

May 17, 2022

The Honorable Cynthia Coyne
Chair
Senate Judiciary Committee
82 Smith Street
State House
Providence, RI 02903-1105

Re: Senate Bill 2650 – relating to automated license plate readers

Dear Chair Coyne:

I write on behalf of the American Financial Services Association (AFSA)¹ to express our concerns with Senate Bill 2650, which would set certain restrictions on the use of automated license plate readers (ALPR) by law enforcement. Our particular interest in ALPR technology relates to the vehicle finance industry’s use of it to rapidly identify and recover vehicles in default for a period of months with owners who are not responding to good-faith efforts to contact them. While we do not believe it is the legislature’s intent to restrict private uses of ALPR—including those by the vehicle finance industry—we are concerned that, as drafted, the bill may have that effect. For these reasons, we oppose the bills as drafted, absent clarification that explicitly excludes privately owned or operated ALPR systems.

Our major concern with the bill relates to the definition of automated license plate reader in 12-5.3-1, which defines an ALPR to include “a device that is owned or operated by a person who is not a government entity to the extent that data collected by the reader is shared with a law enforcement agency.” We understand the intent of this provision, but this broad definition could subject private ALPR operators to the bill’s significant restrictions, if, at any point, they voluntarily, or involuntarily, share any data with law enforcement. These restrictions, including certain deletion requirements, would apply to all data held by the private operator, whether that data had been shared with law enforcement or not. To that end, we respectfully request the bill be amended to clarify that these restrictions do not apply to privately owned or operated ALPR systems. If you wish not to provide such clarity, we request an amendment that would set standards for the use of private ALPR data by law enforcement, and to the extent that commercial ALPR data is shared with a law enforcement agency, then the agency’s use of such data would be subject to the requirements in the bill.

We urge you to consider our request for clarity and not move forward with this legislation as drafted. Without such clarity, unintended restrictions on the use of ALPR data for vehicle finance purposes would have harmful effects for consumers seeking access to credit. Thank you in advance for your

¹ Founded in 1916, the American Financial Services Association (AFSA), based in Washington, D.C., is the primary trade association for the consumer credit industry, protecting access to credit and consumer choice. AFSA members provide consumers with many kinds of credit, including direct and indirect vehicle financing, traditional installment loans, mortgages, payment cards, and retail sales finance. AFSA members do not provide payday or vehicle title loans.

consideration of our comments. If you have any questions or would like to discuss this further, please do not hesitate to contact me at (202) 469-3181 or mkownacki@afsamail.org.

Sincerely,

A handwritten signature in blue ink that reads "Matthew Kownacki". The signature is written in a cursive, flowing style.

Matthew Kownacki
Director, State Research and Policy
American Financial Services Association
919 Eighteenth Street, NW, Suite 300
Washington, DC 20006-5517

cc: Members of the Senate Judiciary Committee