

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 COMMITTEE SUBSTITUTE

4 FOR

5 HOUSE BILL NO. 3385

6 By: Faught

7 COMMITTEE SUBSTITUTE

8 An Act relating to motor vehicles; requiring a Social
9 Security number to be given to the Department of
10 Public Safety upon application for an initial driver
11 license; providing for an option of retention of the
12 number in the records; specifying information on
13 application form; specifying uses for retained Social
14 Security number; providing for destruction of record
15 of number after certain actions taken; providing
16 procedures for the renewal of a driver license;
17 specifying information on form; authorizing option of
18 providing photograph; specifying photograph not to
19 become part of permanent records; authorizing fee for
20 the changing of information; providing for the
21 destruction of records containing Social Security
22 number or photograph upon election by the person;
23 providing for a third party to oversee compliance;
24 providing information not to be public record;
applying provisions of act to identification cards;
providing for codification; and providing an
effective date.

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

22 SECTION 1. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 6-110.4 of Title 47, unless
24 there is created a duplication in numbering, reads as follows:

1 A. An applicant for a driver license who has not previously
2 been licensed to drive a motor vehicle in this state shall provide
3 his or her Social Security number in the application. The applicant
4 shall be given the opportunity to determine whether to have his or
5 her Social Security number retained in the records of the Department
6 of Public Safety. The application form shall include a box to check
7 off if the applicant does not wish to have his or her Social
8 Security number retained in the records of the Department. This
9 option, and the procedure prescribed in this section, shall apply to
10 all forms on which a Social Security number is requested. If the
11 applicant checks the box electing for the Department not to retain
12 his or her Social Security number, the uses and procedures regarding
13 that Social Security number are as follows:

14 1. The Social Security number shall only be used for the
15 purpose of child support enforcement;

16 2. The Social Security number shall only be disclosed directly
17 to the Social Security Administration for verification, or directly
18 with the appropriate federal agency in charge of child support
19 enforcement;

20 3. The Social Security number shall not be disclosed to any
21 third party, or through any database service or information-sharing
22 service such as provided by the American Association of Motor
23 Vehicle Administrators;

24

1 4. Once the Social Security number has been used to identify
2 the individual and all other pertinent information has been entered
3 into the database of the Department, other than the Social Security
4 number, all paper applications on which the Social Security number
5 of the applicant appears shall be destroyed or returned to the
6 applicant, at the option of the applicant; and

7 5. The Department shall in no way retain or record the Social
8 Security number of an applicant who chooses that the Department
9 shall not retain his or her Social Security number, when the
10 appropriate box is checked on the application.

11 B. The application form for a renewal of a driver license may
12 request the Social Security number of the applicant. An applicant
13 who is a resident of Oklahoma shall be given the opportunity to
14 determine whether to provide the Social Security number. For
15 renewals, the form shall state that such provision is voluntary and
16 not required by law. The application form shall include a box to
17 check off if the applicant does not wish to provide his or her
18 Social Security number pursuant to this subsection.

19 C. The application form for an initial driver license or a
20 renewal of a driver license shall include a box to check off if the
21 applicant wishes to have his or her mailing address appear on the
22 license instead of his or her home address. If so indicated, the
23 Department shall place the mailing address on the license instead of
24 a physical address.

1 D. The application form for an initial driver license or a
2 renewal of a driver license shall include a box to check off if the
3 applicant does not wish to have his or her computerized image,
4 likeness, or photograph retained in the records of the Department of
5 Public Safety. If this option is indicated by the applicant on the
6 application, a Driver Examiner shall not collect a computerized
7 image, likeness, or photograph from the individual who checks the
8 appropriate box. However, the license-issuing Tag Agent shall
9 collect the computerized image, likeness, or photograph and print it
10 on the license, but the Tag Agent shall not save the computerized
11 image, likeness, or photograph to the computer system or to any data
12 backup system. In this way, the computerized image, likeness or
13 photograph does not become part of the records of the Department.
14 The Department shall ensure that the software of the driver license
15 vendor will comply with this requirement.

16 E. An individual may elect to have the status of his or her
17 Social Security number, address or photograph changed at any time,
18 using an application form to request such changes. The Department
19 may collect a fee, equal to the cost of obtaining a replacement
20 license, for this service. If the individual elects not to allow
21 the Department to retain his or her Social Security number or
22 computerized image, likeness, or photograph, the items to be
23 changed, so indicated on the application, are to be removed from any
24 computer database, including backup storage devices and all paper

1 documents containing the appropriate information. If a Social
2 Security number is to be removed from the records of the Department,
3 and the Department has retained a paper document containing that
4 Social Security number, that document is to be destroyed with no
5 copy or backup made. Photographic images, subject to these changes
6 in status, shall be wiped from the electronic records of the
7 Department, and backup devices, using a permanent data-wiping
8 algorithm. Any nonmagnetic data-storage device, containing data
9 subject to these changes, is to be destroyed. The Department may
10 create a backup copy of all data stored on the nonmagnetic device to
11 be destroyed that does not relate to the individual in question.

12 F. The appropriate committee that oversees the Department shall
13 appoint a third party, currently employed by the state, that is
14 technically proficient and able to confirm that the Department has
15 complied with these procedures. If an individual indicates his or
16 her wishes to verify Department compliance with any requirement of
17 this section, a representative from the committee that has oversight
18 over the Department shall instruct this third party to confirm such
19 compliance and, on behalf of the committee, respond to the request
20 of the individual within thirty (30) days.

21 G. The Social Security number shall not be a public record open
22 to the inspection of any person. The Department shall not sell or
23 otherwise provide individual Social Security numbers or lists of
24

1 Social Security numbers for any purpose that is not stated in this
2 section.

3 H. As is appropriate, the conditions of this section shall also
4 apply to identification cards.

5 SECTION 2. This act shall become effective September 15, 2008.

6

7 51-2-10535 GRS 03/04/08

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24