

NOTE (January 30, 2022): The notes inserted in red are comments by CM Bob Mendes. This is not a comprehensive list of comments. These notes are limited to identifying sections of the proposed ordinance that are internally inconsistent, unclear, or different from how some of the ordinance's co-sponsors have discussed the ordinance.

Ordinance No. BL2021-961

An ordinance amending Section 13.08.080 of the Metropolitan Code of Laws to pertaining to the use of License Plate Scanner (LPR) Technology in the public rights of way.

WHEREAS, license plate scanner technology has been deployed safely and effectively across the country, including in Tennessee; and

WHEREAS, license plate scanner technology is an objective tool used to identify the letters and numbers contained on a publicly displayed, government issued, license plate; and

WHEREAS, it is in the public interest to permit the use of this technology subject to a reasonable privacy framework that ensures the protection of civil liberties.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Section 13.08.080 of the Metropolitan Code is hereby amended by deleting the existing language in subsection G and substituting in lieu thereof:

G. Except as provided in subsection I. of this section, any department of the Metropolitan Government, either directly or through contractors acting at the department's direction, wishing to acquire or enter into an agreement to acquire license plate scanner (LPR) technology and/or install or operate them onto or within the public rights of way, shall comply with the following requirements and restrictions:

1. A usage and privacy policy shall be implemented in order to ensure that the collection, use, maintenance, sharing, and dissemination of LPR information is consistent with respect for individuals' privacy and civil liberties. The usage and privacy policy shall be posted on the department's website, and shall include the following:

NOTE: A consistent problem through this bill is that it is hard to figure out exactly what Metro personnel the ordinance is talking about. Here, at the top of the ordinance, it is clear that any Metro department can use LPRs. As you work through the bill, you will see that there are some sections that imply multiple departments can use LPRs, but there are other sections that imply only MNPd will use LPRs. It is not clear whether the second category of rules (ones that only refer to MNPd) apply to other Metro departments.

(a) i. The authorized purposes for using the LPR system and collecting LPR information, which shall be limited to the following:

(1) investigating and prosecuting felony offenses and criminal offenses associated with violent crimes including gun violence, homicide, and assault; and reckless driving including illegal drag racing activity at speeds in excess of 70 miles per hour; (2) identification and recovery of stolen vehicles and stolen license plates;

NOTE: The phrase "...felony offenses and criminal offenses associated with..." suggests that there may be some misdemeanors that trigger the use of LPR technology. As written, for example, a shoving match like the one a Titans player recently had in a chain drug store (he was charged

with a misdemeanor) would trigger the use of LPRs. There are likely other misdemeanors that would also trigger their use.

(3) detecting civil traffic or parking offenses;

NOTE: "detecting civil traffic" offenses is an authorized use for LPRs. While proponents deny it, under this section, LPRs could be used to look for someone seen changing lanes unlawfully.

(4) operating a smart parking or curb management program; and

NOTE: With this subsection, keep in mind that there are multiple sections below that seem to only apply to MNPD. We can assume that MNPD will not be operating a curb management program? Do the MNPD-specific sections below apply to whatever department uses LPRs to operate a curb management program? The ordinance is unclear about that.

(5) assisting in missing persons cases including Amber and Silver Alerts.

ii. The use of an LPR system and collection of LPR information is not authorized and shall not be used for any purpose other than those listed in this section. This prohibition includes, but is not limited to the use of LPR for the following:

(1) the general surveillance of any individual;

(2) the identification of a vehicle for the purposes of repossession of the vehicle;

(3) the determination of whether a vehicle's license plate is expired;

(4) the determination of whether a motorist has a valid driver's license; or

(5) the determination of whether a motorist is insured.

NOTE: Despite how this reads at first glance, when combined with Subsection E of the existing surveillance technology ordinance at MCL 13.08.080, the "general surveillance of any individual" would be allowed in some situations. Specifically, the existing MCL13.08.080(E), which is not impacted by this ordinance, allows the use surveillance technology on a temporary basis for an ongoing criminal investigation. Reading all the language together, LPRs could be used to track an individual in an ongoing investigation. Maybe some people will like this, but many won't. The key point is that this ordinance combined with existing language definitely allows LPRs to track someone subject to an investigation.

iii. An LPR system authorized under this section shall not be capable of facial recognition.

NOTE: This prohibits having an LPR system that uses artificial intelligence for facial recognition. It does not prohibit storing facial images and using them in other ways.

iv. Law Enforcement Agencies, the Parking Enforcement Patrol, NDOT, and their contractors must have reasonable suspicion that a felony offense, or a traffic or parking offenses, has occurred before examining collected license plate reader data that was collected more than one hour prior to the examination. Further, Law Enforcement Officers shall not examine license plate reader data that was collected more than one hour prior to the examination in order to generate reasonable suspicion.

NOTE: This is a very low threshold for using LPRs – if there is "reasonable suspicion" of a traffic offense, the use of LPRs is authorized. Under the law, "reasonable suspicion" is more than a hunch, but less than probable cause. To combine "reasonable suspicion" with "traffic offense" as the trigger to allow the use of LPRs is a hair trigger.

Also, it is not clear what “reasonable suspicion” means for NDOT and contractors. They are not law enforcement personnel and would not be expected to understand what “reasonable suspicion” means in connection with committing a crime.

v. Whenever a license plate reader alerts on a plate, law enforcement, before taking any action, must confirm visually that a plate matches the number and state identified in the alert, that the alert is still active by calling dispatch, whether the alert pertains to the registrant of the car and not the car itself, and that the license plate is on the list for one of the authorized purposes listed in this section. Once confirmed, a query shall be initiated in the National Crime Information Center (NCIC) database by authorized individuals.

NOTE: Compare this subsection to the one before it. In (iv) above, this bill assumes that NDOT, Parking Enforcement Patrol, and their contractors would be using LPRs. But this subsection only refers to “law enforcement.” Does this mean that “law enforcement” will be taking action on LPR alerts related to parking and traffic offenses? Does this subsection requiring visual confirmation before action is taken apply to non-law enforcement personnel like NDOT, Parking Enforcement Patrol, and their contractors? It’s not clear.

(b) A description of the employees or contractors who are authorized to use or access the LPR system or to collect LPR information.

NOTE: The intended meaning here is not clear. Does this require a department to include a sentence in their policies like, for example: “Six employees in our IT department, and two part-time contractors will have access to the system”? Or something more?

(c) A description of the steps taken to restrict the information obtained through the LPR system to that which is strictly necessary to implement the purposes in subsection G.1(a) of this section and limited to the contents of only the license plate and, to the extent possible, excluding identifying information of the driver and passengers.

(d) A description of how the LPR system will be monitored to ensure the security of the information obtained.

NOTE: This does not require protective measures or set standards. It just requires a description of any measures that a department might choose to use.

(e) The purposes of, process for, and restrictions on the sharing of LPR information to other persons, which must be in accordance with the purposes identified in subsection G.1(a) of this section.

(f) A description of the measures used to ensure the accuracy of LPR information and to correct data errors.

NOTE: This does not require protective measures or set standards. It just requires a description of any measures that a department might choose to use.

(g) The length of time LPR information will be retained, limited to the terms outlined in subsection G.4 of this section.

2. The installation and maintenance of LPR hardware and software, as well as LPR data access, retention, and security, shall be managed by an LPR Custodian (“Custodian”) designated by the department using the LPR system, who will assign personnel under their command to administer the day to day operation of the LPR system as defined below. The Custodian’s name shall be provided on the department’s website. The Custodian shall be the administrator of the LPR

system and shall be responsible for developing guidelines and procedures regarding the department's use of its LPR system, including, but not limited to:

NOTE: The use of the phrase "...under their command..." is a place where the drafting leaves the impression that this rule is only for MNP. Non-law enforcement departments do not use that type of terminology.

Also, notice that each department that uses LPRs will appoint its own LPR Custodian, who will in turn create the department's guidelines and procedures. We should expect that, if multiple departments use LPRs, their individual LPR Custodians may create different rules for the different departments.

- (a) Establishing and maintaining reasonable security procedures and practices, including operational, administrative, technical, and physical safeguards, to protect LPR information from unauthorized access, destruction, use, modification, or disclosure;
- (b) Maintaining a list of the name and job title of all users who are authorized to use or access the department's LPR system;
- (c) Developing training requirements for and ensuring training of authorized users on the operations of, and usage and privacy policy for the department's LPR system;
- (d) Developing procedures and a regular timetable for conducting audits of LPR system usage, including audits of user searches;
- (e) Developing procedures for, and ensuring the proper retention and destruction of, the agency's LPR data;

NOTE: This is the first use of the term "agency." Presumably, "agency" means "department," but that's not clear.

- (f) Ensuring that this policy and its related procedures are posted conspicuously on the department's public website; and
- (g) Managing the relationship with the LPR provider, which shall include ensuring that:
 - i. The provider meets all contractual obligations;
 - ii. The system is maintained as per Service Level Agreements;
 - iii. Log retention is adequate; and
 - iv. Data ownership is clearly understood.

NOTE: This section is the only place in this ordinance to use the term "provider." This is the only section to use the term "Service Level." It is not clear what these terms mean.

Also, it's not clear that having data ownership "clearly understood" between the parties is sufficient for Metro. The city should also want to be clear that Metro owns all data, and that any contracting partner does not own any data and may not share any data. But that's not what this language says.

3. Access and use of the department's LPR system is strictly restricted to the authorized users, as outlined below:

- (a) Authorized users must receive appropriate supervisory approval, as determined by the Custodian, prior to receiving LPR system access.

(b) Access shall only be approved for designated personnel whose roles require them to use the LPR system, and LPR system access shall be further limited to those tasks within the employee's job responsibilities. Access shall be limited to no more than ten authorized users per department.

(c) Personnel authorized to use the department's LPR system as defined in subsection G.3.(b) of this section shall be specifically trained in the system and the usage and privacy policy prior to receiving account access. This training shall include, but not be limited to:

- i. Applicable local, state, and federal laws;
- ii. Applicable policies, including the usage and privacy policy;
- iii. Functionality of the equipment;
- iv. Authorized and prohibited uses;
- v. Accessing data;
- vi. Safeguarding password information and data;
- vii. Data sharing policies and procedures; and
- viii. Reporting breaches, errors, and other issues.

(d) Authorized user accounts which are inactive for a period of nine months will be disabled automatically. Authorized users with disabled accounts must be retrained in the LPR system, usage, and privacy policies prior to having their accounts reinstated.

(e) Users found to have used the LPR system without authorization, with improper credentials, or in a manner not authorized by these policies shall have their access immediately revoked and may face disciplinary action in accordance with applicable civil service policies, up to and including termination.

NOTE: Subsection (d) and (e) sets up strange rules. On the one hand, it appears to provide zero tolerance where system access "shall" be "immediately revoked" for ANY use contrary to "these policies." Coupled with subsection (e), it looks like the intent is to force a user to go through the LPR training process again for any violation of "these policies."

On the other hand, the term "these policies" is not defined – is it the requirements in this ordinance, or is it the policies created by a LPR Custodian, or both? Also, saying that an employee "may face disciplinary action" is not saying anything new at all. Employees always "may face disciplinary action" for violating work rules.

In summary, subsections (d) and (e) set up a situation where the default is – "If someone breaks the rules, we'll send them through LPR retraining." This is the mildest possible remedy.

(f) To the extent consistent with state or federal law, to ensure compliance with the provisions of this section or to investigate complaints of misuse of an LPR or LPRs, the district attorney general, or a designee, or the public defender, or a designee, may examine and audit any LPR, any file used to store LPR data, and any records pertaining to the use of LPRs. If the district attorney general or the public defender believes that an LPR or LPRs have been used in violation of this section, either or both may send a letter to the Metro Council requesting suspension of the use of an LPR or LPRs for the purposes of investigation, to prevent ongoing violations, or to deter future violations. The Metro Council may grant such a request by resolution. Nothing in this section shall be construed as limiting the authority of the district attorney general to prosecute any crime involving LPR. This includes, but is not limited to, tampering with evidence, which is a class C

felony punishable under Tennessee law with a term of imprisonment of three to fifteen years and a fine not to exceed \$10,000.

NOTE: This subsection is another that adds nothing to the ordinance. Every sentence in this subsection is a restatement of existing law. In summary – The district attorney and public defender can look at LPR data *if already allowed by state or federal law*. Either of them *may* ask the Council to stop using LPRs. The Council *may* agree. And the district attorney can prosecute whatever he or she wants.

4. (a) LPR data, including but not limited to license plate number, vehicle description, location and date/time stamp shall not be retained for more than 10 days, unless it is evidence in a criminal offense or civil traffic or parking offense, subject to a properly issued warrant, subpoena, public records request or court order, or where the department has been instructed to preserve such data by the Metropolitan Department of Law in relation to pending litigation or anticipated litigation.

(b) Any data unrelated to an ongoing investigation, or pending or anticipated litigation shall be automatically deleted after 10 days.

NOTE: Subsections 4(a) and 4(b) contradict each other. In (a), it says data "shall not be retained more than 10 days" unless it is "evidence" in a case "subject to a properly issued warrant, subpoena, public records request or court order..."

In (b), it says to only delete data "unrelated to an ongoing investigation, or pending or anticipated litigation." It should be clear to all that (b) allows much LPR data broader retention than (a).

While part (a) reads like a narrowly crafted retention policy, part (b) dramatically expands the amount of data that can be retained for more than 10 days.

(c) Users who wish to preserve LPR data for longer than 10 days shall make a written request to their supervisor including the investigation number and purpose for preservation and, upon approval, such LPR data will be preserved along with a note in the record stating the reason for preservation and related investigation number.

(d) LPR data retained by the Metropolitan Government shall not include any personally identifiable information.

NOTE: This is first time the term "personally identifiable information" is used in this ordinance. It is not defined in this ordinance or in any other existing Metro law. There are multiple definitions in other laws, so it is not clear what it means here. For example,

Under Tennessee's higher education laws, it means sufficient personal information to fully identify a person with reasonable certainty. See TCA §49-7-177(a)(2).

The U.S. Bankruptcy Code provides a broader definition – there, the term means a name, address, email address, telephone number, social security number, OR credit card account number provided in connection with the date of birth or place of birth or other information sufficient to contact a person. See 11 USC §101(41A).

There are other, different definitions under federal law as well. See, for example, Code of Federal Regulations §200.79.

The bottom line is that it is not clear what "personally identifiable information" means in this ordinance. Presumably, individual departments will be left to decide that for themselves?

(e) To the extent permitted by state law, the Metropolitan Government shall not sell LPR data for any purpose and shall not share any LPR data, except as provided in subsection G.6.

NOTE: This section contemplates that state law in the future might force Metro to sell or share LPR data.

5. The LPR Custodian shall perform an audit of the LPR system and its access history on a regular basis, not less than one time per year. The department shall maintain an audit trail of access to the system for a period of not less than three years, which will include the following:

NOTE: The LPR Custodian – who creates the policies and has all employees with LPR access "under their command" – will conduct LPR system audits? It is unusual to have the people who make and implement a policy also audit themselves.

(a) The date and time the information is accessed.

(b) The license plate number or other data elements used to query the LPR system, if such data elements are not deleted per subsection G.4 of this section. Data exempt from deletion under subsection G.4., such as data that will be used as evidence in a felony offense or traffic or parking offense, must be preserved for the audit trail pursuant to this subsection.

NOTE: This language is inconsistent with Section G(1)(A)(i)(1), which allows LPR for some misdemeanors. The language here (i.e., "felony offense") suggest that an audit trail might not be required for misdemeanors that are not traffic or parking offenses.

(c) The username of the person who accessed the information.

(d) The purpose for accessing the information.

(e) To the extent consistent with state or federal law, access to review the Metropolitan Nashville Police Department audit trail shall be provided to the District Attorney, Public Defender, and Chair of the Community Oversight Board.

NOTE: Because of the qualifying language, it is not clear that the district attorney, public defendant, and Community Oversight Board chair will have access to the data. We don't currently know whether that is allowed under state or federal law. Also, it should be COB leadership and staff that can access the data in addition to the Chair.

6. To the extent consistent with state or federal law, the department's stored LPR data may only be shared with other law enforcement agencies using the following procedures:

NOTE: This subsection reminds us that, if state law changes, it may force Metro to share LPR data more broadly than currently intended by the Metro Council. It would hardly be a surprise if the State were to pass a law saying that all LPR data captured by any city in Tennessee shall be shared with the State of Tennessee and U.S. Immigration and Customs Enforcement.

(a) The agency making the request for the LPR data shall submit in writing:

i. The name of the agency;

ii. The name and title of the person requesting the information;

iii. The intended purpose of obtaining the information; and

iv. An agreement to adhere to the applicable provisions of this usage and privacy policy.

NOTE: It's not clear what the term "this usage and privacy policy" means. Does it mean this ordinance, policies developed by LPR Custodians, or both?

(b) The request shall be reviewed and approved by the Custodian before the requested access is granted.

NOTE: This subsection suggests that Metro would allow an outside law enforcement agency to have "access" to Metro's LPR system. This should say "...the requested data is shared." instead of "...the requested access is granted."

(c) If the requested search generates results, the Custodian or his or her designee must verify that the results are relevant to the request made prior to sharing the LPR data.

(d) The department shall not share any data with any agency that uses that data in a manner broader than allowed by this subsection G.6. Data may only be shared for the purposes outlined in subsection G.1(a).

NOTE: As mentioned above, this protection against sharing data is only valid "To the extent consistent with state or federal." If state law requires sharing data (now or in the future), Metro would have to share it.

(e) Records of all approved requests, including a record of which account was used to provide the search results, must be maintained for a period not less than three years.

7. To protect against racial and ethnic bias in the use of LPRs, any time a motor vehicle is stopped based on data analysis performed by an LPR:

(a) The law enforcement officer who effectuated the stop shall record and provide to their precinct for record keeping and reporting purposes:

- i. The date, time, and precise location of the stop;
- ii. Any investigative or enforcement actions that were taken subsequent to the stop, including without limitation: an arrest; a search of a vehicle, driver, or passenger; the issuance of a new ticket, fine, or fee; or the enforcement of an existing ticket, fine, or fee;
- iii. The self identified race(s) and ethnicities of the driver of the stopped motor vehicle, if voluntarily provided by the driver following the law enforcement officer's request.

(b) The race and ethnicity identification categories provided to the driver for selection by the law enforcement officer shall be the same as those under present use by the United States Office of Management and Budget (OMB).

NOTE: More confusing language. The term "under present use" seems to require the OMB's race definitions in use today in 2022 to be used by Metro forever. Perhaps the author meant for Metro to update its definitions if/when OMB does? It's hard to tell.

(c) No later than March 1 of each year, the Metropolitan Nashville Police Department (MNPd) shall report to the Metropolitan Council, and shall make publicly available upon the MNPd website, all of the data collected pursuant to this subsection Section G.7(a), by precinct, from the previous calendar year. The reported data shall include no other personally identifiable information.

NOTE: Another use of the undefined term "personally identifiable information."

(d) In addition to the reporting requirement in Subsection G.7(c), during the six month pilot program referenced in subsection G.14, the MNPd shall report to the Metropolitan Council the information required by this subsection G.7(d) every two months. If a resolution is approved to

fully implement the MNPDP's use of LPR technology, the MNPDP shall report such information to the Metropolitan Council every three months. Each report submitted by the MNPDP shall contain the following information, compiled since the end date of its most recent report:

- i. The number of LPRs in use.
- ii. The number of matches made by the LPR, including number of matches read correctly and any misread.
- iii. The number of matches that identified vehicles and individuals sought by law enforcement and that resulted in stops of vehicles or individuals.

NOTE: It is not clear how a match would identify an individual as suggested here. The LPRs are not supposed to be used to identify individuals, only license plates.

- iv. The number of matches that resulted in searches of vehicles and individuals, releases, arrests, or other outcomes.
- v. Other information requested by the Metropolitan Council by resolution.

8. Failure of an employee to comply with this subsection G shall be grounds for disciplinary action in accordance with applicable civil service policies, up to and including termination.

NOTE: Again, this is a restatement of existing law and adds nothing to the ordinance.

9. LPR data shall only be disclosed in accordance with state and federal law.

NOTE: This subsection reminds us that, if state law changes, it may force Metro to share LPR data more broadly than currently intended by the Metro Council.

10. LPR data obtained from a privately owned or operated LPR system may be used for the purposes authorized in subsection G.1., provided the data is voluntarily provided by the owners or operators of said LPR systems. The Custodian shall develop policies and procedures for requesting, protecting, and retaining this data that are consistent with the intent of subsections G.2., G.3., and G.4.

11. Any device or service necessary to effectuate the provisions of this subsection G shall be procured pursuant to the provisions of Title 4 of the Metropolitan Code of Laws, the Procurement Code. [AMENDMENT #2 ON JANUARY 18, 2022] During the six month pilot program referenced in subsection G.14, the metropolitan government shall not accept a donation of any LPR, LPR device, or LPR service or any donation of funds for the purchase of any LPR, LPR device, or LPR service from any private source. This shall not limit the metropolitan government's ability to accept a grant from a governmental entity. After the conclusion of the pilot program period, and upon the full implementation of the use of LPR, a donation of any LPR, LPR device, or LPR service or any donation of funds for the purchase of any LPR, LPR device, or LPR service shall be subject to the approval of the metropolitan council by resolution, regardless of the value of the donation.

12. An LPR technology deployment policy shall be developed and implemented by the MNPDP to help prevent misuse of LPR technology to track and unfairly target vulnerable communities. Placement of fixed LPR technology in the public right of way shall be limited to major and collector streets as defined in the Nashville Next Major and Collector Street Plan, and the location of LPR devices shall be distributed equitably across the north, south, east, and west quadrants of the county. [AMENDMENT #1 ON JANUARY 18, 2022] Signage shall be placed by any fixed LPR technology to give notice to the public of the use of such technology at a given location. The signage shall be clearly visible and legible to the motoring public and shall state "License Plate Reader Technology In Use".

NOTE: This subsection only applies to MNPD, and not any other Metro department.

13. A data verification policy shall be developed and implemented by MNPD to help prevent erroneous and potentially dangerous stops based upon incorrect or outdated information. The policy shall require independent verification of the information yielded from a hot list and real time updating of hot list data, as well as a comparison of the accuracy of the hot list data with the accuracy of the LPR images. Hot lists shall be transferred daily and be capable of updating by an operator/officer in the field. The LPR system, both for fixed and mobile LPR units, shall function in such a manner so as to notify an officer when a license plate on the hot list is observed in real time. Historical LPR data shall be searched to determine the date and time a license plate number contained on a hot list passed a certain camera. For purposes of this subsection G., "hot list" means the list of license plate numbers law enforcement agencies have identified as being relevant for the investigation and/or prosecution of a criminal offense.

NOTE: This section only applies to MNPD and contradicts earlier sections.

This section allows a broader use of LPRs than what is described in earlier sections. Specifically, the term "hot list" includes all license plate numbers identified by all law enforcement agencies related to all criminal offenses. That is broader than the allowed uses described above, which is limited to felonies and some misdemeanors. Further, this section requires searching all of Metro's LPR data for all hot list plates.

A basic internet search confirms that "hot lists" include vehicles beyond what is described earlier in the ordinance. For example, a "hot list" can be expected to include violations of mandatory insurance laws. This section requires comparing Metro's LPR data to the entire hot list and therefore contradicts the earlier parts of the ordinance.

Also, note that ICE maintains a substantial "hot list" and nothing in this section prohibits Metro from inputting ICE's "hot list" into Metro's LPR database.

14. Prior to the full implementation of a department's LPR system, there shall be a six month pilot program beginning the first day that the LPR system is operational and in use by the department to determine whether the continued use of LPR technology is appropriate. At least two weeks prior to the conclusion of the pilot program period, the department shall submit a report to the Council on the efficacy of the program, compliance with the provisions of this section, and any policies implemented in order to carry out the use of the LPR system. This report shall be posted on the department's website. At the end of the six month pilot program, the use of LPR technology by a department shall cease unless the Metropolitan Council approves the full implementation of the department's use of LPR technology upon adoption of a resolution.

Section 2. That Section 13.08.080 of the Metropolitan Code is hereby amended by adding the following new subsection I.:

I. In addition to the provisions of subsection G. of this section, license plate scanner technology shall be allowed if all of the follow requirements are met:

(a) The license plate scanner is used solely and exclusively in conjunction with a vehicle emissions sensor as part of an emissions inspection program authorized under local, state or federal law;

(b) The data from the license plate scanner and vehicle emissions sensor is used solely and exclusively for purposes of determining compliance with vehicle emissions standards;

(c) A determination by the vehicle emissions sensor that a vehicle identified by the license plate scanner is not in compliance with applicable emissions standards shall not lead to any penalty or punitive action against the registered vehicle owner;

(d) No fewer than two such license plate scanners shall be in operation within Davidson County at any given time; and

(e) Data that can be used to pair a specific vehicle's license plate number, VIN, or other unique identifier with a specific geographic location shall not be recorded.

Section 3. This ordinance shall take effect from and after its enactment, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Sponsored by:

Courtney Johnston
Member of Council