ORANGE COUNTY LEGISLATURE

Committees: **Public Safety and Emergency Services; Rules, Enactments and Intergovernmental Relations**
Sponsors: **Carter, Essig, Fascaldi, Ramos, Randazzo, Revella, Stegenga**
Co-Sponsors:

Agenda No. 14

LOCAL LAW INTRODUCTORY NO. 9 OF 2026

A LOCAL LAW TO REGULATE THE INSTALLATION, OPERATION, AND MAINTENANCE OF AUTOMATED LICENSE PLATE READERS AND SURVEILLANCE CAMERAS ON COUNTY-OWNED PROPERTY AND PUBLIC RIGHTS-OF-WAY, ESTABLISHING DATA SECURITY MANDATES, PROHIBITING UNGUARDED EXTERNAL DATA SHARING, AND MANDATING AUDIT POLICIES.

BE IT ENACTED by the County Legislature of the County of Orange, State of New York as follows:

SECTION 1. LEGISLATIVE INTENT.

The Orange County Legislature finds that while automated license plate reader (ALPR) systems serve as legitimate tools for law enforcement and public safety, certain cloud-based network deployment models present severe risks to the privacy and civil liberties of motorists and individuals. Specifically, systems that automatically upload data to cloud networks and engage in external, unguarded data sharing allowing third-party vendors and outside jurisdictions unmonitored access to proprietary data (often categorized as "vehicle fingerprints") and geolocation histories of Orange County residents are problematic and hinder the standards held relative to reasonable expectations of privacy.

This Legislature determines that it is in the public interest to protect civil liberties while supporting public safety. Therefore, this Local Law strictly prohibits the physical placement of cloud-based ALPR devices on County premises or rights-of-way if those systems share data externally without stringent guardrails.

SECTION 2. DEFINITIONS.

As used in this Local Law, the following terms shall have the meanings indicated:

"Automated License Plate Reader" (ALPR) means any automated electronic device, camera, or sensor system capable of recognizing, capturing, or logging images of motor vehicles, license plates, or vehicle characteristics, and converting that imagery into machine-readable location data with a location or a time, whether the devise is permanently affixed, semi-permanently affixed, portable, relocatable, self-installed, or contractor-installed.

"Cloud-Based External Sharing Network" means any ALPR hardware, software, or database infrastructure that uploads captured vehicle data to a remote cloud server and permits external access, querying, or automated data pooling by agencies, private entities, or third-party vendors without case-by-case judicial oversight or explicit data-sharing guardrails.

"County Property or Right-of-way" means any roadway, highway, street, bridge, median, easement, pole, utility fixture, or physical corridor titled to, owned, controlled, or maintained by the County of Orange or the Orange County Department of Public Works.

"Person" means any natural individual, corporation, limited liability company, vendor, utility, or municipal entity (including towns, villages, cities, or outside government agencies).

"Self-Contained ALPR System" means an ALPR system where all captured data is fully maintained, secure, and structurally controlled directly by the operating local law enforcement agency, Orange County Department of Emergency Services or municipality, with no external or third-party data pooling, automated cross-jurisdictional sharing, or vendor side-retention. All hardware, software, processing nodes, and data storage infrastructure are physically located on premises owned or directly leased by the operating agency or hosted on a single-tenant government-only cloud server where a third-party vendor retains no root administrative access, no metadata access, and no capacity to aggregate, analyze, or view network traffic. No vendor or other third party holds any license or right to use the data, including anonymized, aggregated, or derived data. No outside agency may access or query the data directly and the system may not be used to search data held by any other agency or network.

SECTION 3. PROHIBITIONS.

A. No person, entity, municipality, vendor, or agency shall effect, mount, install, operate, or maintain any ALPR device on, above, or within any County Property or Right-of-way unless it is part of a Self-Contained ALPR System that complies with Sections 4 and 5 of this Local Law.

B. Legitimate law enforcement and the Orange County Department of Emergency Services deployment of ALPR devices on County Property or Rights-of-way shall be permitted, provided that the deploying agency or municipality utilizes a Self-Contained ALPR System and strictly complies with the audit and oversight policies mandated in Sections 4 and 5 herein.

C. The Orange County Department of Public Works and all County permitting bodies are prohibited from issuing right-of-way permits or utility attachment licenses to any entity for ALPR hardware unless the applicant certifies compliance with the data-containment and audit requirements of this Local Law.

SECTION 4. MANDATORY DATA SECURITY AND ACCESSIBILITY GUARDRAILS.

Any ALPR system operating on County Property or Rights-of-way must strictly adhere to the following data storage and access constraints:

A. Data may only be accessed by authorized law enforcement and Emergency Services personnel who have a documented, articulable public safety purpose or active case number of the search.

B. Under no circumstances shall data collected by an ALPR device on County property be sold, leased, or shared with private commercial vendors, insurance entities, or credit bureaus.

SECTION 5. MANDATORY MUNICIPAL AUDIT POLICY.

Any person, municipality, or law enforcement agency utilizing or operating an ALPR system on County Property or Rights-of-way must adopt and actively maintain an Audit Policy that satisfies the following minimum criteria:

A. The system must automatically generate an unalterable digital log for every single query or data access attempt, capturing:

1. The unique identity and login credentials of the officer or operator;

2. The specific date, time, and workstation used;

3. The active investigation case or incident number or specific law enforcement purpose justifying the query.

B. The chief executive officer of the local law enforcement agency, Orange County Department of Emergency Services, or operating municipality shall designate an independent auditor, ALPR agency administrator or internal affairs unit to conduct quarterly audits of the query logs to ensure no random, unauthorized, or politically/personally motivated tracking has occurred.

C. A redacted summary of the audit findings, detailing the total number of reads captured, the number of queries conducted, and any discovered instances of non-compliance or discipline, shall be filed annually with the County via the office of the County Attorney or before January 31st of each calendar year.

D. Discovery of willful, unauthorized use of ALPR devices to track individuals without a legitimate law enforcement purpose shall result in immediate revocation of the municipality's County right-of-way permit, alongside any applicable state or federal reporting requirements for such violation.

SECTION 6. REMOVAL OF NON-COMPLIANT INFRASTRUCTURE.

A. Any ALPR system located within a County Right-of-way that is not part of a Self-Contained ALPR System that fails to meet the data guardrails of Section 4 or the audit requirements of Section 5 shall be deemed an unpermitted public encroachment.

B. The responsible owner, person, or municipality shall bring the system into compliance or remove the device within thirty (30) days of receiving a written notice of non-compliance from the County. If the unit remains non-compliant, the County is authorized to impound the device at the owner or contracting municipality's expense.

SECTION 7. SEVERABILITY.

If any clause, sentence, paragraph, subdivision, section or part of this Local Law, or the application thereof, to any person, property, or circumstance, is adjudged invalid by a court of competent jurisdiction, such judgment shall not affect, impair, or invalidate the remainder of this Local Law or the application thereof to other persons, properties, or circumstances.

SECTION 8. EFFECTIVE DATE.

This Local Law shall take effect in the manner provided in the New York State Municipal Home Rule Law and upon the completion of the requisite filings and procedures with the New York State Secretary of State.