Document
CITY OF HAVERHILL
In Municipal Council

Ordered:

MUNICIPAL ORDINANCE **CHAPTER XXX**

AN ORDINANCE REGULATING
AUTOMATED LICENSE PLATE READER SYSTEMS

BE IT ORDAINED by the City Council of the City of Haverhill that Part II (General Legislation) of the Code of the City of Haverhill, as amended, being and is hereby further amended by adding the following:

Chapter XXX AUTOMATED LICENSE PLATE READER SYSTEMS

§ XXX-1. Purpose and Intent.

The purpose of this Chapter is to establish procedures and safeguards governing the City's acquisition, deployment, operation, access to, use, retention, disclosure, and oversight of Automated License Plate Reader Systems ("ALPR Systems") and ALPR Data.

The City recognizes that ALPR Systems may serve legitimate public-safety and law-enforcement purposes. The City also recognizes that ALPR Systems may collect information concerning individuals and vehicles that are not suspected of unlawful conduct and may permit the reconstruction of an individual's movements over time.

This Chapter is intended to:

A. Permit the use of ALPR Systems for legitimate and authorized municipal and law-enforcement purposes;

B. Protect individual privacy and civil rights and liberties;

C. Establish City Council oversight before the City acquires or materially expands the use of an ALPR System;

D. Establish reasonable limitations on the collection, access, use, retention, and sharing of ALPR Data;

E. Require appropriate training, security, auditing, and accountability; and

F. Promote transparency concerning the City's use of ALPR Systems.

§ XXX-2. Definitions.

For purposes of this Chapter, the following terms shall have the meanings set forth below:

A. "ALPR System" or "Automated License Plate Reader System" means a system of cameras, software, databases, or associated technology that uses optical character recognition or other automated means to detect, capture, record, interpret, or generate information from a vehicle license plate or information associated with a detected vehicle.

An ALPR System includes fixed, mobile, vehicle-mounted, or portable systems and any associated software, databases, analytical tools, alert systems, or services used to collect, store, search, analyze, or share ALPR Data.

B. "ALPR Data" means information collected, captured, recorded, retained, processed, analyzed, generated, or derived through an ALPR System, including, but not limited to, license-plate numbers, vehicle images, vehicle characteristics, date and time information, geographic or location information, camera location, metadata, alerts, hot-list information, and information associated with or derived from such information.

C. "External ALPR Information" means ALPR information or data collected, maintained, generated, or made available by a regional, statewide, national, federal, commercial, or other ALPR system or database that is not owned or operated by the City, but that is accessed, received, obtained, transmitted, queried, or otherwise used by the Police Department or an Authorized User.

D. "Authorized User" means the Police Chief or a City police officer or employee specifically authorized by the Police Chief under an approved ALPR Use Policy to operate, access, query, maintain, administer, or otherwise use an ALPR System or ALPR Data.

E. "ALPR Use Policy" means a written policy governing the City's use of an ALPR System, approved pursuant to this Chapter.

F. "ALPR Impact Report" means a written report evaluating the City's proposed acquisition, use, or material modification of an ALPR System and addressing the requirements of § XXX-4.

G. "Query" means a search, retrieval, review, comparison, analysis, export, or other intentional access to ALPR Data, including the use of search functions or analytical tools to identify, locate, associate, or derive information concerning a vehicle or license plate.

H. "Hot List" means a list of license-plate numbers or vehicle identifiers entered into or made available to an ALPR System for the purpose of generating an automated alert when the system detects a corresponding plate or vehicle.

I. "Exigent Circumstances" means circumstances in which the Police Chief or an Authorized User designated by the Police Chief reasonably determines that an emergency involving an imminent threat of death, serious physical injury, or other substantial harm requires immediate use of an ALPR System or access to ALPR Data and makes compliance with the ordinary approval process impracticable.

§ XXX-3. Scope.

A. This Chapter applies to every ALPR System acquired, operated, maintained, accessed, or used by or on behalf of the City, regardless of whether the system is purchased, leased, licensed, borrowed, provided through a subscription or service agreement, accepted as a donation, or otherwise provided to the City.

B. This Chapter applies to ALPR Data collected or maintained by the City or by a third party on the City's behalf.

C. The Police Department shall be the City's department responsible for the operation and administration of ALPR Systems. No City department, office, board, commission, agency, or other municipal entity, other than the Police Department acting through the Police Chief and Authorized Users, shall acquire, deploy, operate, materially modify, or obtain access to an ALPR System or ALPR Data except as expressly authorized by this Chapter and the applicable ALPR Use Policy.

D. Nothing in this Chapter shall be construed to regulate an ALPR System operated independently by a private person or entity, except to the extent the system or its data is provided to, operated on behalf of, or used pursuant to an agreement with the City.

E. Nothing in this Chapter shall prohibit the City from using ordinary traffic-monitoring, parking, or other camera systems that do not function as an ALPR System and do not collect ALPR Data, except to the extent such systems are subsequently configured or used as an ALPR System.

§ XXX-4. City Council Approval; ALPR Impact Report.

A. Except as otherwise provided in this Chapter, the City shall not seek funding for, acquire, purchase, lease, license, subscribe to, borrow, accept as a donation, accept on a trial or pilot basis, or otherwise obtain or use an ALPR System without prior approval of the City Council, except as provided in § XXX-15.

B. City Council approval shall also be required before the City:

1. Uses an existing ALPR System for a purpose, in a manner, or at a location not previously approved by the City Council;
2. Materially expands or changes an existing ALPR System, including a material expansion of the number or location of ALPR cameras;

3. Enters into an agreement with a non-City entity concerning the acquisition, use, operation, access to, or sharing of an ALPR System or ALPR Data; or
4. Participates in a new regional, statewide, national, or commercial ALPR data-sharing arrangement.

C. Notwithstanding subsection B, prior City Council approval shall not be required for a Routine Operational Change. A "Routine Operational Change" means a nonmaterial operational, technical, administrative, maintenance, or configuration change that the Police Chief determines is consistent with this Chapter, the approved ALPR Impact Report, and the approved ALPR Use Policy and that does not materially expand or change the system's capabilities, geographic scope, authorized purposes, categories of ALPR Data collected or retained, access or sharing arrangements, retention periods, or privacy, civil-rights, or civil-liberties implications.

A Routine Operational Change may include, as appropriate, routine replacement, repair, relocation, configuration, software or firmware updates, maintenance, or other operational adjustments that remain within the scope of the City's existing Council approval and do not materially expand the City's use of the ALPR System.

The Police Chief shall maintain a written record of Routine Operational Changes, including the date, nature, and basis for the determination that the change was nonmaterial, and shall include a summary of such changes in the Annual ALPR Report. The Police Chief shall not designate a change as a Routine Operational Change if the change would otherwise require City Council approval under this Chapter.

D. The Police Chief seeking approval shall submit an ALPR Impact Report to the Mayor, City Solicitor and to the City Council. The Impact Report shall include, at a minimum:

1. A description of the proposed ALPR System and how it operates;
2. The specific municipal and law-enforcement purposes for which the ALPR System will be used;
3. The proposed number and locations of ALPR cameras or other collection points;
4. The categories of ALPR Data that will be collected or generated;
5. The proposed retention and deletion periods for ALPR Data;
6. The categories of persons authorized to access the ALPR System and ALPR Data;
7. The proposed procedures governing queries, alerts, and searches;
8. Proposed security safeguards;
9. The identity of the proposed vendor or other third party and the nature of the contractual relationship;
10. Proposed data-sharing arrangements;
11. Initial and anticipated ongoing costs and funding sources;
12. Privacy, civil-rights, and civil-liberties considerations;
13. Proposed training, auditing, and oversight procedures;
14. The proposed ALPR Use Policy; and

15. Any reasonably available alternatives considered and, where applicable, an explanation of why the proposed ALPR System is reasonably necessary to accomplish the identified purpose.

E. The ALPR Impact Report and proposed ALPR Use Policy shall be made publicly available on the City's website at least fourteen (14) calendar days before the City Council meeting at which approval is considered.

§ XXX-5. ALPR Use Policy.

A. Before an ALPR System is activated or placed into operational use, the Police Chief shall submit an ALPR Use Policy to the Mayor and City Solicitor for review and then to the City Council for approval, subject to any applicable collective bargaining obligations under M.G.L. c. 150E.

B. The ALPR Use Policy shall specify, as applicable:

1. The purposes for which the ALPR System may be used;
2. Authorized and prohibited uses;
3. The information that may be collected and retained;
4. Authorized users and access procedures;
5. Procedures governing queries and searches;
6. Requirements for documenting the purpose of a query;
7. Procedures governing automated alerts and hot lists;
8. Data-security safeguards;
9. Routine retention and deletion periods;
10. Procedures for preserving ALPR Data when legally required;
11. Procedures governing disclosure and sharing of ALPR Data;
12. Required training;
13. Auditing and oversight requirements;
14. Procedures for investigating misuse or unauthorized access; and
15. Consequences for violations.

C. The ALPR Use Policy shall be publicly available on the City's website, except for information lawfully exempt from disclosure.

D. The ALPR Use Policy shall not authorize conduct prohibited by this Chapter or applicable federal or Massachusetts law. The ALPR Use Policy shall expressly incorporate and require compliance with M.G.L. c. 147, § 64, as amended from time to time, including all restrictions governing immigration or citizenship status inquiries, the use of state or local resources for federal civil immigration enforcement, disclosure of nonpublic personal information, custody status and advance notice of release or court appearances, and the use, detention, transportation, or other handling of individuals for purposes of federal civil immigration enforcement. Nothing in an ALPR Use Policy shall authorize an officer or employee to access, use, disclose, transmit, or otherwise process ALPR Data in a manner that would violate M.G.L. c. 147, § 64.

E. Any material amendment to an approved ALPR Use Policy shall require City Council approval before implementation. Nonmaterial amendments to an approved ALPR Use Policy that do not materially expand or change the City's approved purposes, data collection, retention, access, sharing, geographic scope, or privacy, civil-rights, or civil-liberties implications may be approved by the Police Chief, subject to review by the Mayor, and shall be documented and summarized in the Annual ALPR Report.

F. If an ALPR Use Policy conflicts with this Chapter, this Chapter shall govern.

§ XXX-6. Standards for Approval and Use.

In considering an ALPR Impact Report or ALPR Use Policy, the City Council shall consider:

A. The identified municipal or public-safety purpose;

B. The expected public-safety or operational benefits and financial and administrative costs;

C. Reasonably available less-intrusive alternatives;

D. The potential effects on privacy, civil rights, and civil liberties;

E. The proposed safeguards against unauthorized, inappropriate, or discriminatory use;

F. The proposed retention period and data-sharing arrangements;

G. The proposed locations of ALPR cameras and whether those locations are reasonably related to the identified purpose; and

H. Whether the proposed ALPR System is reasonably designed to avoid discriminatory or viewpoint-based use and unreasonable disparate impacts.

The City Council may approve, disapprove, or require modifications to an ALPR Impact Report or ALPR Use Policy.

§ XXX-7. Authorized and Prohibited Uses.

A. An ALPR System and ALPR Data may be used only for purposes identified in the applicable approved ALPR Use Policy and consistent with applicable federal and Massachusetts law, including M.G.L. c. 147, § 64.

B. Authorized purposes may include:

1. Investigation of reported crimes or violations of law;
2. Identification or recovery of stolen vehicles or stolen license plates;
3. Identification or location of missing persons or endangered persons;
4. Investigation of hit-and-run incidents;

5. Investigation of matters involving a specific and articulable public-safety concern;
6. Other legitimate law-enforcement or public-safety purposes specifically identified in the approved ALPR Use Policy; and
7. Other municipal purposes expressly approved by the City Council.

C. No person acting on behalf of the City shall intentionally use an ALPR System or ALPR Data:

1. To monitor, track, or investigate a person solely because the person is engaged in lawful constitutionally protected activity;
2. For personal, political, retaliatory, discriminatory, or commercial purposes;
3. To harass or intimidate any person;
4. To establish a pattern of an individual's movements or associations except as reasonably necessary for an authorized governmental purpose;
5. To conduct generalized surveillance of individuals without an authorized governmental purpose;
6. To conduct or participate in federal civil immigration enforcement except as expressly permitted or required by applicable law, including M.G.L. c. 147, § 64, as amended from time to time.
7. To sell ALPR Data or use ALPR Data for advertising or unrelated commercial purposes; or
8. For any purpose prohibited by applicable law.

D. Nothing in this Chapter authorizes a stop, detention, search, seizure, arrest, inspection, or other governmental action that would otherwise require legal justification under federal or Massachusetts law.

E. Nothing in this Chapter shall be construed to authorize the Police Department or any Authorized User to use an ALPR System or ALPR Data for federal civil immigration enforcement in violation of M.G.L. c. 147, § 64. An ALPR System shall not be used as a means of circumventing any limitation imposed by that section on immigration or citizenship status inquiries, information sharing, detention, transportation, or other assistance to federal immigration authorities.

§ XXX-8. ALPR Queries and Automated Alerts.

A. Access to an ALPR System or ALPR Data shall be limited to Authorized Users.

B. An Authorized User shall access ALPR Data only for a purpose authorized by this Chapter and the applicable ALPR Use Policy.

C. To the extent technically feasible, each Query shall be logged and shall identify:

1. The Authorized User;
2. The date and time of the Query;
3. The search parameters;

4. The purpose of the Query; and
5. A case number, incident number, report number, or other identifying information when applicable.

D. An Authorized User shall not conduct a Query for the purpose of determining the whereabouts or movements of a person unless the Query is reasonably related to an authorized governmental purpose and permitted by the applicable ALPR Use Policy.

E. An Authorized User shall not conduct, initiate, or direct a Query for the purpose of identifying, locating, monitoring, tracking, or investigating an individual for federal civil immigration enforcement, except as expressly permitted or required by federal or Massachusetts law. A Query shall not be conducted for the purpose of determining an individual's immigration or citizenship status unless such inquiry is independently authorized by M.G.L. c. 147, § 64 or other applicable law, as amended from time to time.

F. An automated ALPR alert or match shall not, standing alone, establish reasonable suspicion, probable cause, or any other legal justification when such justification is otherwise required by law.

G. Before taking enforcement or other consequential governmental action based substantially on an ALPR alert or match, an Authorized User shall, when reasonably practicable, independently verify the accuracy and reliability of the alert or match and take any additional steps required by law or the applicable ALPR Use Policy.

H. An ALPR alert shall not by itself constitute confirmation that a vehicle or license plate is stolen, wanted, involved in criminal activity, or otherwise subject to enforcement action.

§ XXX-9. Hot Lists.

A. Hot Lists shall be limited to categories expressly authorized by the applicable ALPR Use Policy.

B. The ALPR Use Policy shall establish procedures governing the creation, approval, maintenance, review, and removal of Hot List entries.

C. To the extent technically feasible, Hot List entries shall include information identifying the source of the entry, the date the entry was created, the reason for the entry, and the date on which the entry must be reviewed or removed.

D. An Authorized User shall not create or add a license-plate number to a Hot List for a personal, political, retaliatory, discriminatory, or otherwise unauthorized purpose.

E. No Hot List may be created, maintained, or used for the purpose of identifying, locating, monitoring, tracking, or facilitating enforcement against individuals based solely on actual or perceived citizenship or immigration status. No Hot List may be created or used for the purpose of facilitating federal civil immigration enforcement except to the extent expressly permitted or

required by applicable law. The Police Department shall not enter an immigration detainer, administrative immigration warrant, notice to appear, removal order, or other civil immigration process into an ALPR System as a Hot List entry for the purpose of generating an alert that would facilitate conduct prohibited by M.G.L. c. 147, § 64.

F. Invalid, expired, or inaccurate Hot List entries shall be removed as soon as reasonably practicable.

§ XXX-10. Retention, Preservation, and Deletion.

A. Retention. ALPR Data shall not be retained longer than reasonably necessary to accomplish the specific purpose for which it was collected or generated. The ALPR Use Policy shall establish a specific routine retention period and explain the justification for that period.

B. Deletion. The Police Department shall configure an ALPR System, to the extent technically feasible, to automatically delete ALPR Data upon expiration of the applicable retention period.

C. Preservation. ALPR Data may be preserved beyond the routine retention period when reasonably necessary for a specific investigation, prosecution, judicial proceeding, litigation hold, or other legally recognized preservation requirement.

D. Preservation Limits. Preservation shall be limited to the ALPR Data reasonably necessary for the applicable purpose.

E. Termination of Preservation. ALPR Data preserved pursuant to this section shall be deleted or otherwise disposed of when the applicable preservation requirement no longer exists, unless another lawful basis for continued retention exists.

§ XXX-11. Sharing and Disclosure of ALPR Data.

A. The City shall not establish automatic, unrestricted, reciprocal, or bulk access to ALPR Data by another governmental or private entity.

B. ALPR Data may be shared or disclosed only when authorized by:

1. Applicable federal or Massachusetts law;
2. A valid warrant, court order, subpoena, or other lawful legal process;
3. An authorized law-enforcement or public-safety purpose permitted by the applicable ALPR Use Policy and consistent with any applicable legal, contractual, source-agency, and constitutional restrictions; or
4. Another lawful basis expressly identified in the approved ALPR Use Policy.

C. Nothing in this Chapter shall be construed to authorize the Police Department or any Authorized User to knowingly provide ALPR Data to a federal immigration authority when such disclosure is prohibited by M.G.L. c. 147, § 64.

D. The Police Department shall document disclosures of ALPR Data to outside entities to the extent reasonably practicable and legally permissible.

E. Any regional, statewide, national, or commercial ALPR data-sharing arrangement shall be specifically identified in the applicable ALPR Use Policy and shall require City Council approval before the City participates in the arrangement.

F. External ALPR Information accessed, received, obtained, transmitted, queried, or otherwise used by the Police Department or an Authorized User shall, to the extent permitted by law and subject to any legally controlling restrictions imposed by the source agency or system, be subject to the same requirements and restrictions established by this Chapter for ALPR Data, including restrictions governing authorized purposes, access, queries, use, disclosure, retention, auditing, and federal civil immigration enforcement.

G. The Police Department and Authorized Users may access, query, receive, or use External ALPR Information only for a purpose authorized by this Chapter, the applicable ALPR Use Policy, and applicable federal and Massachusetts law. External ALPR Information shall not be used for a purpose that would be prohibited if substantially equivalent information had been collected directly by the City.

H. The Police Department and Authorized Users shall not access, query, receive, obtain, or use External ALPR Information through a regional, statewide, national, federal, commercial, or other outside system for the purpose of circumventing any restriction imposed by this Chapter or Massachusetts law. Without limiting the foregoing, External ALPR Information shall not be accessed, queried, received, obtained, or used for the purpose of conducting or participating in federal civil immigration enforcement when such conduct is prohibited by M.G.L. c. 147, § 64.

I. Nothing in this section shall prohibit the Police Department or an Authorized User from accessing or using External ALPR Information for a legitimate criminal investigation or other lawful public-safety purpose, provided that the access and use comply with this Chapter, the applicable ALPR Use Policy, applicable law, and any legally binding restrictions governing the source information.

J. Nothing in this section shall prohibit the Police Department from accessing, receiving, using, disclosing, or producing ALPR Data or External ALPR Information when required by applicable law, valid legal process, court order, litigation hold, or other legally enforceable obligation.

§ XXX-12. Vendors and Third Parties.

A. Any agreement concerning an ALPR System or ALPR Data shall require compliance with this Chapter and the applicable ALPR Use Policy and shall address:

1. City control over City ALPR Data;
2. Prohibition on unauthorized sale, disclosure, or secondary use of City ALPR Data;
3. Prohibition on using City ALPR Data for advertising or unrelated commercial purposes;
4. Data-security requirements;

5. Individual user credentials and access controls;
6. Audit logs;
7. Prompt notification of unauthorized access, disclosure, loss, or compromise;
8. Compliance by subcontractors;
9. The City's audit and inspection rights;
10. Return or secure destruction of City ALPR Data upon termination, subject to lawful preservation requirements; and
11. Procedures governing material changes to data collection, retention, use, analysis, or sharing.

B. No City agreement shall authorize a vendor to make a material change to the City's approved ALPR data-collection, retention, use, or sharing practices without City Council approval.

§ XXX-13. Data Security and Training.

A. The Police Department shall employ reasonable administrative, technical, and physical safeguards appropriate to the nature of ALPR Data.

B. Authorized Users shall have individual credentials. Shared credentials shall be prohibited.

C. Access to ALPR Systems shall be limited according to the ALPR Use Policy and shall be periodically reviewed by the Police Chief or the Police Chief's designee.

D. No person shall access an ALPR System or ALPR Data without completing training required by this Chapter and the applicable ALPR Use Policy.

E. The Police Chief shall establish procedures to ensure that Authorized Users receive training concerning the requirements of M.G.L. c. 147, § 64 as they relate to ALPR Systems and ALPR Data, including restrictions concerning federal civil immigration enforcement, immigration or citizenship status, nonpublic personal information, information sharing, custody status, advance release information, and civil immigration process.

F. Training for Authorized Users shall also address this Chapter, the applicable ALPR Use Policy, lawful use, privacy and civil-rights protections, data security, query requirements, retention, disclosure, and consequences of misuse.

§ XXX-14. Audits and Annual Report.

A. The Police Chief shall establish procedures for periodic auditing of ALPR System use. Each ALPR System shall be audited at least annually, unless the applicable ALPR Use Policy requires more frequent auditing.

B. Audits shall examine, as appropriate:

1. User access and Queries;
2. Compliance with retention and deletion requirements;

3. Hot List entries and alerts;
4. Disclosures and data-sharing;
5. Any Queries, alerts, disclosures, data-sharing arrangements, or other uses involving federal immigration authorities or federal civil immigration enforcement, including documentation demonstrating compliance with M.G.L. c. 147, § 64;
6. Access to, queries of, receipt of, use of, disclosure of, or other processing of External ALPR Information, including compliance with applicable restrictions imposed by the source agency or system;
7. Vendor compliance;
8. Exigent use;
9. Security incidents; and
10. Complaints and violations.

C. On or before March 1 of each year, the Police Chief shall submit an Annual ALPR Report to the Mayor and City Council covering the City's use of ALPR Systems during the preceding calendar year.

D. The Annual ALPR Report shall include, to the extent disclosure is lawful:

1. A description of each ALPR System operated or used by the City;
2. The general purposes for which each system was used;
3. The number and general locations of ALPR cameras;
4. The number of Authorized Users;
5. The number of Queries, alerts, and significant uses, where reasonably available;
6. The number and general categories of queries of or significant uses of External ALPR Information;
7. The number and general categories of disclosures of ALPR Data to outside entities;
8. The legal basis and general purpose for significant disclosures, where disclosure is lawful;
9. Complaints and material violations;
10. Audit results and corrective actions;
11. The effectiveness of each ALPR System in achieving its approved purposes;
12. Annual costs and funding sources; and
13. Any identified privacy, civil-rights, civil-liberties, or disparate-impact concerns.

§ XXX-15. Exigent Circumstances.

A. The Police Chief, or an Authorized User designated by the Police Chief, may temporarily use an ALPR System or ALPR Data without prior City Council approval in Exigent Circumstances when immediate action is reasonably necessary.

B. Exigent use shall be limited to the circumstances requiring immediate action and shall not be used to circumvent the ordinary approval requirements of this Chapter.

C. Exigent use shall not be undertaken for the purpose of monitoring lawful protest, religious activity, political activity, or other constitutionally protected activity.

D. The Police Chief shall document the circumstances giving rise to the exigent use and shall provide a written report to the Mayor and City Council within ninety (90) days after the circumstances have ended.

E. If the City intends to continue using or acquiring the ALPR System after the exigency has ended, the City shall comply with the ordinary approval requirements of this Chapter.

F. Nothing in this section authorizes the purchase, lease, subscription to, or permanent acquisition of an ALPR System without the approvals otherwise required by this Chapter, except to the extent necessary to address the exigent circumstance.

§ XXX-16. Existing ALPR Systems.

A. Within one hundred eighty (180) days after the effective date of this Chapter, the Police Chief shall provide the Mayor and City Council with an inventory of all ALPR Systems currently operated, accessed, leased, licensed, or otherwise used by or on behalf of the Police Department.

B. The inventory shall identify, to the extent applicable:

1. Each ALPR System and its deployment locations;
2. The vendor;
3. Applicable agreements;
4. Data-sharing arrangements;
5. Regional, statewide, national, federal, commercial, or other outside ALPR systems or databases accessed by the Police Department or Authorized Users, including the nature of the City's access and any applicable data-sharing or user agreements;
6. Retention practices;
7. Existing policies and training requirements;
8. Authorized Users; and
9. A plan for bringing each system into compliance with this Chapter.

C. Existing ALPR Systems shall be brought into compliance with this Chapter within one hundred eighty (180) days after the effective date, unless the City Council grants an extension for good cause.

§ XXX-17. Construction; Compliance with Law.

A. This Chapter establishes municipal requirements governing the City's acquisition and use of ALPR Systems and ALPR Data.

B. Nothing in this Chapter shall be construed to authorize conduct prohibited by federal or Massachusetts law.

C. Nothing in this Chapter shall be construed to require the City to violate a valid legal obligation, judicial order, or other requirement of law.

D. Nothing in this Chapter shall diminish any privacy, civil-rights, civil-liberties, public-records, or other protection otherwise available under federal or Massachusetts law.

E. Nothing in this Chapter shall be construed to require or permit the City, the Police Department, the Police Chief, an Authorized User, or any vendor or third party acting on behalf of the City to provide information or other assistance to a federal immigration authority in contravention of M.G.L. c. 147, § 64, other applicable law, or the written policy of the Police Department.

F. Nothing in this Chapter shall be construed to regulate criminal procedure, establish an evidentiary rule, or create a private right of action unless otherwise authorized by law.

G. If M.G.L. c. 147, § 64, or any other applicable law is amended after adoption of this Chapter, the City shall administer this Chapter in a manner consistent with the amended law to the extent required by law. Nothing in this Chapter shall be construed to expand or restrict a statutory exception beyond what applicable law permits.

H. If any provision of an approved ALPR Use Policy conflicts with this Chapter or applicable law, the provision that imposes the greater legal restriction on the City's use of ALPR Systems shall govern to the extent permitted by law.

§ XXX-18. Administration and Enforcement.

A. The Mayor shall oversee implementation of this Chapter and shall coordinate with the Police Chief regarding compliance.

B. The Police Chief shall be responsible for administration of the City's ALPR program, compliance within the Police Department, and implementation of applicable ALPR Use Policies.

C. The Police Chief shall ensure that access to ALPR Systems and ALPR Data is limited to Authorized Users and that Authorized Users comply with this Chapter and the applicable ALPR Use Policy.

D. Violations by City personnel may result in appropriate administrative or disciplinary action consistent with applicable law, collective-bargaining agreements, and City policy.

E. Vendor or contractor violations shall be addressed through applicable contractual remedies and other remedies available by law.

F. Nothing in this section creates a private right of action or monetary remedy not otherwise authorized by law.

§ XXX-19. Severability.

If any provision of this Chapter or its application to any person or circumstance is held invalid, the invalidity shall not affect the remaining provisions or applications, which shall remain in full force and effect.