

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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