

1 ENGROSSED SENATE  
2 BILL NO. 2229

By: Ellis and Leftwich of the  
Senate

3 and

4 Banz of the House  
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7 An Act relating to motor vehicles; amending 47 O.S.  
8 2001, Section 6-110.2, as last amended by Section 6,  
9 Chapter 159, O.S.L. 2008 (47 O.S. Supp. 2009, Section  
10 6-110.2), which relates to computerized finger  
11 imaging; authorizing override of finger image in  
12 certain circumstances; requiring means for certain  
13 purpose; and providing an effective date.

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

14 SECTION 1. AMENDATORY 47 O.S. 2001, Section 6-110.2, as  
15 last amended by Section 6, Chapter 159, O.S.L. 2008 (47 O.S. Supp.  
16 2009, Section 6-110.2), is amended to read as follows:

17 Section 6-110.2. A. The Department of Public Safety shall  
18 implement a procedure for computerized finger imaging by means of an  
19 inkless finger image scanning device and shall require every  
20 applicant for an original, renewal or replacement driver license or  
21 identification card to submit to finger imaging for the purposes of  
22 proof of identity and to ensure the security of the driver license  
23 or identification card issued to the applicant. If the finger image  
24 of a person over sixty-five (65) cannot be scanned and the issuing

1 agent can personally verify the individual's identity with  
2 alternative identification the finger imaging shall be overridden.  
3 Means must be provided to trace to the agent who authorized the  
4 override.

5 B. No unemancipated person under eighteen (18) years of age  
6 shall be issued a driver license or identification card by the  
7 Department unless an authorization form, prescribed and furnished by  
8 the Department, authorizing the finger imaging of the person and  
9 signed by the legal custodial parent, legal guardian, or legal  
10 custodian of the person, is in the possession of the Department.

11 C. No law enforcement agency of the state or federal government  
12 other than the Department of Public Safety shall have access to any  
13 information collected through the use of computerized finger imaging  
14 without first obtaining a court order from a judge of competent  
15 jurisdiction. Each application for an order authorizing the access  
16 to any information collected through the use of computerized finger  
17 imaging shall be made in writing upon oath or affirmation to a judge  
18 of competent jurisdiction. Each application shall establish  
19 probable cause for belief that a named individual is committing, has  
20 committed or is about to commit a particular violation of law.

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

23 SECTION 2. This act shall become effective November 1, 2010.

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1 Passed the Senate the 10th day of March, 2010.

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3 \_\_\_\_\_  
4 Presiding Officer of the Senate

5 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
6 2010.

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9 Presiding Officer of the House  
10 of Representatives