

RESOLUTION NO. 10389

**A RESOLUTION BY THE CITY COMMISSION OF THE
CITY OF GREAT FALLS, MONTANA, ADOPTING A
POLICY FOR THE USE OF AN AUTOMATED LICENSE
PLATE READER FOR PARKING ENFORCEMENT AND
STATISTICAL DATA-GATHERING PURPOSES.**

WHEREAS, Montana Code Annotated 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 Annotated 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 collect data for planning; and

WHEREAS, Montana Code Annotated 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 Annotated 46-5-119 authorizes employees of the City and/or its authorized parking enforcement contractor to access data for statistical, administrative, or legal activities necessary to perform the employees and/or contractor's duties; and

WHEREAS, Montana Code Annotated 46-5-119 requires that information collected or stored in any database containing records obtained by a License Plate Reader (LPR) be kept for no more than 18 months; and

WHEREAS, The Great Falls City Commission acknowledges that the Montana Code Annotated 46-5-117 and 46-5-119 recognize: (i) the City of Great Falls has the authority to install a license plate reader for the sole purpose of recording and checking license plates for statistical, administrative, planning, and parking enforcement purposes; (ii) a separate policy must exist for any use of a License Plate Reader (LPR) of its collected data by law enforcement; and (iii) that data obtained by the License Plate Reader (LPR) is a private record not subject to public disclosure and accessible by employees of the City and/or its parking enforcement contractor only for statistical, administrative, or legal activities necessary to perform the employee's or contractors duties; and

WHEREAS, the Parking Advisory Commission has studied this matter and set forth the recommendations herein.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, that the Planning & Community Development

(PCD) Administrative Policy 2021-1 titled “License Plate Recognition Technology/Data Use Policy” for the operation of an LPR system for the sole purpose of parking enforcement and statistical data-gathering purposes by the Parking Services Division of the City of Great Falls, Montana, is hereby adopted.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, March 16, 2021.

Bob Kelly, Mayor

ATTEST:

Lisa Kunz, City Clerk

(CITY SEAL)

APPROVED FOR LEGAL CONTENT:

Sara R. Sexe, City Attorney