

**CLERK OF THE BOARD OF SUPERVISORS**  
**AIR POLLUTION CONTROL BOARD MEETING**

**WEDNESDAY, NOVEMBER 20, 2019**

**Legislative Services Section: (619) 531-5434**

**REVISED BACKUP**

**AP1. NOTICED PUBLIC HEARING:  
OPTIONS TO IDENTIFY VEHICULAR EMISSIONS**

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**Approval Log For:**

Revised ALPR Policy CLEAN.docx

Summary Page for ALPR Policy Revision.docx

Revised ALPR Policy STRIKEOUT.docx

Approver's Name	Approvers Job Title	Approver's Department	Time and Date of Final Approval
Robert Kard		Air Pollution Control Dep	11/14/2019 9:18:42 AM
Renee Loewer	Group Finance Director	Land Use & Env Group	11/13/2019 7:10:47 PM
Paula Forbis	Senior Deputy County Counsel	County Counsel	11/13/2019 9:02:42 PM
Nicole Temple			11/14/2019 10:11:54 AM

## SUMMARY TO REVISIONS TO THE AUTOMATED LICENSE READER (ALPR) POLICY

Attached are revisions to the ALPR policy. Included are a strikeout version showing where changes were made to the policy presented to the Air Pollution Control Board on September 11, 2019, and a clean version of the revised policy.

Changes were made to the policy to better protect privacy through increased data restrictions, limitations on uses of ALPR data, and increased data destruction requirements. The policy language was strengthened to prohibit the District from utilizing the collected data for any other purpose, including enforcement or the collection of fees. Language was added stating the data would always be in the possession of the District and never shared with any other entity. Previously, the policy required recorded images of vehicles and license plate numbers to be deleted within thirty days of completing downloads and it now requires them to be deleted in three days. Additionally, a Department of Defense data wipe will be required to eliminate any possibility of a data breach.

Clarifications were also made to how the data was to be downloaded and analyzed. The policy now requires the collection of license plate numbers and their comparison to DMV data to be performed by one person, the District's IT Principal, on a secured computer not connected to any network or the cloud. These steps were added to prevent hacking while data is being collected and analyzed.

Finally, the policy was also clarified to state that future updates would require Board approval.

**San Diego County Air Pollution Control District Automated  
License Plate Reader Privacy and Usage Policy - REVISED  
(11/20/2019)**

***Introduction***

The San Diego County Air Pollution Control District (District) is required to collect and analyze mobile source emission data in the AB-617 Community of Portside Environmental Justice Neighborhoods (Portside Community). The data is needed to accurately determine the amount of pollution mobile sources contribute to the Portside Community. This data will aid with prioritizing emission reduction projects and help determine if additional rules are required to reduce air pollution in disadvantaged areas. There is no enforcement component to this project, no vehicles will be stopped, and vehicle owners will not be contacted in any way. This project could lead to future work in other County disadvantaged communities.

The project will utilize an Automated License Plate Reader (ALPR) system to assess the distribution of vehicular emissions by vehicle year, model, gross vehicle weight code, fuel type, and body type from the vehicles' images. The utilization of the ALPR system is prohibited for any other purpose, such as enforcement or collection of fees.

The ALPR software analyzes previously recorded video images to capture and record a vehicle's license plate number. The system operates by using optical character recognition (OCR) software to convert video images into the alpha-numeric characters of the license plate. The ALPR system does not identify a specific person. A list of license plates will be produced from this process and it will then be compared to California Department of Motor Vehicles (DMV) information that is provided to the District. The ALPR and DMV information will always be in the possession of the District and will not be shared with any other entity.

The District will obtain from DMV the license plate number, vehicle year, model, gross vehicle weight code, fuel type, and body type for registered vehicles in the State of California, which will then be cross-referenced with the license plate list obtained from the ALPR software. No information regarding registered owners, such as names and addresses, will be obtained from DMV. The District has a long history of managing DMV data and adheres to DMV data management requirements as outlined in the DMV Information Security Agreement (DISA).

***Requirements***

The District's ALPR Privacy and Usage Policy incorporates the requirements of Civil Code sections 1798.29, 1798.82, and 1798.90.5, et seq., which require all public agencies that operate an ALPR system to maintain reasonable security procedures and practices, including operational, administrative, technical, and physical safeguards to protect ALPR information from unauthorized access, destruction, use, modification or disclosure. At a minimum, public agencies must:

- Implement a usage and privacy policy that ensures all public agencies collect, use, maintain, share, and disseminate ALPR information in an authorized and secure manner.
- Disclose any breach of security of the data to any affected resident of California, consistent with the requirements of Civil Code section 1798.29.
- Provide an opportunity for public comment at a regularly scheduled public meeting before implementing the program.

The ALPR Privacy and Usage Policy is available to the public in writing and is posted on the District's Internet Web site at: <https://www.sdapcd.org/>.

### ***Policy***

- ALPR information will be collected only for the purposes of research, regulation development and implementation, or emissions inventory.
- The District's IT Principal will be the custodian responsible for ALPR data and the effective implementation of this policy.
- Only the District's IT Principal will generate, store, access, or analyze ALPR information.
- ALPR information will be stored only on limited access drives that are protected by physical and administrative controls, and will only be accessed on a stand-alone computer that is not connected to the internet.
- District staff will maintain records of each staff person, in this case the IT Principal, that generates, stores, accesses, or analyzes ALPR data consistent with Civil Code section 1798.90.52.
- ARB/District will provide training to the IT Principal to ensure the security of the information and compliance with applicable privacy laws.
- ALPR information will not be sold, shared, or transferred to other persons outside of the District, except as legally required pursuant to a subpoena or court order.
- ALPR information that has been cross-referenced to DMV registration information will be treated as DMV registered data.
- ALPR information will be retained and destroyed within 3 days of successful processing of digital images through the ALPR software.
- Aggregate data, vehicle make, model, model year, and technology emissions information are not considered confidential information.

### ***Procedures***

- The assigned ALPR data custodian is the District's IT Principal. The ALPR custodian will monitor the ALPR system and ensure the security of the ALPR information by:
  - Maintaining a log for each time the ALPR information is accessed.
  - Verifying only the IT Principal has access to ALPR information by conducting periodic audits of access and usage.
  - Ensuring the IT Principal has taken all required training before accessing ALPR information.

- The IT Principal will receive training, which will be part of the DMV data security training and include:
  - A security briefing presentation.
  - A signed confidentiality acknowledgement form, which confirms that they have received and understand all ALPR policies and procedures.
- The IT Principal will view the image of the license plate and cross reference it with the information produced by the ALPR system to confirm that the image of the license plate was correctly recognized by the ALPR system. If a data error is found, the IT Principal will correct the error in the output file and notify District management.
- The IT Principal will document access to ALPR information in a usage log which will contain the following information:
  - The date and time the information is accessed.
  - The license plate number or other data elements used to query the ALPR system.
  - The username of the person who accesses the information.
  - The purpose for accessing the information.
  - The log will be maintained electronically and updated during each use.
- In the event of a data security breach involving ALPR data, the District's IT Principal will take the following steps:
  - Notify the subject of the security breach in accordance with the requirements of section 1798.82 of the Civil Code.
  - Follow the procedural requirements of the Statewide Information Management Manual (SIMM).

### ***Changes to the Policy***

This policy can only be revised with the approval of the Air Pollution Control Board. When the District revises the ALPR Privacy and Usage Policy, the "last updated" date at the top of the ALPR Privacy and Usage Policy will reflect the date of the last change. We encourage visitors to review this ALPR Privacy and Usage Policy periodically.

FIELD STAFF PROCEDURES

# ***ALPR Standard Operating Procedure (SOP)***

## **Field Equipment Checklist**

- Panasonic Leica Dicomar camcorder, charging cord (not shown) and 128GB SD card inserted



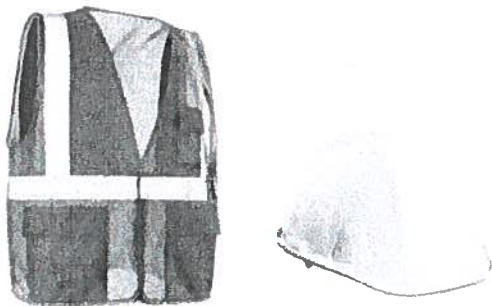
- Ravpower portable battery



- Amazon Basics tripod



- Orange visibility safety vest and white hard hat





## **FIELD PROTOCOL**

**IMPORTANT SAFETY WARNING: For your own safety, do NOT position the tripod and camcorder within 3 feet of any edge adjacent to the roadway**

### **Other Safety considerations:**

- Emergency contacts
- Heat and illness training
- Sunglasses, sunblock, hat, comfortable clothes, no open toe shoes

### **Before Going Out to the Field**

- 1) Meet at district office beforehand for planning purposes – who will be going to each location, who will be relief, etc. \* Keep teams static
- 2) Print out flyers, business cards of district staff, ids, team and management contact info, and data sheets for each team
- 3) Pack equipment and field materials– have a checklist to fill in each day
  - a. Make sure there are adequate water and snacks packed for the day
  - b. Field bag w/ sunblock, ear plugs, etc.

### **Start Data Collection**

- 1) Each team will drive to their location and will record footage with two cameras simultaneously capturing 2 directions of traffic
- 2) Set up tripods and mount cameras to tripods
- 3) Turn on cameras – (note that before the campaign begins we will have all the correct settings already on each camera). \*See notes below on camera set-up
- 4) Connect battery bank to port on the right side of the cameras and mount a battery bank to each tripod using zip ties
- 5) Zoom camcorder towards the desired direction of traffic. \*\*See zoom guide below
- 6) Fill out data sheet entry completely for each recorded direction, noting the time, camera number, team number, etc.
- 7) If the directions of traffic are alternated throughout the day, fill out a new entry in the data sheet

### **Throughout the Day**

- 1) There will be 3 teams of 2 stationed at 3 locations throughout the entire day and one person for relief
- 2) The relief person will check in with each team frequently and fill in when someone needs to use the bathroom or needs a break
- 3) During lunch (1 hour) the relief person will bring lunch to each team, so no equipment needs to be packed up

### **Returning from the Field**

- 1) Connect cameras to a computer with micro-USB cord and connect the external hard drive to the computer at the same time
- 2) Transfer all footage (mp4 files) from the camera to an external hard-drive
- 3) On the external hard drive make a new folder w/ DATE\_LOCATION\_CAMERA (e.g. 20190601\_18THANDWILLSON\_1). We recommend labelling each camera with a number to keep track and have the same person use the same camera each day
- 4) Charge cameras and battery banks overnight

- 5) Put the remaining equipment in a safe place and have a check out/in list that is filled out daily

**San Diego County Air Pollution Control District Automated  
License Plate Reader Privacy and Usage Policy - REVISED  
(~~11/06/2019~~) (11/20/2019)**

***Introduction***

The San Diego County Air Pollution Control District (District) ~~needs~~ is required to promptly start collecting collect and analyze mobile source emission data in the AB-617 The Community of Portside Environmental Justice Neighborhoods (Portside Community). The data is needed to accurately determine the amount of pollution mobile sources contribute to the Portside Community. This data will aid with prioritizing emission reduction projects and help determine if additional rules are required to reduce air pollution in disadvantaged areas. There is no enforcement component to this project, no vehicles will be stopped, and vehicle owners will not be contacted in any way. This project could lead to future work in other County disadvantaged communities.

The project will utilize an Automated License Plate Reader (ALPR) system to assess the distribution of ~~vehicle-vehicular~~ emissions by model-vehicle year, make/model, gross vehicle weight code, fuel type, and technology-body type from cars and trucks- the vehicles' images. The utilization of the ALPR system is prohibited for any other purpose, such as enforcement or collection of fees.

The ALPR system ~~uses mobile cameras combined with computer software~~ analyzes previously recorded video images to capture and record a vehicle's license plate information-number. The system operates by ~~photographing an image of a license plate,~~ using optical character recognition (OCR) software to convert the image-video images into the alpha-numeric characters of the license plate, and then ~~comparing the alpha-numeric data to reference databases.~~ The ALPR system does not identify a specific person. ~~The photograph the system generates is not considered "personally identifiable information" (PII) because it is not paired with data elements such as an individual's social security number, or driver's license number. However, the data generated~~ A list of license plates will be produced from the photograph with the use of an ALPR system can be linked to an identifiable person through a registration database, such as the- this process and it will then be compared to California Department of Motor Vehicles (DMV). ~~When ALPR information that is cross-referenced with provided to the District. The ALPR and DMV registration data, it provides~~ make/model, information will always be in the possession of the District and will not be shared with any other entity.

The District will obtain from DMV the license plate number, vehicle year, model, gross vehicle weight code, fuel type, and body type model-year along with the for registered owner information- vehicles in the State of California, which will then be cross-referenced with the license plate list obtained from the ALPR software. No information regarding registered owners, such as names and addresses, will be obtained from

DMV. The District has a long history of managing DMV data and adheres to DMV data management requirements as outlined in the DMV Information Security Agreement (DISA).

### **Requirements**

The District's ALPR Privacy and Usage Policy incorporates the requirements of Civil Code sections 1798.29, 1798.82, and 1798.90.5, et seq., which ~~requires~~ require all public agencies that operate an ALPR system ~~to shall~~ maintain reasonable security procedures and practices, including operational, administrative, technical, and physical safeguards to protect ALPR information from unauthorized access, destruction, use, modification or disclosure. At a minimum, public agencies must:

- Implement a usage and privacy policy that ensures all public agencies collect, use, maintain, share, and disseminate ALPR information in an authorized and secure manner.
- Disclose any breach of security of the data to any affected resident of California, consistent with the requirements of Civil Code section 1798.29.
- Provide an opportunity for public comment at a regularly scheduled public meeting before implementing the program.

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### **Policy**

- ALPR information will be collected only for the purposes of research, regulation development and implementation, or emissions inventory.
- The District's IT Principal ~~IT Specialist~~ will be the custodian responsible for ALPR data and the effective implementation of this policy.
- Only ~~District~~ the District's IT Principal ~~IT Specialist~~ or designee will generate, store, access, or analyze ALPR information.
- ALPR information will be stored only on limited access ~~and encrypted drives that meet state standards for storing data, including but not limited to NIST Cryptographic Module Validation Program or equally protective standards that are generally accepted~~ drives that are protected by physical and administrative controls, and will only be accessed on a stand-alone computer that is not connected to the internet.
- District staff will maintain records of each staff person, in this case the IT Principal, that generates, stores, accesses, or analyzes ALPR data consistent with Civil Code section 1798.90.52.
- ARB/District will provide training to each staff person that ensures the IT Principal to ensure the security of the information and compliance with applicable privacy laws.
- ALPR information will not be sold, shared, or transferred to other persons outside of the District, ~~except for the following purposes:~~ as legally required pursuant to a

subpoena or court order.

- ~~▪ Law enforcement agencies for authorized law enforcement purposes.~~
- ~~▪ Public agencies that have signed a confidentiality agreement and agreed to keep the information confidential.~~
- ALPR information that has been cross-referenced to DMV registration information will be treated as DMV registered data.
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### **Procedures**

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  - Maintaining a log for each time the ALPR information is accessed ~~between operators and users~~.
  - Verifying only ~~authorized users have the IT Principal~~ has access to ALPR information by conducting periodic audits of access and usage.
  - Ensuring each ~~ALPR operator and user the IT Principal~~ has taken all required training before accessing ALPR information.
- ~~All authorized ALPR system operators, users, and custodians must~~ The IT Principal will receive training, which will be part of the DMV data security training and include:
  - A security briefing presentation.
  - A signed confidentiality acknowledgement form, which confirms that they have received and understand all ALPR policies and procedures.
- ~~• The District's Principal IT Specialist or designee will keep a list of trained users and operators that includes name, title, and contact information and will be updated annually.~~
- ~~District staff~~ The IT Principal will view the image of the license plate and cross reference it with the information produced by the ALPR system to confirm that the image of the license plate was correctly recognized by the ALPR system. If a data error is found, ~~District staff~~ the IT Principal will correct the error in the database output file and notify District management.
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  - The log ~~is will be~~ maintained electronically ~~at their workstation and is submitted to the custodian on a quarterly basis~~ updated during each use.
- In the event of a data security breach involving ALPR data, ~~District staff will notify the~~ District's IT Principal IT Specialist or designee, who will take the following steps:
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### ***Changes to the Policy***

~~District reserves the right to revise this policy at any point in the future and such changes will be retroactively applicable to data collected prior to any revision of this policy.~~ This policy can only be revised with the approval of the Air Pollution Control Board. When the District revises the ALPR Privacy and Usage Policy, the "last updated" date at the top of the ALPR Privacy and Usage Policy will reflect the date of the last change. We encourage visitors to review this ALPR Privacy and Usage Policy periodically.

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