

From: Representative Barbara Rachelson
To: The House Transportation Committee
Date: 04/24/2025

Additional Information on H.500 Introduction

1. From Leg Counsel:

[Act 135](#) from this past session created the Automated Traffic Law Enforcement (ATLE) system and modified the Automated License Plate Reader (ALPR) system laws. *See* 23 V.S.A. § 1607-1609 (ALPR-related laws). With that in mind, the ALPR laws are set to be repealed on either July 2, 2025.

The ALPR laws have some confidentiality protections in place. They are summarized as follows:

- a police officer must be certified by the Vermont Criminal Justice Council to operate the ALPR system;
- a police officer must have a “legitimate law enforcement purpose” to access any ALPR data;
- requests to access the ALPR system must be in writing and meet certain requirements, including retention by the Vermont Intelligence Center for three years;
- a police department must designate personnel authorized to access the system and they can only designate ALPR data collected in the past seven days;
- any historical information requested by out-of-state authorities may only be sent by a VIC analyst for a legitimate law enforcement purpose;
- requests for historical information within six months of its entry must be in writing, including a factual basis for the request for a legitimate law enforcement purpose like an criminal investigation, missing person, or commercial vehicle investigation or enforcement action. Any requests granted or denied much be retained in writing for three years;
- after six months, historical information can only be released pursuant to a subpoena or a court order in a criminal case;
- active and historical data are not subject to subpoena or release in a civil case;
- the DMV may maintain a storage for active and historical data, subject to the same requirements as the VIC;
- information may only be retained for a maximum of 18 months and then must be destroyed by the law enforcement agency;

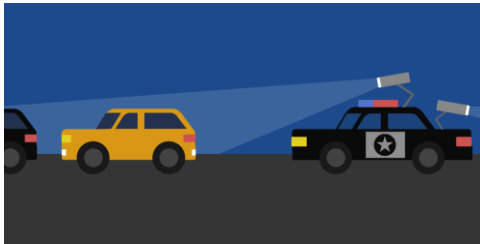
- a request may be made to preserve the information for an additional 90-days beyond the 18 months if it meets certain requirements and a court orders as such.

2. I am attaching materials on the current law, and the need for this type of legislation that I am hoping you can share with the Committee.

I've attached the current law, a copy of a report that used to be completed on the use of license plate readers in Vermont, as well as some other materials that I thought might be helpful background, including an information sheet from the state of Colorado when they looked at enacting legislation.

Here are also a few links to some other information:

[New ALPR Vulnerabilities Prove Mass Surveillance Is a Public Safety Threat | Electronic Frontier Foundation](#)



[New ALPR Vulnerabilities Prove Mass Surveillance Is a Public Safety Threat | Electronic Frontier Foundation - مؤسسة الحدود الإلكترونية](#)

Government officials across the U.S. frequently promote the supposed, and often anecdotal, public safety benefits of automated license plate readers (ALPRs), but rarely do they examine how this very same technology poses risks to public safety that may outweigh the crimes they are attempting to address in the first place. When law enforcement uses ALPRs to document the comings and goings of ...

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