

License Plate Readers (LPRs)

Two kinds of LPRs

- LPR mounted in a cruiser
- LPR fixed on a pole or building.

Cruiser LPR

- It reads the license plate and
- compares it to a “hot list” of cars being sought for one reason or another.
- It only retains those license plates that produce a hit on the hot list.
- The other plate numbers are permanently deleted.
- A cruiser LPR is a police department-specific item and, if a plate number is retained, it is only in that department’s internal database.

Fixed LPR

- A fixed LPR reads all the plates that pass by it.
- All those plate numbers are loaded into a national database in the cloud in addition to being compared to the hot list.
- Flock is one such company among many that produces those LPRs.
- State statutes or the LPR provider may limit how long the plates that don't produce a hot-list hit can be retained.
- State statutes can also limit whether the plates that have been read are uploaded to a national or other database.

NH law regarding LPRs - I

- New Hampshire has some of the most restrictive laws regarding LPRs.
- Only law enforcement can use them, not any other entity - private or public.
- Any department that uses them must register each LPR with the state.

NH Law regarding LPRs - II

- LPRs can only be used for collecting license plate numbers, not for pictures of occupants.
- Even then, they can only be used for the purpose of identifying vehicles involved in nine specified categories of offenses.
- They cannot be used to track someone not associated with the thosenine categories.

NH Law regarding LPRs - III

- Any license plate that is read “shall not be recorded or transmitted anywhere.”
- Unless a hit on the hot list happens, the plate number cannot be entered into any database, either a Flock-like national database, a state database or an internal police department database.
- Unless a hit on the hot list happens, any collected plate number must be deleted within 3 minutes.
- The statute makes explicit that the plate numbers can only be used for legitimate law enforcement purposes – no use of LPRs to track to where a spouse or enemy of a police officer is traveling.

NH Law regarding LPRs - Summary

- State law prohibits the very kind of state-sponsored surveillance that has concerned and outraged so many of us.
- No database of everywhere-you've-been-traveling.
- No surveilling someone just to see where they have been or are going.
- No police use for personal reasons.
- Control over the obtaining and issuing LPRs rests with the law enforcement agency using them, not with any other entity – very much a local control mandate.

Portsmouth & LPRs

- Police department has a couple cruiser LPRs.
- Does not use them given statutory restrictions.
- Has no fixed LPRs.
- Has no plans to get fixed LPRs.

Questions & Comments