

THE HOUSE OF REPRESENTATIVES  
Thursday, March 6, 2008

Committee Substitute for  
House Bill No. 3385

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 3385 - By: FAUGHT of the House and BROGDON of the Senate.

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

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

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

4           A. An applicant for a driver license who has not previously been licensed to drive a  
5 motor vehicle in this state shall provide his or her Social Security number in the  
6 application. The applicant shall be given the opportunity to determine whether to have  
7 his or her Social Security number retained in the records of the Department of Public

1 Safety. The application form shall include a box to check off if the applicant does not  
2 wish to have his or her Social Security number retained in the records of the  
3 Department. This option, and the procedure prescribed in this section, shall apply to all  
4 forms on which a Social Security number is requested. If the applicant checks the box  
5 electing for the Department not to retain his or her Social Security number, the uses and  
6 procedures regarding that Social Security number are as follows:

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

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

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

15 4. Once the Social Security number has been used to identify the individual and all  
16 other pertinent information has been entered into the database of the Department, other  
17 than the Social Security number, all paper applications on which the Social Security  
18 number of the applicant appears shall be destroyed or returned to the applicant, at the  
19 option of the applicant; and

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

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

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

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

1 E. An individual may elect to have the status of his or her Social Security number,  
2 address or photograph changed at any time, using an application form to request such  
3 changes. The Department may collect a fee, equal to the cost of obtaining a replacement  
4 license, for this service. If the individual elects not to allow the Department to retain his  
5 or her Social Security number or computerized image, likeness, or photograph, the items  
6 to be changed, so indicated on the application, are to be removed from any computer  
7 database, including backup storage devices and all paper documents containing the  
8 appropriate information. If a Social Security number is to be removed from the records  
9 of the Department, and the Department has retained a paper document containing that  
10 Social Security number, that document is to be destroyed with no copy or backup made.  
11 Photographic images, subject to these changes in status, shall be wiped from the  
12 electronic records of the Department, and backup devices, using a permanent data-  
13 wiping algorithm. Any nonmagnetic data-storage device, containing data subject to these  
14 changes, is to be destroyed. The Department may create a backup copy of all data stored  
15 on the nonmagnetic device to be destroyed that does not relate to the individual in  
16 question.

17 F. The appropriate committee that oversees the Department shall appoint a third  
18 party, currently employed by the state, that is technically proficient and able to confirm  
19 that the Department has complied with these procedures. If an individual indicates his  
20 or her wishes to verify Department compliance with any requirement of this section, a  
21 representative from the committee that has oversight over the Department shall instruct

1 this third party to confirm such compliance and, on behalf of the committee, respond to  
2 the request of the individual within thirty (30) days.

3 G. The Social Security number shall not be a public record open to the inspection of  
4 any person. The Department shall not sell or otherwise provide individual Social  
5 Security numbers or lists of Social Security numbers for any purpose that is not stated in  
6 this section.

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

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

10 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY AND PUBLIC SAFETY,  
11 dated 03-05-08 - DO PASS, As Amended and Coauthored.