



# Senate Bill 34 ALPR Permissible Purpose for Privacy, Usage and Protection Policy







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## **Introduction to Senate Bill 34**

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Effective January 1, 2016 California State Senate passed a Bill (SB 34) which requires any user to authenticate permissible purpose prior to accessing any account where live or historic LPR data is noted anywhere within a given account.

masterQueue is a multi-source, collection and management database software platform that may display ALPR Live or historic data in the form of GPS coordinates, jpeg, or associated note only to a qualified end user.

Below is the link to the actual Senate Bill for your reference.

[https://leginfo.ca.gov/faces/billTextClient.xhtml?bill\\_id=201520160SB34](https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=201520160SB34)

## **Privacy, Usage and Protection Policy**

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The purpose of the ALPR Permissible Purpose Privacy, Usage and Protection Policy is to ensure that the collection, use, maintenance, sharing and dissemination of ALPR information is consistent with respect for individuals' privacy and civil liberties. The usage and privacy policy must be available to the public in writing, and, Intellaegis, Inc. dba masterQueue will post Our Permissible Purpose Policy on our Website for viewing.

All ALPR data will be securely stored until the owning client instructs masterQueue to safely purge the data in writing as directed in all signed customer agreements.

Intellaegis, Inc. dba masterQueue has clearly defined written privacy, security and compliance policies and procedures outlining company expectations and obligations for all employees, sub-contractors and vendors.

masterQueue has implemented security policies and procedures, in addition to, industry standard technical safeguards to ensure any information considered Personal Identifying Information (PII) is protected from unauthorized access, destruction, use, modification, or disclosure.

The following are just a few of the security measures that are in place:

- Data is Encrypted
- IP Restricted Access
- Multi-Factor Authentication Login



## **The Permissible Purpose Screen**

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The Permissible Purpose Screen is presented prior to gaining access to any account containing any LPR data in masterQueue in order to maintain reasonable security procedures and practices, including operational, administrative, technical, and physical safeguards, to protect all LPR information from unauthorized access, destruction, use, modification, or disclosure.

masterQueue does not buy, sell, trade or license any LPR Data. masterQueue is a licensed software that has the ability to display LPR data by GPS coordinates, jpeg, or associated note only for LPR End Users, as defined by Senate Bill 34.

## **Scope for masterQueue Users**

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To comply with the new SB-34 legislative requirement, masterQueue has instituted a permissible purpose screen prompting an ALPR End User, as defined by SB-34, to select the correct applicable permissible purpose prior to gaining access to any account that contains any form of LPR data which may contain PII.

If a masterQueue user is not presented with an LPR Permissible Purpose screen upon entering an account, it means there is no LPR data present anywhere in that particular account at this time. However, if later LPR data, either live or historical, hits this same account, the user would then be required to authenticate the permissible purpose screen upon re-entering the account.

Users will be allowed 1 hour in any account that has been flagged as positive for LPR data before being asked to re-authenticate the permissible purpose.

As required of an ALPR Operator referenced in 1798.90.51 and 1798.90.52 of SB-34, masterQueue has added a report function that tracks all users that have requested access to an account that has been flagged positive for containing LPR data and selected a permissible purpose in order to enter the account. This Report is designed to meet SB-34 compliance requirements and contains information needed to remain compliant.

## **masterQueue ALPR Responsibilities**

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As specifically defined by the SB-34 Section 1798.90.5 (c) located in the Definitions Section of this document, masterQueue would not be considered an ALPR Operator. However, since masterQueue may display ALPR data in accounts with approved Permissible Purpose through GPS coordinates, jpeg, or associated note, masterQueue users would be considered 'ALPR End Users'. Therefore, we have taken precautions to ensure that Operator requirements as outlined in SB-34 have been met.

masterQueue has designated Michele Kirby, Compliance Representative, as the official custodian as outlined in the ALPR SB-34 section 1798.90.51 requirements that require a specific person at the company be named as custodian, or owner, of the ALPR system responsible for implementing this section.



masterQueue has put in place an additional precaution to safeguard and protect access to records containing any ALPR related information in the form of a Permissible Purpose screen which allows masterQueue to track end users who access any account containing ALPR information and based on the users Permissible Purpose selection ensures the information is used for authorized purposes only.

In addition, masterQueue has attempted to meet the following ALPR Operator responsibilities as written in SB-34 where applicable as outlined below:

*“(a) 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.*

*(b) (1) Implement a usage and privacy policy in order to ensure that the collection, use, maintenance, sharing, and dissemination of ALPR information is consistent with respect for individuals’ privacy and civil liberties. The usage and privacy policy shall be available to the public in writing, and, if the ALPR operator has an Internet Web site, the usage and privacy policy shall be posted conspicuously on that Internet Web site.*

*(2) The usage and privacy policy shall, at a minimum, include all of the following:*

*(A) The authorized purposes for using the ALPR system and collecting ALPR information.*

*(B) A description of the job title or other designation of the employees and independent contractors who are authorized to use or access the ALPR system, or to collect ALPR information. The policy shall identify the training requirements necessary for those authorized employees and independent contractors.*

*(C) A description of how the ALPR system will be monitored to ensure the security of the information and compliance with applicable privacy laws.*

*(D) The purposes of, process for, and restrictions on, the sale, sharing, or transfer of ALPR information to other persons.*

*(E) The title of the official custodian, or owner, of the ALPR system responsible for implementing this section.*

*(F) A description of the reasonable measures that will be used to ensure the accuracy of ALPR information and correct data errors.*

*(G) The length of time ALPR information will be retained, and the process the ALPR operator will utilize to determine if and when to destroy retained ALPR information.*

1798.90.52.



If an ALPR operator accesses or provides access to ALPR information, the ALPR operator shall do both of the following:

(a) Maintain a record of that access. At a minimum, the record shall include all of the following:

(1) The date and time the information is accessed.

(2) The license plate number or other data elements used to query the ALPR system.

(3) The username of the person who accesses the information, and, as applicable, the organization or entity with whom the person is affiliated.

(4) The purpose for accessing the information.

(b) Require that ALPR information only be used for the authorized purposes described in the usage and privacy policy required by subdivision (b) of Section 1798.90.51.”

## Training and Support

masterQueue is responsible for providing users with training and support with regard to the use of masterQueue.

Intellaegis employees are required to attend and complete security and compliance training upon hire and annually thereafter in order to stay current with any applicable state and federal legislative acts and laws. Training includes privacy, security and compliance policies and procedures outlining our company expectations and employee obligations.

## Restrictions

At this time any user who is presented with the Permissible Purpose Screen upon attempting to enter an account in masterQueue and selects the “Other/No Permissible Use for LPR Data” will not be able to access the account.

At no time will the Permissible Purpose access allow any user to see data of any kind that does not belong to that user/client. The data in masterQueue remains proprietary at all times and the property of the owner. This has not changed in any way.

## Definitions

SB-34	Senate Bill 34
ALPR	Automatic License Plate Recognition
ANPR	Automatic Number Plate Recognition
Breach of PII	Unauthorized access to Personal Identifying Information
Permissible Purpose	Legally allowable purpose for inquiring about a consumer’s personal information.
PII	Personal Identifying Information



### 1798.90.5. Definitions

The following definitions shall apply for purposes of this title:

(a) “Automated license plate recognition end-user” or “ALPR end-user” means a person that accesses or uses an ALPR system, but does not include any of the following:

(1) A transportation agency when subject to Section 31490 of the Streets and Highways Code.

(2) A person that is subject to Sections 6801 to 6809, inclusive, of Title 15 of the United States Code and state or federal statutes or regulations implementing those sections, if the person is subject to compliance oversight by a state or federal regulatory agency with respect to those sections.

(3) A person, other than a law enforcement agency, to whom information may be disclosed as a permissible use pursuant to Section 2721 of Title 18 of the United States Code.

(b) “Automated license plate recognition information,” or “ALPR information” means information or data collected through the use of an ALPR system.

(c) “Automated license plate recognition operator” or “ALPR operator” means a person that operates an ALPR system, but does not include a transportation agency when subject to Section 31490 of the Streets and Highways Code.

(d) “Automated license plate recognition system” or “ALPR system” means a searchable computerized database resulting from the operation of one or more mobile or fixed cameras combined with computer algorithms to read and convert images of registration plates and the characters they contain into computer-readable data.

(e) “Person” means any natural person, public agency, partnership, firm, association, corporation, limited liability company, or other legal entity.

(f) “Public agency” means the state, any city, county, or city and county, or any agency or political subdivision of the state or a city, county, or city and county, including, but not limited to, a law enforcement agency.

## Policy History

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*This Policy will be reviewed annually or as needed to ensure that all information is accurate and current to the best of our knowledge.*

Senate Bill 34 Passed by California State Senate for implementation	January 1, 2016
Intellaegis, Inc. dba masterQueue implemented new Permissible Purpose Screen Feature	January 1, 2016
Senate Bill 34 ALPR Permissible Purpose Privacy, Security and Compliance Policy Created	January 1, 2016
SB-34 ALPR Permissible Purpose Policy-Approved-By: _____	

Please contact masterQueue Support at 866-563-7547 or [Support@intellaegis.com](mailto:Support@intellaegis.com) if you have any questions or concerns.

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