

ALPR Policy Compliance Guide

A practical reference for California parking & property operators using automated license plate recognition (ALPR) systems — what the law requires, who it covers, and how to comply.

Cal. Civ. Code
§§ 1798.90.5–.55 »

RISK
\$2,500
 minimum liquidated
 damages / violation

MOST RECENT ACTION • CAL. SUPREME COURT DENIED REVIEW MAY 13, 2026

Bartholomew v. Parking Concepts, Inc. (Cal. Ct. App., 1st Dist., Div. 5, Feb. 5, 2026; review denied by the Cal. Supreme Court May 13, 2026, No. S295726): no policy existed at all — the court held that alone is an actionable harm, no breach or misuse required. The appellate ruling now stands as binding precedent. [Read the opinion »](#)

Civ. Code § 1798.90.54: liquidated damages of not less than **\$2,500 per violation**, plus attorney's fees; punitive damages for willful or reckless violations.

Since Bartholomew, four class actions were filed within six weeks, with more under investigation — plus suits against Flock Safety, Home Depot's California stores, and Motorola's Vigilant network (most recent, June 2026). **Unresolved:** whether damages multiply per vehicle scanned or per operator — actively argued, not decided. [Coverage »](#)

THE RULE, IN ONE LINE

Any ALPR operator or data user must adopt a written usage & privacy policy, make it public, and — if it has a website — **post that policy conspicuously online**. On-site posting alone does not satisfy the website requirement.

1 WHAT THE LAW REQUIRES

- Adopt a written usage & privacy policy
- Make it available to the public
- If it has a website, post the policy conspicuously there ★

2 WHO'S COVERED

OPERATOR Operates an ALPR system.

DATA USER Accesses or uses ALPR data.

Coverage turns on the **technology, not the business type**. An ALPR system = camera(s) + algorithms that convert plate images into a searchable database.

A plain security camera is *not* ALPR; a dedicated plate-reader (Flock Safety, Rekor) building a searchable database *is*. "Person" covers corporations, LLCs, partnerships, associations & public agencies — no exemption. Using a vendor's system does not shift the duty to the vendor.

3 REQUIRED ELEMENTS

ALL 7

1. Authorized purposes for collecting / using data
2. Job titles with access & their training
3. How the system is monitored for security / compliance
4. Rules on sharing / selling / transferring data
5. Title of the official custodian of the policy
6. Measures for data accuracy & error correction
7. Retention period & destruction process — operator sets & discloses its own; no fixed period required

4 WHERE TO POST IT

- **Post on every website** tied to an entity that operates or uses the system. ★
- Multi-entity sites (mall owner + property manager + parking operator) may each need their own posting.
- Use a clearly labeled, directly linked page — **not** buried inside a general privacy policy.

6 NEXT STEPS

[Sample ALPR Policies »](#)

- ✓ Confirm if your property has ALPR technology.
- ✓ Have counsel draft / review a policy covering all 7 elements.
- ✓ Post the required privacy policy on every website tied to the location.
- ✓ Review Data-Users to confirm compliance.