

March 23, 2025

Chair Robert E. Craven and Members of the Committee  
Committee on Judiciary  
Rhode Island General Assembly

RE: HB 5659 — ALPRs — Opposed Unless Amended

Dear Chair Craven and Members of the Committee:

The National Insurance Crime Bureau (NICB) is a national, century-old, not-for-profit organization supported by approximately 1,200 property and casualty insurance companies, including many who write business in Rhode Island. Working hand-in-hand with our member companies and Rhode Island state and local law enforcement, we help to detect, prevent, and deter insurance crimes, including vehicle theft.

Law enforcement requires all lawful and reasonable tools at their disposal to investigate and solve crimes, ranging from locating stolen vehicles to cases of arson, kidnapping, and murder. Automated license plate readers (ALPRs) have consistently proven to be an especially effective deterrent and crime fighting tool. While we appreciate that the bill's intent is not to unduly restrict the use of ALPRs, we are nonetheless concerned with several provisions of HB 5659 and its inadvertent impact on insurance fraud and crime-fighting efforts. Accordingly, NICB opposes the bill unless amended, such as with the following revisions:

**1. Sec. 12-5.3-2 would prevent the sharing of one-time ALPR information related to a crime.**

Sec. 12-5.3-2 requires that, prior to “entering into an agreement with any other person or entity to acquire, share, or otherwise use automated license plate readers or data,” municipal law enforcement agencies hold a public hearing and obtain city or town council approval, and state law enforcement agencies must, via rulemaking, adopt policies and procedures. While we believe the intent is to impose this only upon law enforcement entities that enter into a formal agreement with a private contractor or non-government entity, the language could capture those less formal, one-time information exchanges related to a crime. In one recent example, NICB vehicle data proved critical in the apprehension of three individuals charged in the relation of shooting a police officer in the neighboring state of Massachusetts. We would suggest that “entering into agreement” means only the exchange of monies or other consideration. Clarifying the language takes on even greater importance because the bill provides a private right of action and limits ALPR data from being admissible as evidence in court.

**2. Sec. 12-5.3-3 would prohibit all non-law enforcement use of ALPRs.**

While we understand the intent of the bill is not to prohibit non-law enforcement use of ALPRs, Sec. 12-5.3-3 provides, without exception, that the “[o]peration of and access to an automated license plate reader shall be for official law enforcement purposes only.”. Non-government collection of ALPR data is protected by the First Amendment of the U.S. Constitution, does not

implicate the Fourth Amendment, and we respectfully urge the committee to amend the language to not erroneously prohibit non-law enforcement use of ALPRs.

**3. Sec. 12-5.3-3 would restrict the types of crimes ALPRs can be used to investigate.**

The language states that law enforcement use of ALPR data shall only be used for purposes of identifying: stolen vehicles, vehicles associated with wanted, missing, or endangered persons, vehicles that register as a match within the National Crime Information Center (NCIC), and vehicles associated with a suspect in an ongoing, active investigation of a violent felony or domestic violence offense. Thus, not only would law enforcement be prohibited from utilizing ALPR information to combat a broad spectrum of non-enumerated crimes, non-law enforcement entities would potentially be prohibited from sharing evidence with law enforcement obtained by ALPRs that provide critical evidence in relation to non-violent felonies, vandalism, theft, insurance fraud, banking fraud, and more. We propose that the bill not prescribe the permissible uses of ALPR data by type of crime—or, instead, to states the crimes for which ALPR data may not be used.

Moreover, any language addressing cross-referencing the NCIC should also include NICB databases. NICB's unique relationship with law enforcement—and in this case the FBI—allows NICB access to a mirror image of the NCIC stolen vehicle database. While vehicle theft records are purged from NCIC after five years, NICB maintains these records indefinitely, which helps support the return of vehicles recovered even decades after being stolen.

**4. Sec. 12-5.3-3 also provides an unreasonably restrictive retention schedule of 30 days.**

Many crimes take months or years to solve and the vehicle used may not yet be a known component of an investigation. Setting short destruction timelines on public agency ALPR data would likely mean that valuable criminal evidence would be deleted and some crimes would go unsolved. We suggest a much longer retention period than 30 days.

**5. Section 12-5.3-4 could instruct criminals how to evade ALPRs.**

Sec. 12-5.3-4 requires law enforcement agencies to maintain a public list of current census tracts in which an ALPR is located. Census tracts are relatively small geographic units, and we are concerned that publishing the location of ALPRs would allow criminals—particularly sophisticated organized crime rings involved in activities such as vehicle theft, cargo theft, drug smuggling, and human trafficking—to map out routes to evade detection. Accordingly, we request that this language be deleted from the bill.

We thank you for your review and consideration of our views. If you have any questions or need additional information, please contact me at [hhandler@nicb.org](mailto:hhandler@nicb.org) or 312-771-3974.

Sincerely,



Howard Handler, MPPA

Senior Director, Strategy, Policy and Government Affairs