

1 **SENATE FLOOR VERSION**

2 February 15, 2024

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 1620

6 By: Coleman

7
8 An Act relating to automated license plate reader
9 systems; defining terms; authorizing certain use;
10 requiring certain policy; requiring permit issued by
11 the Department of Transportation; authorizing
12 promulgation of rules; requiring certain criteria to
13 conduct traffic stops; requiring removal of certain
14 recordings within certain time frame; prohibiting
15 sale of recordings; requiring certain information be
16 made available to the public; providing for
17 codification; and providing an effective date.

18 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

19 SECTION 1. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 15-133 of Title 47, unless there
21 is created a duplication in numbering, reads as follows:

22 A. For purposes of this section:

23 1. "Automated license plate reader system" means a system of
24 one or more mobile or law-enforcement-controlled cameras combined

1 with computer algorithms to convert images of registration plates
2 and vehicles into computer-readable data; and

3 2. "Highway rights-of-way" means the state and interstate
4 highway systems maintained by the Department of Transportation.

5 B. In accordance with applicable state and federal laws
6 governing the use and management of highway rights-of-way and
7 subject to the approval of the Federal Highway Administration as
8 required by federal law, automated license plate reader systems
9 operated by law enforcement agencies may be utilized on highway
10 rights-of-way to aid in criminal investigations or searches for
11 missing or endangered persons to the extent that such use is
12 consistent with the continued use, operation, maintenance, and
13 safety of the highway facility and does not interfere with the free
14 and safe flow of traffic. Except as provided in Sections 7-606.1
15 and 7-606.2 of this title, such devices shall not be used to enforce
16 state or local traffic violations or issue citations for such
17 violations.

18 C. 1. Except as provided in Sections 7-606.1 and 7-606.2 of
19 this title, operation of and access to an automated license plate
20 reader system by law enforcement agencies shall be for official law
21 enforcement purposes only, and shall only be used to scan, detect,
22 and identify vehicles and license plate numbers to identify:

23 a. stolen vehicles,

24 b. vehicles involved in an active investigation,

- 1 c. vehicles associated with wanted, missing, or
2 endangered persons, and
3 d. vehicles that register as a match within the National
4 Crime Information Center or any other relevant
5 federal, state, or local database.

6 2. Prior to the use of an automated license plate reader
7 system, the law enforcement agency shall:

- 8 a. confirm that the automated license plate reader system
9 meets all requirements provided for in this section,
10 b. establish a policy governing the use of such system to
11 include a training process for law enforcement
12 officers who will use the system and an auditing
13 schedule to ensure proper use as provided for in this
14 section, and
15 c. obtain a permit from the Department of Transportation
16 before the installation of an automated license plate
17 reader system on a state or interstate highway. The
18 Department shall promulgate rules to issue permits for
19 such systems installed on highway rights-of-way.

20 3. A positive match by an automated license plate reader system
21 shall not constitute reasonable suspicion as grounds for a law
22 enforcement officer to conduct a traffic stop. Prior to conducting
23 a traffic stop based on identification within the license plate
24 reader database, the officer shall immediately make a visual

1 confirmation that the license plate on the vehicle matches the image
2 of the license plate displayed on the automated license plate reader
3 system and that the stop meets criteria laid out in the policies of
4 the department that employs the law enforcement officer.

5 4. A record of a license plate or vehicle recorded by an
6 automated license plate reader system shall be removed from the
7 database or system within thirty (30) days of being recorded in such
8 a manner that the record is destroyed and not recoverable, unless
9 the record is a part of an ongoing investigation, in which case the
10 data may be retained until final disposition of the matter in
11 accordance with applicable records retention laws.

12 5. Captured license plate data obtained for the purposes
13 identified in paragraph 1 of this subsection shall not be authorized
14 for sale.

15 D. A law enforcement agency that installs or uses any automated
16 license plate reader system shall make available to the public a log
17 of such system use updated on a monthly basis that displays but is
18 not limited to:

19 1. The aggregate number of vehicles of which data is collected
20 for each month of use and a list of all state and federal databases
21 with which the data was compared, unless the existence of the
22 database is not public; and

23 2. The automated license plate reader system policy of the
24 agency.

SECTION 2. This act shall become effective November 1, 2024.

COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY
February 15, 2024 - DO PASS AS AMENDED BY CS

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