begin is the information provided by J. David Allen, Director of Transportation Services as noted in the August 31, 2010 SEC Minutes under Agenda Item 9: Update on parking Fee Increases & New Parking Permit Process.</p> <ul style="list-style-type: none"> “License plates are stored as images and DOTS is working with police to decide how long they should keep this information. Right now they plan to keep non-ticketed license plate information for about a week to a week and a half. Having this information will also allow DOTS to collaborate with police to locate stolen cars or gather information about missing employees.”
Description of action/changes you would like to see implemented and why:	<p>Among the issues to be examined are the following:</p> <p>The Department of Transportation Services is in the process of initiating a practice of photographing all student, faculty, and staff license plates. This may be done as cars enter the campus, but the</p>

	<p>process and locale isn't completely clear. The scanned license plate is to be stored in a database and is available to workers who check on whether a car is parked legally or illegally. If more information is collected than is now obtained when one registers a car for a parking permit, I would like to know what the new information is. Will the database be shared and with what other entities? How long will the database be maintained? If there are infractions, how long will that set of data be kept?</p> <p>2. Why scan the plate? When cars are registered, the tag number is given. Why not just scan the cars in the lots instead of entering vehicles? Will scooters be scanned? If the cars are “merely” scanned in the lots and found to be registered, no record need be made. What happens if a registered person has a rental car? Must they then go through some process to “register” that car for a few days?</p> <p>3 What is the legal basis for the scans and a comparison of them with other databases, particularly from the Prince George's County Police Department?</p> <p>4. There are, of course, other security considerations that may underlie what is proposed. Campus police reported last spring that all plates, on all cars coming to campus are scanned and then compared with plates from other police departments, particularly Prince George's County. The SEC was told by the then acting Chief of Police that criminals and potential criminals entering campus from the county understood that they would be noticed immediately when they entered campus. How will this surveillance system affect students, faculty, and staff? How is the history of infractions shared or not shared? How is privacy protected? It would be helpful to know how many arrests have been made as a result of such data.</p>
<p>Suggestions for how your proposal could be put into practice:</p>	<p>Report any findings or concerns to the SEC.</p>
<p>Additional Information:</p>	<p>A suggested deadline for the committee’s report could be February 1, 2011.</p>