

**RESOLUTION 2020-02**

**A RESOLUTION OF THE MISSOULA PARKING COMMISSION, ADOPTING A POLICY FOR THE USE OF AN AUTOMATED LICENSE PLATE READER FOR PARKING ENFORCEMENT AND STATISTICAL DATA-GATHERING PURPOSES**

**WHEREAS**, pursuant to Missoula City Council Resolution Nos. 2997 and 2998, the Missoula Parking Commission has jurisdiction to regulate on-street and off-street parking and any residential parking permit districts created by the Missoula City Council within the boundaries outlined in MMC 10.22.240 Exhibit A; and

**WHEREAS**, Montana Code 46-5-117 authorizes an incorporated city to use a license plate reader in a regulated parking system to identify a vehicle's location and license plate number to enforce parking restrictions; and

**WHEREAS**, Montana Code 46-5-117 authorizes an incorporated city to use a license plate reader to identify a vehicle's location and license plate number to collect data for planning; and

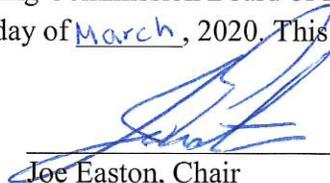
**WHEREAS**, Montana Code 46-5-119 prohibits the disclosure of this or any data collected from an LPR to become a public record or be subject to public disclosure; and

**WHEREAS**, Montana Code 46-5-119 authorizes employees of the City to access data for statistical, administrative, or legal activities necessary to perform the employee's duties; and

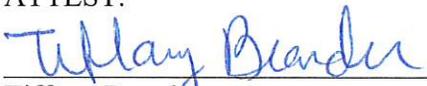
**WHEREAS**, the Missoula Parking Commission acknowledges that Montana State Code 46-5-117 and 46-5-119 recognize: (i) the Missoula Parking Commission has authority to install license plate readers for the sole purpose of recording and checking license plates for statistical, administrative, planning, and parking enforcement purposes; and (ii) that data obtained by the license plate reader is a private record not subject to public disclosure and accessible by employees of the Missoula Parking Commission only for statistical, administrative, or legal activities necessary to perform the employee's duties.

**NOW, THEREFORE, BE IT RESOLVED** that the Missoula Parking Commission adopts MPC Policy #2020-02, Mobile License Plate Reader Use, for the operation of an LPR system for the sole purpose of parking enforcement and statistical data-gathering purposes by the Missoula Parking Commission.

**PASSED AND ADOPTED** by the Missoula Parking Commission Board of Directors, at a regularly scheduled Board Meeting on the 5<sup>th</sup> day of March, 2020. This resolution shall become effective immediately.

  
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Joe Easton, Chair  
Missoula Parking Commission

ATTEST:



Tiffany Brander

Parking Services Director

## MPC POLICY 2020-02

### MOBILE LICENSE PLATE RECOGNITION USE

The Missoula Parking Commission Board of Directors authorizes the Missoula Parking Commission (MPC) to install and operate mobile License Plate Recognition (LPR) devices to support its parking enforcement duties and enhance its administrative and planning capabilities for current and future parking management strategies.

#### **I. Purpose:**

The purpose of MPC's use of mobile LPR devices is to:

- Obtain statistical information regarding the number and location of vehicles to support administration and development of parking policies. Vehicles may be categorized by their parking permissions, including but not limited to, residency within an existing or proposed residential or commercial district, city or state of license, past violation history (number and category of tickets), and length of time parked at one location; and
- Support enforcement of parking rules and regulations by identifying vehicles that have parked in violation of city or state parking regulations.

#### **II. Use:**

- The LPR devices shall be used by MPC exclusively for the purposes stated above. It is not to be used to purposefully take photographs of the occupants in a vehicle or of a vehicle in motion.
- The use of the LPR device and data collected by the LPR device by MPC shall not be used for any other purpose, including for law enforcement unless ordered by a Court.

#### **III. Oversight:**

- Designated personnel who will operate the LPR device shall undergo training regarding the use of LPR equipment prior to first use and shall continue with training throughout their employment with MPC. Designated, trained personnel shall check equipment at the start of each shift to ensure functionality and camera alignment. Any equipment that falls outside expected functionality shall be reported to the Parking Services Manager immediately. Employees shall not attempt to modify or change the LPR equipment or software unless authorized to do so by the Parking Services Director or an employee designated to provide such authorization by the Parking Services Director.
- Damage or other malfunctions of the equipment shall be reported to the Parking Services Manager.