

PENNSYLVANIA STATE POLICE TESTIMONY

HB 317 and HB 1509

HOUSE TRANSPORTATION COMMITTEE

AUGUST 13, 2019



PRESENTED BY

MAJOR DOUGLAS BURIG

DIRECTOR, BUREAU OF CRIMINAL INVESTIGATION

AND

MAJOR JAMES BASINGER

DIRECTOR, BUREAU OF PATROL

Good afternoon, Chairmen Hennessey and Carroll and members of the House Transportation Committee. I'm Major Douglas Burig, Director of the Bureau of Criminal Investigation for the Pennsylvania State Police (PSP). With me is Major James Basinger, Director of the Bureau of Patrol for the PSP. We appreciate the opportunity to provide testimony today on House Bills 317 and 1509 to provide insight into how these proposed pieces of legislation could impact PSP operations.

(House Bill 317- Major Douglas Burig)

House Bill 317 amends Title 75 (PA Vehicle Code) by providing for Automated License Plate Reader (ALPR) systems, the ALPR Equipment Fund, and a related surcharge for violations of Chapter 13 of Title 75. Once deposited into the ALPR fund, the surcharge funds are to be utilized by law enforcement agencies to procure ALPR equipment and related support to operate the system.

ALPRs have proven to be an extremely effective tool for law enforcement to investigate and resolve a myriad of crimes. This technology employs high-speed cameras mounted on police vehicles or fixed locations to capture images of registration plates of passing vehicles and instantaneously transmit and compares it to information held in local, state, and federal databases such as: the Pennsylvania Department of Transportation, National Crime Information Center (NCIC), Commonwealth Law Enforcement Assistance Network (CLEAN), the National Amber Alert System and the Terrorist Screening Center (TSC), among others, then immediately alerts law enforcement to the vehicle's location so the appropriate action can be taken. The historical information stored in ALPR systems is equally invaluable to help

us investigate crimes that are not reported immediately or to further long-term investigations which might span months or years such as those targeting drug or human trafficking organizations. This important tool serves as a force multiplier for law enforcement.

ALPR systems are in use throughout the Commonwealth, but we are not leveraging the full benefits of this technology because the various systems are “siloes” and not interconnected. Currently, a department in Western Pennsylvania may not be aware that a vehicle connected to one of their investigations was captured on an ALPR system in the Eastern part of the state. Suspects often commit crimes spanning multiple jurisdictions and many counties further reinforcing the need for a statewide ALPR solution. Law enforcement in Pennsylvania often rely on ALPR data from neighboring states to further their investigations.

PSP appreciates the importance of maintaining the integrity of citizens’ vehicle information captured by the ALPRs. This legislation helps to ensure the confidentiality of this information by establishing a framework within which ALPRs must be utilized. The provisions in this legislation will include who can use ALPRs, how the data can be collected, and how long the data can be stored, among other things. The bill will also forbid the use of ALPRs for passive surveillance, and not allow the information gathered from ALPRs to be subject to the Right to Know Law. The protection of the citizen’s privacy, civil rights and civil liberties are paramount in all law enforcement activities including the use of advanced technology.

Although supportive of the use of ALPRs and of House Bill 317, the PSP does have some concerns with the current language of the bill such as funding for local police

departments to ensure connectivity with the ALPR system within PSP, the ability of local police to continue to utilize their current ALPR equipment moving forward, and the funding for PSP's development, maintenance, and storage of the system. All of these concerns can be resolved through collaboration with the General Assembly to produce a final bill which is highly beneficial to all involved. The proven benefits that ALPRs provide to law enforcement to assist in solving crimes and obtaining justice for our citizens far outweighs our concerns with this bill. Enactment of House Bill 317 would be a progressive step toward a uniform system for law enforcement to utilize ALPRs, and the associated data collected to assist in solving crime while at the same time, ensuring the confidentiality and security of citizens' information. Thank you.

(House Bill 1509- Major James Basinger)

Good afternoon, I'm Major James Basinger, Director of the Bureau of Patrol for the Pennsylvania State Police (PSP).

House Bill 1509 is intended to create a 2-in-1 registration/inspection sticker affixed to a motor vehicle's registration plate. Act 89 of 2013 eliminated the requirement to display a registration sticker on a registration plate upon initial registration or for a renewal. Currently, a vehicle's owner can renew a registration through several avenues, including online, and he or she is still required to exhibit a current registration card upon request by a police officer.

It has been claimed the elimination of registration stickers has left law enforcement without a significant tool to identify unregistered or uninsured vehicles, as such, public safety has been compromised. The Pennsylvania State Police does not feel this is a

completely accurate reflection of what we are experiencing. Our Patrol vehicles are equipped with Mobile Office systems which allow Troopers to manually enter a registration number and receive an immediate response from PennDOT indicating the status of a vehicle's registration. PSP believes this direct verification through PennDOT's systems is a more accurate way to verify a vehicle's registration status. With the previous registration sticker system, we frequently investigated incidents where the old registration stickers were altered or stolen from one vehicle and placed onto another. In the two years since Act 89 has been in effect, the number of citations issued by Pennsylvania police officers for violations of Title 75, Section 1301(A) has increased approximately 52%. We feel while some of these violations could be the result of vehicle owners forgetting to renew their vehicle's registration because they no longer have a visual reminder on their license plate, it is more likely due to police officers utilizing the in-car technology more effectively and not relying solely on observing an expired or missing registration sticker. Under the previous system, an officer may have observed a registration which appeared valid when in fact the registration had been suspended. Utilizing the mobile office rather than merely looking for a sticker provides a more accurate and real-time status of a vehicle registration.

This bill proposes to eliminate the current system of inspection certificates which are affixed to a motor vehicle's windshield. If one of the reasons for a return of the registration stickers is that Act 89 removed an observatory tool for police officers, can not the same argument be made that eliminating inspection certificates would also remove an observatory tool? Police officers in Pennsylvania commonly glance over at the windshields of vehicles passing in the opposing direction to ensure an inspection is valid.

In addition, there are scenarios in which a vehicle will still need to display an inspection certificate instead of the proposed 2-in-1 system. Type D farm vehicles do not need to be registered; therefore, would not be required to display a validating registration sticker, but still require a valid inspection certificate. This would necessitate a separate inspection certificate apart from the proposed 2-in-1 sticker. There are also scenarios where a vehicle would require a registration sticker but not require an inspection certificate, such as trailers 3,000 pounds or less, trailers greater than 17,000 pounds displaying a current federal certificate of inspection, and antique vehicles.

Today in Pennsylvania, in order to get one's vehicle inspected, a person must first present proof the vehicle is insured as well as proof of ownership of the vehicle. Proof of ownership is accomplished by providing a valid registration card, certificate of title, or manufacturer's certificate of origin. House Bill 1509 would reverse this process and require a vehicle be inspected prior to initial registration or registration renewal. It would require an agent of PennDOT to verify that a certificate of inspection has been issued, if required by Chapter 47 in Title 75, prior to issuance of a registration renewal or temporary registration. Proof of the issuance of a certificate of inspection would be furnished by the owner of the vehicle by presenting a certificate of inspection issued for the vehicle. Currently, the "certificate of inspection" is a sticker affixed to the windshield of a motor vehicle. There is no separate documentation that a vehicle's owner would possess in order to be able to provide proof of inspection to PennDOT prior to the registration process. If PennDOT must create a new form to document a valid vehicle inspection and provide this new form to a vehicle owner in order for them to complete the registration process, PSP would have concerns that this form could be altered in order to fraudulently

register vehicles. Additionally, the old registration stickers were often-times altered or stolen from one vehicle and placed onto another, we believe this could also be the case with a proposed 2-in-1 sticker if affixed to the registration plate on the exterior of the vehicle.

House Bill 1509 would create a complete reversal of our current registration and inspection procedures and burden the Commonwealth's vehicle owners by restricting their ability to efficiently renew registrations online. Although a registration sticker affixed to a vehicle's registration plate can serve as a potential visible tool for law enforcement as well as a reminder to the motoring public to renew their registration, the Pennsylvania State Police believes this change is unnecessary and would not result in an increase in highway safety. To the contrary, there are scenarios in which provisions contained within the bill could lead to fraudulent registration of vehicles or theft of stickers. It is for these reasons that the Pennsylvania State Police is opposed to House Bill 1509.

Thank you for the opportunity to provide you with our perspective and we would be happy to answer any questions you may have at this time.