

SB 1412

1 THE STATE SENATE  
2 Monday, February 18, 2008

3 Senate Bill No. 1412  
4 As Amended

5 SENATE BILL NO. 1412 - By: BROGDON of the Senate and WRIGHT of the  
6 House.

7 [ public safety - computerized finger imaging -  
8 emergency ]

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

10 SECTION 1. AMENDATORY 47 O.S. 2001, Section 6-110.2, as  
11 last amended by Section 15, Chapter 311, O.S.L. 2006 (47 O.S. Supp.  
12 2007, Section 6-110.2), is amended to read as follows:

13 Section 6-110.2 A. The Department of Public Safety shall  
14 implement a procedure for computerized finger imaging by means of an  
15 inkless finger image scanning device and shall require every  
16 applicant for an original, renewal or replacement driver license or  
17 identification card to submit to finger imaging for the purposes of  
18 proof of identity and to ensure the security of the driver license  
19 or identification card issued to the applicant.

20 B. No unemancipated person under eighteen (18) years of age  
21 shall be issued a driver license or identification card by the  
22 Department unless an authorization form, prescribed and furnished by  
23 the Department, authorizing the finger imaging of the person and

1 signed by the legal custodial parent or legal guardian of the  
2 person, is in the possession of the Department.

3 C. No law enforcement agency of the state or federal government  
4 other than the Department of Public Safety shall have access to any  
5 information collected through the use of computerized finger  
6 imaging, or to computerized images obtained pursuant to Section 6-  
7 111 of this title, without first obtaining a court order from a  
8 judge of competent jurisdiction. Each application for an order  
9 authorizing the access to any information collected through the use  
10 of computerized finger imaging, or to computerized images obtained  
11 pursuant to Section 6-111 of this title, shall be made in writing  
12 upon oath or affirmation to a judge of competent jurisdiction. Each  
13 application shall establish probable cause for belief that a named  
14 individual is committing, has committed or is about to commit a  
15 particular violation of law. Any computerized finger imaging  
16 information or computerized image obtained pursuant to Section 6-111  
17 of this title which has been shared with any person or entity,  
18 public or private, for any purpose other than compliance with a  
19 court order pursuant to this subsection shall be retrieved and  
20 secured by the Department.

21 D. The Commissioner of Public Safety shall adopt rules as may  
22 be necessary to carry out the provisions of this section.

1           SECTION 2. It being immediately necessary for the preservation  
2 of the public peace, health and safety, an emergency is hereby  
3 declared to exist, by reason whereof this act shall take effect and  
4 be in full force from and after its passage and approval.

5 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY & HOMELAND SECURITY,  
6 dated 2-12-08 - DO PASS, As Amended and Coauthored.