

1 STATE OF OKLAHOMA

2 2nd Session of the 59th Legislature (2024)

3 SENATE BILL 1620

By: Coleman

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5
6 AS INTRODUCED

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

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

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

21 A. For purposes of this section:

22 1. "Automated license plate reader system" means a system of
23 one or more mobile or law-enforcement-controlled cameras combined
24 with computer algorithms to convert images of registration plates
and vehicles into computer-readable data; and

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

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

13 C. 1. Operation of and access to an automated license plate
14 reader system by law enforcement agencies shall be for official law
15 enforcement purposes only, and shall only be used to scan, detect,
16 and identify vehicles and license plate numbers to identify:

- 17 a. stolen vehicles,
- 18 b. vehicles involved in an active investigation,
- 19 c. vehicles associated with wanted, missing, or
20 endangered persons, and
- 21 d. vehicles that register as a match within the National
22 Crime Information Center or any other relevant
23 federal, state, or local database.

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

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

15 3. A positive match by an automated license plate reader system
16 shall not constitute reasonable suspicion as grounds for a law
17 enforcement officer to conduct a traffic stop. Prior to conducting
18 a traffic stop based on identification within the license plate
19 reader database, the officer shall immediately make a visual
20 confirmation that the license plate on the vehicle matches the image
21 of the license plate displayed on the automated license plate reader
22 system and that the stop meets criteria laid out in the policies of
23 the department that employs the law enforcement officer.

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

8 5. Captured license plate data obtained for the purposes
9 identified in paragraph 1 of this subsection shall not be authorized
10 for sale.

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

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

19 2. The automated license plate reader system policy of the
20 agency.

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

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