



# LITERATURE SEARCH

## State DOT License Plate Reader Policies

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### **Background:**

While there is currently no federal framework specific to the use of tools and technologies related to placement of automated license plate readers or recognition devices (ALPRs), the broader policies governing police investigations and intelligence gathering have allowed their mobile and stationary use by federal and state law enforcement agencies in various proactive and reactive policing including community caretaking, investigations, crime prevention, and traffic compliance (Finklea 2024).

In 2012, the International Association of Chiefs of Police supported by the National Institute of Justice assessed and documented ALPR implementation and operation among United States law enforcement agencies which identified emerging implementation practices and provided additional operational and policy guidance (Roberts 2012). By 2017, the Bureau of Justice Assistance published the *License Plate Reader Policy Development Template for Use in Intelligence and Investigative Activities* which provides recommendations for the development of ALPR policies that may be used to establish an outline for any future federal legislation (Finklea 2024).

As of February 2022, the National Conference of State Legislatures (NCSL) reports that 16 states have laws specific to the use of ALPRs. Most of these laws pertain to privacy of the data recorded but many also encourage the state transportation department (DOT) to develop policies for the placement of ALPRs in state rights-of-way (NCSL 2022).

### **Summary of Results**

Currently, 13 state DOTs have policies specific to or mentioning permitting requirements for ALPRs within state rights-of-way (ROW). The most common policy requires the applicant to be a law enforcement agency. Applicants are also typically expected to maintain full responsibility for installation, upkeep, and removal of equipment which should also be sustained by an independent power supply and communication system. DOT preference tends to be for standalone breakaway poles outside of the clear zone. Some DOTs have provisions for attaching to existing poles as long as specific installation and weight requirements are met. More information on each state DOT policy is detailed below including major permitting process stipulations.

## **State Laws and State DOT Policies:**

Listed below are the 13 states with DOT ALPR policies which includes a summary of the policy, overview of ROW installation requirements, overview of the permitting process, and links to both the state law (when available) and the state DOT policy.

### **Alabama**

Law: License Plate Recognition Systems for Law Enforcement, [Ala. Admin. Code r. 265-X-6](#)

Alabama DOT (ALDOT) ALPR policy: [Frequently Asked Questions: Permitting for the Installation and Maintenance of Public Safety Sensors](#)

Summary: LPRs are considered public safety sensors and therefore *Permit Form MB-14* can be submitted for their use but only by law enforcement agencies associated with city, county, or state government. Additionally, LPRs must also be approved by the Alabama Law Enforcement Agency (ALEA) under the Criminal Justice Information Services (CJIS) Administrative Code requirements.

Installation on Rights-of-Way: Sensors located within ROW are required to transmit wirelessly and have an independent power supply and are not permitted to be installed within the median of a divided highway, over travel lanes, or at Rest Area or Welcome Center facilities. Portable sensors are not allowed on controlled-access ROWs but may be allowed within non-controlled-access ROWs at the discretion of ALDOT and within safety considerations but for no longer than 30 days. Further specifications of placement can be found throughout the FAQs document.

Approval Process and Procedure: The permit application and supporting documentation can be emailed or mailed to Maintenance Bureau, Permits & Operations. See Frequently Asked Question (FAQ) #4 (p. 2) for links and detailed instructions on how to apply with Permit Form MB-14. Details to be included with permit submittal can be found at FAQ #17 (p. 7-8).

### **Colorado**

Law: Limit on retention of passive surveillance records, [Colo. Rev. Stat. § 24-72-113](#)

Colorado DOT (CO DOT) ALPR policy: [Terms and Conditions of Automated License Plate Reader Permits](#)

Summary: Written approval and a permit are required and can only be obtained by a Colorado law enforcement agency. The applicant is responsible for all costs, construction, and maintenance.

Installation on Rights-of-Way: The ALPR must have its own inspected power source and provide as-constructed plans within sixty days of completion. A separate *Special Use Permit for Maintenance* must be maintained. No interference to CDOT infrastructure is allowed and annual operation and use reporting is required.

Approval Process and Procedure: Written approval must be obtained from Colorado State Patrol Investigative Services Section according to the *CSP ALPR Evaluation and Checklist*. A *Utility/Special Use Permit* must be also submitted by the owner who is required to be a Colorado law enforcement agency. The ALPR System must be free of debt and the owner must acknowledge legal use and pay for all costs including inspections, upkeep, and repair. The owner must also provide an annual report and immediately notify CO DOT when it is no longer in use. Specific details can be found in the terms and conditions.

## **Florida**

Law: Automated license plate recognition systems; installation within rights-of-way of State Highway System; public records exemption, [Fla. Stat. § 316.0777](#)

Florida DOT (FDOT) ALPR policy: [License Plate Readers](#)

Summary: A general use permit is required to be submitted by or on behalf of a law enforcement agency as defined by Florida law. The ALPR must be placed at the sole expense of the requestor and must be removed within 30 days of any FDOT request for removal. The requestor is responsible for installation, maintenance, and removal that follows FDOT standard road and bridge construction specifications. Collaboration with the FDOT contractor for installation or relocation done simultaneously with FDOT construction is required.

Installation on Rights-of-Way: ALPRs can be placed within rights-of-way on standalone poles but must maintain its own power source and communication system and have breakaway support mechanisms. They cannot impede driver view, be placed in medians or on sidewalks, or interfere with FDOT or traffic signal maintaining equipment. Fixed systems must be placed as close as possible to the right-of-way boundary and mobile systems must be placed in accordance with clear zone width requirements. Any illumination devices used must not impede a driver's visual field of view.

Approval Process and Procedure: The required application is the *General Use Permit Application, Form 850-040-05* and is valid for 5 years at which point a new application must be submitted. Request by law enforcement agency on agency letterhead, site plans, installation details, and manufacturer's certificate must be submitted along with the *Form 850-040-05*. Additional details can be found under [Special Provisions](#), [Install Guidelines/FAQs](#), and [Approved LPR Supports](#) documents linked within the License Plate Readers FDOT page.

## **Georgia**

Law: Prohibition on law enforcement retaining license plate data obtained from automated license plate recognition systems; limited use of data; public disclosure prohibited, [Ga. Code § 35-1-22](#)

Georgia DOT (GDOT) ALPR policy: [Automated License Plate Readers \(ALPR\)](#)

Summary: State, local, and university police agencies must obtain a permit from GDOT to place an ALPR within the state's right of way. More than one ALPR can be on each permit but additional ALPR permitting may be required at jurisdictional limits. Additional guidance can be found under [LPR Guidance](#).

Installation on Rights-of-Way: Placement preference is for the ALPR to be strapped to existing breakaway poles or vertical tubular poles but new poles can be installed as long as they are outside of the clear zone unless accompanied by an FHWA eligibility letter confirming it has passed NCHRP 350 or MASH testing. The ALPR must maintain its own power source.

Approval Process and Procedure: Permit applications must be submitted to the applicable regional GDOT representative. One application can include all requested locations within that region. Applications should include conceptual layout. When accepted, a *Special Encroachment 7411 Permit* will be issued for a 3-year period. Approved permits will require a signed maintenance agreement and general indemnification agreement. Permit application and instructions can be found under [Permit Application](#) and [Rules for ALPR Permits](#). See main link for a zip file of LPR Letter Templates.

## **Illinois**

Law: Tamara Clayton Expressway Camera Act, [605 ILCS 140/1](#)

Illinois DOT (IDOT) ALPR policy:

- [Automated License Plate Trader - Transparency Page](#)

- [Expressway Camera Act](#)

Summary: According to *605 ILCS 140/1*, Illinois State Police (ISP), Illinois State Toll Highway Authority, and Illinois DOT (IDOT) now collaborate on a program to increase the amount of cameras along certain expressways and state highway systems. While this program continues to expand, there are more recent concerns of overreach that have initiated [potential court challenges](#). IDOT policy assumes but does not appear to limit permit requestors to law enforcement agencies only.

Installation on Rights-of-Way: Installation will be performed by an IDOT prequalified electrical contractor at the expense of the applicant and a prequalified traffic signal/electrical designer may be required to develop design plans. Applicant is responsible for locating and protecting state-owned buried and aerial facilities and for notifying non-state-owned facilities for location and protection services. ALPRs can be placed on existing structures as determined by district offices but requires its own wiring conduit and does not result in exceeding the weight limit or wind load for the structure and cannot impede driver visibility. Applicant must provide an emergency contact for repair calls and is responsible for cost of installation, maintenance, repair, and removal.

Approval Process and Procedure: Each district office will determine permit status based on jurisdictional boundaries. IDOT permit application should include *Form OPER 1051* (License Plate Reader Permit), *Form OPER 1046* (Individual Highway Permit Bond), installation plans, method for connecting and logging data, crashworthiness documentation, and structural documentation when mounting to existing agency structures. Maintenance and removal require additional permits and may not be allowed without electrical maintenance contractor oversight. Details including a pre-approved design can be found within [OPS-T-12: Installation of License Plate readers within State Rights-of-Way](#).

## **Indiana**

Law: no current state laws exist

Indiana DOT (INDOT) ALPR policy: [Permit Operations Memorandum 21-02; Law Enforcement Equipment \(LEE\) on State Right-of-Way](#)

Summary: Considered a public safety support objective rather than a direct transportation service, a special INDOT application permitting process was created for law enforcement equipment (LEE), including ALPRs, installed, operated, and maintained by governmental law enforcement agencies within state owned or controlled rights-of-way. Funding for the project is the responsibility of the applicant.

Installation on Rights-of-Way: All LEE installed within state ROW must be in accordance with federal and state laws, rules, and regulations as well as INDOT standards and specifications. Only law enforcement agencies are permitted to apply. Installation locations must not interfere with current or future INDOT projects. Installations required digging must be reviewed by INDOT environmental staff.

Installation on interstate ROWs will only be allowed near or at interchanges or overpasses and require approval from the Federal Highway Administration (FHWA) as well as the INDOT Traffic Engineering Division. Review for installations not within interstate ROWs will be conducted at the district level. LEE may be installed on freestanding breakaway poles. On interstate ROW, breakaway poles can only be located between 100% and 200% of clear zone with an eligibility letter from FHWA and having passed NCHRP 350 or MASH testing comparative to roadway speed. Freestanding poles must not interfere with motorists' visibility or INDOT mowing.

Placement on existing signal equipment may require a pre-construction meeting and cannot interfere with traffic control or signal devices and must have an independent power source. Installation, maintenance, and removal must follow the safety and asset protections in accordance with the *Indiana Manual on Uniform Traffic Control Devices* and any additional parameters specified in the memorandum.

Approval Process and Procedure: The applicant must use INDOT's Electronic Permit System to file a *Right-of-Way Occupancy Permit* type "Above Ground Occupancy" and subtype "Law Enforcement Equipment". Applications can be for more than one location along the same route as long as details are provided in supplemental documentation. Different routes require different permit applications. Applicant is responsible for coordinating with overlapping or adjacent jurisdictions. Application fees are waived for governmental entities. Permit bond requirements may be waived using the *Bond Waiver* form but only for freestanding breakaway poles with no power connections. Permitting requirements include a statement of use and purpose and a signed agreement with INDOT. Required supporting documentation includes design layout detail, traffic maintenance accommodations during install, bond waiver, and, if LEE is placed in another jurisdiction, a letter of no objection for placement from that jurisdiction. Permittee must notify INDOT District Permits office within twenty-four hours of completion of the installation and may be subject to inspection. Permit term is 3 years and each instance of maintenance requires its own permit. Any changes require a new permit and permits can be revoked by INDOT at any time.

## **Missouri**

Law: no current state law exists

Missouri DOT (MoDOT) ALPR policy: [941.10 Automated License Plate Readers and Pan-Tilt-Zoom Cameras](#)

Summary: Installation of ALPRs within Commission ROW must not create a safety risk for the traveling public or interfere with MoDOT's ability to maintain and operate the transportation system. Installation and maintenance is the responsibility of the applicant. The Department of Public Safety (DPS) provides approval of ALPR devices but MoDOT provides permitting for the construction on Commission ROW.

Installation on Rights-of-Way: Installations on Commission ROW cannot be used to monitor off system roadways. Non-permanent installations are presently available for ALPRs. Acceptable installation locations are only on the right side of the roadway outside of the shoulder on existing upright poles as long as the ALRP does not interfere with existing devices or on independent poles or supports that have been crash tested and approved by MoDOT. Placement on non-breakaway structures owned by a third party must have written permission. Locations not permitted include median or left side of highway, overhead, existing structures with breakaway design, bridges, where a device is already installed, or any location that may interfere with MoDOT's ability to manage the transportation system.

Approval Process and Procedure: Once DPS approval is received, the requesting law enforcement agency must contact MoDOT's local permit specialist to initiate the permitting process. The permit request submittal must include aerial imagery and drawings of the installation location and hardware to be used, electrical and data retrieval plans, clarification on expectations of maintenance, traffic control plans during installation, and a surety deposit. A separate permit may be issued for access to the ROW for developing installation plans. Supplementary documents should specify the independent power source and independent network connectivity. A *Roles and Responsibilities* document will be maintained as long as the ALPR system is in place. Maintenance and removal both require additional permits and are the financial responsibility of the applicant. See the [License Plate Reader Installations Flowchart](#) for more information.

## **North Carolina**

Law: Automatic License Plate Reader Systems, [North Carolina General Statutes, Chapter 20, Article 3D \(N.C.G.S. 20-183.30 – 183.33\)](#)

North Carolina DOT ALPR policy: not yet available

Summary: According to S409 (2023), a pilot program for placement of automatic license plate reader systems in state rights-of-way is to be established between the North Carolina DOT and the State Bureau of Investigation (SBI) with an initial report due to the General Assembly by April 15, 2025 and a final report due October 1, 2025. No further information is available.

## **Ohio**

Law: no current state law exists

Ohio DOT (ODOT) ALPR policy: [License Plate Reader \(LPR\) Permits](#)

Summary: ROW permit is required and can be submitted online through the Right of Way E-Permitting System. The Law Enforcement entity applying will be responsible for the cost of installation, maintenance, and removal as needed.

Installation on Rights-of-Way: Freestanding ALPRs are permitted on breakaway supports meeting ODOT and FHWA requirements including 2' to 4' behind existing vertical element on high speed roadways or at least 4' behind face of curb or at least 8' from nearest edge of travel lane on low speed roadways. If not installed on a breakaway support, it must be outside of the clear zone and at least 6'-6" behind a guardrail or at least 2' behind an existing concrete barrier.

ALPRs can be co-mounted on ODOT infrastructure using clamp supports on ODOT-owned vertical support members as long as the support is sufficiently offset for ongoing maintenance without impacting travel lanes and must be installed at a minimum of 2' from existing devices. ALPRs are not permitted to be installed on bridges or infrastructure with lowering devices or on any existing overhead or horizontal members. Should the ALPR need to be removed or replaced by ODOT, the applicant is responsible for the cost. Installations cannot block or obscure existing traffic control device. Law Enforcement Entity and Vendor nameplate must be attached and include the name and contact information responsible for the installation. Any external light source can not face direction of travel. ALPR must be solar powered and use wireless communication.

Approval Process and Procedure: A MyODOT account is required to apply for the *Right of Way Permit*. Application should include the law enforcement agency name and not be submitted on behalf of someone else. Latitude and longitude coordinates must be supplied for the location as well as start and completion dates. Other documentation required includes an aerial map depicting the installation location, a completed *RE 900 ALPR Permit Submittal Checklist*, *RE 901 ALPR Supplemental Agreement*, a fully executed agreement between LPR manufacturer or



vendor and law enforcement agency, and a *Maintenance of Traffic* plan. Each ALPR location requires a separate permit application.

## **Pennsylvania**

Law: no current state law exists

Pennsylvania DOT ALPR policy: [PennDOT 494-22-09, Automated License Plate Readers](#)

Summary: ALPRs permitted within the ROW can be attached to existing structures only. New structures are not permitted.

Installation on Rights-of-Way: Attachment to existing traffic signals is permitted if following the requirements listed in Section 7.3 of [Publication 191: Traffic Signal Maintenance Manual](#). Attachment to non-PennDOT structures is acceptable with structure owner approval and does not require PennDOT approval as long as the existing structure was permitted. ALPRs can not be attached to existing PennDOT structures.

Approval Process and Procedure: Section 7.3 of the *Traffic Signal Maintenance Manual* must be followed to attach an ALPR to an existing traffic signal. This entails notifying the department, submitting a request to the traffic engineer, and receiving a department review. Approved attachments must include photographs of the completed project showing all equipment involved.

## **Tennessee**

Law: Automated license plate recognition system - Limitation on storage of data, [TN Code § 55-10-302 \(2023\)](#)

Tennessee DOT (TDOT) ALPR policy: [Automated License Plate Reader Program](#)

Summary: TDOT is authorized to permit law enforcement agencies to install ALPRs on state highway rights-of-way under certain circumstances and only if it will not impede TDOT operations or the safe flow of traffic. Applications must be approved before installment or operation of ALPRs.

Installation on Rights-of-Way: Only fixed ALPR cameras will be approved if it is determined not to interfere with highway facilities nor impair traffic safety.

Approval Process and Procedure: Approval is for the specific brand, make, and model as well as location. Changes will require a new application. If applicant does not have independent contracting authority, written approval by the local legislative body must be included in the application submittal. Once the application is submitted, TDOT will meet with the Tennessee Department of Safety & Homeland Security (TDOSHS) to review the applicant's written ALPR policy, equipment documentation, and compliance with *T.C.A. § 55-10-302*. Collected data must be stored in the United States and cannot be used for commercial purposes. If approved, the application will then be reviewed by the regional TDOT traffic office and a recommendation will be sent to the Headquarters which will then present it to the Excess Land Committee for evaluation. For interstate ROW requests, the evaluated request packet will then be sent to the Federal Highway Administration (FHWA) for concurrence. Once all approvals have been obtained, two copies of the license agreement must be signed by the requestor and be sent to the Commissioner to be executed. One original will return to the requestor and at that point the installation can begin.

## **Utah**

Law: Automatic License Plate Reader System Act, [Utah Code §§ 41-6a-2001 to -2005](#)

Utah DOT (UDOT) ALPR policy: [License Plate Reader](#)

Summary: An *Automatic License Plate Reader System (ALPRS) Special Use Permit* application is required to be submitted to UDOT. Once approved, a separate *Encroachment Permit for Installation or Maintenance Work* permit is required for any disruption to traffic or presence on highways or shoulders. Contractors are permitted but must enter into a license agreement with UDOT prior to application for encroachment permits.

Installation on Rights-of-Way: Only one special use permit is required per municipality. The ALPR policy must be published on a public website prior to application approval and a current list of ALPR locations must be provided to UDOT. Contractors are required to sign a licensing agreement with UDOT.

Approval Process and Procedure: Once the single page [Application for Automatic License Plate Reader System Special Use Permit](#) is completed, submitted, and accepted then the [Encroachment Permit application process](#) can be followed per *Utah Code § 72-7-102* and *Administrative rule R930-7*. Applicant must enter into a *Statewide Utility License Agreement*, provide a detailed plan of work, provide certified traffic control plans, a certificate of liability insurance, a performance and warranty bond, an MS4 compliance plan, and pay the required fee. Maximum permit duration is 30 days per application and fee payment. If a third party

inspector is required, the encroachment permit officer must be notified with the name of the firm hired from the UDOT approved list.

## **Wisconsin**

Law: no current state law exists

Wisconsin DOT (WisDOT) ALPR policy: [Utility Permits](#)>Cameras

Summary: WisDOT allows the use of license plate reader cameras on state highway ROW through the standard utility permit process.

Installation on Rights-of-Way: The cameras cannot be installed on any WisDOT infrastructure, in the highway median, or within the clear zone.

Approval Process and Procedure: WisDOT's standard [Utility Accommodation Policy](#) covers the application process for ALPR installation. Applicant must apply for the utility permit using *DT1553*, pay the fees, and be up to date on work zone requirements and training courses. Once approved, the permit remains in effect as long as the ALPR is operated and maintained according to permit conditions.

### **Additional References:**

Bureau of Justice Assistance. (2017, February). *License Plate Reader Policy Development Template*. United States Department of Justice. <https://www.ojp.gov/library/publications/license-plate-reader-policy-development-template-use-intelligence-and>.

Finklea, K. (2024, August 19). *Law Enforcement and Technology: Use of Automated License Plate Readers*. (CRS Report No. R48160). <https://crsrcieports.congress.gov/product/pdf/R/R48160>.

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National Conference of State Legislatures. *Automated License Plate Readers: State Statutes*. (2022, February 3). Wwww.ncsl.org. <https://www.ncsl.org/technology-and-communication/automated-license-plate-readers-state-statutes>.

Roberts, David J. and Meghann Casanova. (2012) *Automated License Plate Recognition (ALPR) Systems: Policy and Operation Guidance for Law Enforcement*. United States Department of Justice. [https://www.theiacp.org/sites/default/files/IACP\\_ALPR\\_Policy\\_Operational\\_Guidance.pdf](https://www.theiacp.org/sites/default/files/IACP_ALPR_Policy_Operational_Guidance.pdf).