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TESTIMONY OF MICHAEL KEBEDE, ESQ.

LD 1457 – Ought Not to Pass

Resolve, to Allow the Maine Turnpike Authority to Conduct a Pilot Program to Implement Automated Speed Control Systems in Highway Work Zones

Joint Standing Committee on Transportation
April 23, 2025

Senator Nangle, Representative Crafts, and distinguished members of the Joint Standing Committee on Transportation, good morning. My name is Michael Kebede, and I am the policy director for the American Civil Liberties Union of Maine, a statewide organization committed to advancing and preserving civil liberties guaranteed by the Maine and U.S. Constitutions. On behalf of our members, I urge you to oppose LD 1457.

This bill's proposed pilot program to implement automated speed control systems in highway work zones would comprise Mainers' privacy. If enacted, this resolve would allow the Maine Turnpike Authority to collect personally identifiable information about the motorist and the image of a motorist considered to be presumptively violating a work zone speed limit.

The dangers of automated license plate readers (ALPR) are well-documented. Any expansion of the government's power to use automated systems to collect data undermines the government's duty of non-discrimination and threatens the basic privacy rights of Maine people.

ALPRs use small high-speed cameras to photograph thousands of plates per minute. The information captured by the readers—including the license plate number and the date, time, and location of every scan—is being collected and sometimes pooled into regional sharing systems. As a result, enormous databases of motorists' location information are growing rapidly. This information is often retained for years, or even indefinitely, with few or no restrictions to protect privacy rights. While this bill says that the information should be destroyed if it is not "necessary for the collection and enforcement of" fines, there is nothing in the bill establishing clear retention schedules.

Moreover, we have learned from other jurisdictions that ALPRs are often used for mass routine location tracking and surveillance, even though that might not have been their initial purpose.[1]

Finally, ALPRs have helped the federal government in immigration enforcement. In 2019, the ACLU obtained records showing that Immigration and Customs Enforcement (ICE) used an automated license plate reader (ALPR) database run by a company called Vigilant Solutions.[2] Over 9,000 ICE officers had access to the Vigilant system. Through their contract with Vigilant, ICE was able to access to over 5 billion data points of location information collected by private businesses, like insurance companies and parking lots, and could gain access to an additional 1.5 billion records collected by other law enforcement agencies.[3]

In order to protect Mainers' privacy, and ensure that technology does not discriminate against motorists and vunlerable populations, we urge you to reject LD 1457.

Thank you for your time and attention.

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[1] In July 2012, ACLU affiliates in 38 states and Washington, D.C., sent public records act requests to almost 600 local and state police departments, as well as other state and federal agencies, to obtain information on how these agencies use license plate readers. In response, we received thousands of pages of documents detailing the use of the technology around the country.

[2] Vasudha Talla, *Documents Reveal ICE Using Driver Location Data From Local Police for Deportations*, ACLU of Northern California, available at https://www.aclu.org/news/immigrants-rights/documents-reveal-ice-using-driver-location-data.

[3] Another license plate recognition company, Flock, steadfastly refuses to allow independent testing of its license plate readers. *See* Jay Stanley, *Fast-Growing Company Flock is Building a New AI-Driven Mass-Surveillance System*, American Civil Liberties Union (Mar 3, 2022),
available at https://www.aclu.org/publications/fast-growing-company-flock-building-new-ai-driven-mass-surveillance-system.