

BILL SUMMARY
2nd Session of the 59th Legislature

Bill No.:	HB3570
Version:	FA1
Request Number:	10679
Author:	Rep. Manger
Date:	3/12/2024
Impact:	Minimal

Research Analysis

The FA1 to HB 3570 allows for the use of automatic license plate readers systems by law enforcement to conduct hotlist checks or manual searches. Manual searches may only be conducted subsequent to a warrant. Prior to the use of an automatic license plate reader system, a municipal or state law enforcement agency must confirm that the reader system meets all statutory requirements, establish a governing policy regarding the use of the reader system, and obtain a permit from the Department of Transportation before installing the reader system on a state or interstate highway.

The measure provides that a positive match by a automatic license plate reader does not constitute reasonable suspicion to stop a vehicle. An officer must visually confirm that the license plate on the vehicle matches the image of the license plate displayed on the automatic license plate reader system and that the stop meets criteria laid out in the law enforcement agency's policies.

Records of license plates and vehicles recorded by an automatic license plate reader system must be purged from the database or system within thirty days of their capture, unless the record is a part of an ongoing investigation, in which case the data may be retained until final disposition of the matter.

The measure requires a law enforcement agency using an automatic license plate reader system to make certain information public, including a log of the readers use, the law enforcement agency's automatic license plate reader system policy, a list of all manual searches conducted, the aggregate number of matches produced, the number of instances in which the agency made contact with the vehicle, and the total number of cases in which a citation was issued.

The measure prohibits law enforcement agency from creating any secondary record, sharing any element of data with any contractor, other government entity or person not employed by the agency, or allow any data to be transmitted on transmission lines or stored on computer equipment not located with Oklahoma.

Prepared By: Brad Wolgamott

Fiscal Analysis

The floor amendment to HB 3570 allows for the use of automatic license plate readers for certain purposes and requires the Oklahoma Department of Transportation (ODOT) to issue a permit to the municipal or state law enforcement agency that intends to use the reader on a state or interstate highway. Per ODOT, the implementation and administration of this measure would have a minimal fiscal impact for the agency.

Prepared By: Jay St Clair, House Fiscal Staff

Other Considerations

None.

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