



Legislative Testimony
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**Written Testimony Regarding House Bill 7283,
An Act Concerning a Study by the Department of Transportation**

Senator Leone, Representative Lemar, and distinguished members of the Transportation Committee:

My name is David McGuire, and I am the executive director of the American Civil Liberties Union of Connecticut (ACLU-CT). I am submitting this testimony to recommend that the committee amend House Bill 7283 to include a provision requiring the Department of Transportation (DOT) to study privacy concerns regarding the electronic tolling proposed in House Bills 7202 and 7280 and to include recommended privacy provisions in its report to this committee.

As an organization that believes that people should not have to choose between moving freely in public spaces and protecting their civil liberties, the ACLU-CT has serious concerns that the implementation of electronic tolling system technology in our state will unjustly invade the privacy of people who travel within and through Connecticut. Should an electronic tolling system be developed in our state, it will most likely use many automatic license plate reader (ALPR) systems, which are cameras used by electronic tolling systems that can scan and record thousands of license plates a minute. When an ALPR system captures an image of a license plate, it also tags each file with the time, date, and GPS location of the photograph. These ALPR systems will most likely be used at each of the 53 tolling gantries proposed by Governor Lamont.

Under a statewide tolling system based on ALPR scans, Connecticut tolls would therefore capture sensitive information about millions of drivers — things like date and time of travel, GPS location, and vehicle speed — and store it in a central database. Without rules to restrict how the government stores, collects, shares, sells, or keeps this information, it could be used to hurt millions of innocent people who travel through our state.

ALPR systems can enable the government to track where someone has gone, where they are going, and who visits certain locations, raising serious First Amendment and Fourth Amendment concerns. ALPR systems have the ability to record and archive someone's travel habits for months or even years. Allowing the retention of data gathered by ALPR systems opens the door to retroactive surveillance of innocent people without a warrant, without probable cause, and without any form of judicial oversight. In addition, ALPR databases could be ripe for abuse by the federal government. Last year, Vigilant Solutions, the company that the Connecticut Capitol Area Police Association contracted with to provide the region's license plate reader database, announced that it had signed an agency-wide contract to provide Immigration and Customs Enforcement (ICE) with access to its full database of license plate reader scans, leaving immigrants in Connecticut vulnerable to surveillance and targeting by ICE.

It is imperative that the legislature fully examine and address these privacy concerns. DOT should study these concerns and develop recommendations to neutralize the very real privacy concerns involved in implementing an electronic tolling system in Connecticut. We encourage the committee to require DOT to study these privacy concerns and report to the committee with recommendations on how to protect the privacy of motorists traveling in and through our state.