



State of Maryland
Department of State Police
Government Affairs Unit
Annapolis Office (410) 260-6100

POSITION ON PROPOSED LEGISLATION

DATE: April 1, 2024

BILL NUMBER: Senate Bill 840 **Position:** Letter of Information

BILL TITLE: Public Safety – Automatic License Plate Readers – Captured Plate Data Storage and Upload

REVIEW AND ANALYSIS:

This legislation authorizes a law enforcement agency to use a third-party vendor to store scanned images of vehicle registration plates captured through a license plate reader (LPR) system. The data may be stored in a database operated for or by the Maryland Coordination and Analysis Center (MCAC), for or by a law enforcement agency, or cloud computing. Additionally, this legislation creates a reporting requirement.

Under current law, the storage of collected images are limited to MCAC or a law enforcement agency-controlled database. The historical data is prohibited from being shared outside of the law enforcement arena. Third party vendors are prohibited from storing historical data for a law enforcement agency on the vendor’s server. The data storage is required to be audited annually to ensure access to historical data is restricted for only a legitimate law enforcement purpose. Annually, law enforcement agencies that store historical data are required to report the results of audits performed on the data to the MD general Assembly.

The original legislation passed by the General Assembly in 2014 was the result of an agreement between the sponsors, the ACLU, and the Maryland Chiefs and Sheriffs. The agreement mandated that Maryland law enforcement and the MCAC must maintain control of the LPR historical data and that it could not be shared or bulk uploaded to any federal or out of state entity, including law enforcement or private vendors. The access to the data is strictly limited to a specific law enforcement investigation.

The Department of State Police (DSP) supports the inclusion of cloud computing and services for managing a law enforcement agency’s LPR data, as long as the law enforcement agency owns the data and the vendor cannot use or sell the data or a subscription service to access the data. As technology has advanced, cloud-based services are becoming an acceptable standard to store data.

The DSP would like to see this legislation conformed to House Bill 1081. There are stylistic differences in SB 840 and a reporting requirement that law enforcement agencies are unable to meet. DSP recommends striking Section 2 and conforming the bill to HB1081.