

Automated License Plate Readers (ALPRs)

427.1 INTRODUCTION

The Department of State Police was legislatively directed by the 2025 Virginia General Assembly to develop a model policy for the use of automatic license plate recognition systems by law-enforcement agencies which is consistent with Va. Code § 2.2-5517. In 2026, the Northern Virginia Community College Police Department adopted the policy to comply with the Code of Virginia.

An automatic license plate recognition system (hereafter referred to as ALPR) is defined as a system of one or more high-speed cameras used in combination with computer algorithms to convert images of license plates, vehicles, or a combination of both into computer-readable data.

Automated license plate recognition improves efficiency and reduces the time needed to complete tasks in which vehicle identification is necessary. These tasks include, but are not limited to, parking regulation, toll collection, as well as numerous law-enforcement and public safety applications. Modern ALPRs deliver high levels of accuracy, even in adverse weather conditions, in various settings.

Law-enforcement agencies can develop meaningful ALPR policies which respect privacy rights while providing authorized users with information which serves to enhance public safety.

427.2 PURPOSE

To ensure that NOVA Police ALPR operational procedures and guidance for its members are following best practice and comply with the Code of Virginia for law-enforcement agencies in the Commonwealth. NOVA Police Department's ALPR policy shall not conflict with Va. Code § 2.2-5517.

427.2.1 DEFINITIONS

Definitions applicable to this policy, in addition to those contained in Va. Code § 2.2-5517, are as follows:

- A. Read: Digital images of license plates and vehicles and associated data (e.g., date, time, and geographic coordinates associated with the image capture).
- B. Alert/Hit: A read matched to a plate that has previously been registered on a hot list of vehicle plates related to stolen vehicles, wanted vehicles, or other factors supporting investigation, or which has been manually entered by a user for further investigation.
- C. Hot list: License plate numbers and letters of stolen cars, vehicles owned by persons of interest, and vehicles associated with AMBER Alerts that are regularly added to hot lists circulated among law enforcement agencies. Hot list information can come from a variety of sources, including stolen vehicle information from the National Insurance Crime Bureau and the National Crime Information Center (NCIC), as well as national AMBER Alerts and Department of Homeland Security watch lists. Law enforcement agencies can also interface their own locally compiled hot lists to the ALPR. These lists serve as an officer safety function as well as an investigatory purpose. In addition

Northern Virginia Community College Police Department

Policy Manual

Automated License Plate Readers (ALPRs)

to agency supported hot lists, users may also manually add license plate numbers to hot lists in order to be alerted if a vehicle license plate of interest is read by the ALPR.

- D. Fixed ALPR: ALPR cameras that are permanently affixed to a structure, such as a pole, a traffic barrier, or a bridge.
- E. Mobile ALPR: ALPR cameras that are affixed, either permanently (hardwired) or temporarily (e.g., magnet-mounted), to a law enforcement vehicle for mobile deployment.
- F. Portable ALPR: ALPR cameras that are transportable and can be moved and deployed in a variety of venues as needed, such as a traffic barrel or speed radar sign.
- G. Private Entity ALPR: A private entity may be, but not limited to, homeowner's associations, gated communities, shopping malls, other business establishments, or places of worship. These entities often have information sharing agreements with law-enforcement agencies.
- H. User: Any individual who is authorized to access information and use the system.

427.3 OPERATIONS

- A. The use of and/or access to an ALPR is restricted to use for official purposes only. An ALPR shall be used for official law enforcement purposes only and in compliance with Va. Code § 2.2-5517. Members of the NOVA Police Department shall not use any ALPR for the purpose of interfering with individuals engaged in lawful activities or tracking individuals based on the content of lawfully protected speech. ALPRs are used to identify vehicles, not persons.
- B. Va. Code § 2-5517(D) provides that a law-enforcement agency may use an ALPR only:
 - 1. as part of a criminal investigation into an alleged violation of the Code of Virginia or any ordinance of any county, city, or town where there is a reasonable suspicion that a crime was committed;
 - 2. as part of an active investigation related to a missing or endangered person, including whether to issue an alert for such person, or a person associated with human trafficking; or
 - 3. to receive notifications related to a missing or endangered person, a person with an outstanding warrant, a person associated with human trafficking, a stolen vehicle, or a stolen license plate.

All information necessary for the creation of an audit trail shall be entered to query system data. A law-enforcement agency shall not query or download system data unless such data is related to at least one of these purposes. A law-enforcement agency may download audit trail data for purposes of generating audit reports. A stop of a motor vehicle based on a notification from the system shall be consistent with Va. Code § 2.2-5517(M).

- C. Non-agency owned or contracted ALPRs
 - 1. Employees who have access to non-agency owned or contracted ALPRs shall report such access to the ALPR program manager or equivalent.

Northern Virginia Community College Police Department

Policy Manual

Automated License Plate Readers (ALPRs)

2. Non-agency owned or contracted ALPRs include memberships or accounts to private entity ALPRs or databases.
- D. Notification of an Alert
1. Notification by a system does not constitute reasonable suspicion as grounds for law enforcement to stop a vehicle. Prior to stopping a vehicle based on a notification, a law-enforcement officer shall:
 - (a) Develop independent reasonable suspicion for the stop; or
 - (b) Confirm the license plate or identifying characteristics of a vehicle match the information contained in the database used to generate the notification.
 1. This confirmation procedure shall be an independent comparison of the ALPR alert and the corresponding hot list notification.
 2. Law-enforcement officers are encouraged to use radio communication to verify the ALPR alert
 2. If a member of the NOVA Police Department, no matter rank, stops the driver of a motor vehicle, stops and frisks a person based on reasonable suspicion, or temporarily detains a person during any other investigatory stop based upon the alarm of an ALPR, the reporting requirements set forth in Va. Code § 52-30.2(C) shall be followed.
- E. ALPR Hot Lists
1. The primary use of ALPR data involves the comparison of license plate characters collected by an ALPR to characters contained on a previously compiled hot list. These hot lists may be compiled by the local, state or federal law enforcement. These hot lists inform law enforcement which vehicles are of interest and the cause of concern. Thereby alerting the user when such a vehicle is read by an ALPR camera. This can be done in real time or using historical ALPR data.
 2. Hot lists shall be updated at least once every 24 hours, or as soon as practicable, after such updates become available.
 - (a) The Virginia State Police distribute the NCIC hot list four times daily
 - (b) The NOVA Police Department shall verify/coordinate with the Virginia State Police or through the ALPR vendor the accuracy and currency of the NCIC data in the hot list.
 - (c) The NOVA Police Department may enter data into an ALPR through a department operated hot list. This manually entered data (hot listed license plate(s)) shall be updated as soon as practicable.
 - (d) In the event that the NOVA Police Department enters manual data for license plate lists, the list shall contain at a minimum:
 1. Supporting information regarding why a particular license plate is on a specific hot list; and
 2. Vehicle description (year, make, model, and color); and

Northern Virginia Community College Police Department

Policy Manual

Automated License Plate Readers (ALPRs)

3. Legal reason for entry; and
 4. Valid 24-hour contact number of entrant or agency; and
 5. If available, a valid case number or CAD/incident number.
- (e) Only members of the NOVA Police Department Criminal Investigations Division shall be authorized to request entering manual data into the NOVA Police Hotlist after approval of the Commander, Criminal Investigations Division, has reviewed the request.
- (f) Trained Patrol Officers and Supervisors will not be authorized to request entering data on the NOVA Police hotlist without approval of the Chief of Police, or his/her designee.
- F. Training Requirements
1. Employees must attend training prior to using or accessing the ALPR
 2. ALPR training should occur bi-annually and should include the following:
 - (a) Legal update of relevant ALPR matters
 - (b) Technical procedures
 - (c) Administrative procedures
 3. Agencies shall maintain a record of each employee's completion of ALPR training in accordance with existing training records policies.
- G. System Data Usage - Retention and Sharing
1. System data dissemination, sharing, and disclosure are defined in Va. Code § 2.2-5517(D), (E), and (F). ALPR data must be purged after 21 days. The ALPR audit trail data must be purged after two years. Neither the data or audit trail shall be recoverable by either the vendor or the NOVA Police Department unless the following applies:
 - (a) The system data or the audit trail data is part of an ongoing investigation, prosecution, judicial order (e.g. Judge's order to provide), criminal proceedings, or civil actions.
 - (b) Such data shall be retained by the NOVA Police Department until (i) the investigation concludes without any criminal charges or (ii) the final disposition of any criminal or civil matter related to the data, including any direct appeals and any writs of habeas corpus pursuant to Article 3 (§8.01-654 et seq.) of Chapter 25 of Title 8.01 or federal law, in accordance with applicable records retention law and policy.
 2. ALPR data may not be queried or downloaded from the system unless related to purposes set forth in Va. Code § 2.2-5517(D)(i-iii)
 3. ALPR data or audit trail data shall not be sold by its employees or its contracted ALPR vendor(s). Any improper use/dissemination of ALPR data shall be investigated as misconduct by the NOVA Police Department and may result in Civil, Criminal, and/or Administrative and employment sanctions, up to and

Northern Virginia Community College Police Department

Policy Manual

Automated License Plate Readers (ALPRs)

including termination against the member(s) using the data in violation of this Policy and/or Code.

4. System data and audit trail data shall not be subject to disclosure under the Virginia Freedom of Information Act (FOIA)
5. NOVA Chief of Police, or his Designee, will verify prior to releasing ALPR information to another law-enforcement agency in accordance with Va. Code § 2.2-5517(A) which defines a law-enforcement agency as any agency or entity that employs law-enforcement officers as defined in Va. Code § 9.1-101 and the person requesting the data is a law enforcement officer with an approved, legitimate purpose (e.g. criminal investigation).

427.4 ADMINISTRATION

- A. A. Internal system auditing shall occur at least once every 30 days.
 1. Internal system audits shall be conducted in the following use areas:
 - (a) Queries Conducted – At least 5% of the total monthly queries conducted should be audited to ensure compliance with of Va. Code § 2.2-5517(D) (Reference Va. Code § 2.2-5517(I)(3)).
 - (b) Downloads – At least 5% of the total monthly downloads should be audited to ensure compliance with Va. Code § 2.2-5517.
 - (c) Traffic Stops – At least 5% of the total monthly traffic stops conducted as the result of an ALPR alarm should be audited to ensure compliance.
 - (d) Agency Sharing – A monthly system audit shall verify system settings to ensure compliance with Va. Code § 2.2-5517(F)(1).
 2. ALPR data and audit trail data shall be purged after 21 days (for data) and after two years (for the audit trail) of the date of its capture and rendered not recoverable in accordance with Va. Code § 2.2-5517(E).
- B. Data Security and Access
 1. ALPR data is categorized as "for official use only." Ensuring ALPR data remains secure builds public confidence in this technology. Access control to the administrative profile(s) of the ALPR shall be monitored and maintained by NOVA Police Department designees.
 2. All collected data will be maintained on a server that is not connected to, or shared with, other law-enforcement databases.
 3. The server will be able to provide an inquiry tool, history tracking, and reporting protocols for the entire ALPR.
 4. The server will provide a secure intranet site or internet site, allowing only approved personnel, password-protected access to collected data.
 5. State law enforcement agency internet and intranet sites must be compliant with existing VITA security standards.

Northern Virginia Community College Police Department

Policy Manual

Automated License Plate Readers (ALPRs)

6. Only computers connected to the NOVA Police Department intranet that are CJIS compliant can access ALPRs.
- C. ALPR Program Manager
1. The NOVA Police Chief shall designate a supervisor the rank of Sergeant or above to manage the ALPR program.
 2. The ALPR Program manager shall:
 - (a) Stay abreast of current case law and legislation
 - (b) Manage user accounts and permissions
 - (c) Monitor the use of the ALPR and conduct periodic audits
 - (d) Manage ALPR training
 - (e) Update ALPR policy as necessary