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COMMENTS IN OPPOSITION TO 17-H 5531 – ELECTRONIC CONFIRMATION AND COMPLIANCE SYSTEM
February 28, 2017

The ACLU of Rhode Island has long opposed the proliferating use of cameras in traffic enforcement, and of the involvement of private, for-profit vendors in the enforcement of these laws. This legislation serves as a prime example of the troublesome nature of these sorts of traffic enforcement programs. While we understand the purpose of this legislation is to identify out-of-state drivers without insurance, this legislation would nevertheless facilitate the capture and storage of real time location information on every Rhode Islander on the road, with no guidance as to how this information is to be used, at the benefit of a third-party corporation.

This legislation sanctions the installation of automated license plate readers (ALPRs), which are as many as five cameras mounted to police cruisers or other vehicles, capable of capturing images at high speeds and across several lanes of traffic. ALPRs examine license plate data against a series of databases and store this information, along with the date, time, and GPS location of the vehicle. Prior to any use of ALPRs, it is critical that the State of Rhode Island implement clear and specific restrictions on the use of this technology, particularly by law enforcement. Discussing the explicit uses of ALPRs, as this legislation does, and not clarifying further limitations on their use provides no greater protection than what exists currently.

Instead, this legislation benefits the private corporation owning the cameras. We believe it is inappropriate for a private company to receive half of the revenues gained from insurance penalties, as it provides an incentive to encourage penalties instead of minimizing their occurrence. This is made clear by the increase in penalties contained in this legislation. The individuals least likely to have car insurance are those least likely to be able to pay for car insurance. The fines prescribed in this legislation – which are made mandatory, while they are currently discretionary – place upon those individuals a financial burden so high there is little chance they will be able to pay the fees. When a fee can be paid, however, it nets a significant profit to the vendor operating these cameras.

We can look to the state's experience with school bus cameras to get an idea of the success of an ALPR program. In 2012, these school bus cameras became topic of a week-long Channel 10 exposé, when a driver was ticketed as a result of a picture taken through the back window of another car while she drove down the opposite side of the street, with a brick median between her car and the bus. The blurry photograph captured by the camera was considered enough to ticket her, even though it is highly unlikely any police officer on the street would have seen fit in their discretion to do the same. Of the \$1.2 million in fines netted since the school bus cameras were installed, only \$164,111 had gone to the towns and the state as of the time of the

report. The rest has gone to the private corporation owning the cameras. These cameras have made the towns no safer, but have made the company a profit on the backs of Rhode Island drivers. This program is likely to do the same.

This legislation will provide no increased protection for Rhode Islanders, and only increased revenue for the third-party vendor supplying the ALPRs. In light of these concerns, we encourage the committee to reject this legislation.