

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 SENATE BILL 1190

By: Brogdon

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5
6 AS INTRODUCED

7 An Act relating to motor vehicles; prohibiting use of
8 specific technology; limiting membership; prohibiting
9 distribution of certain information; authorizing
certain agreements; providing for codification; and
declaring an emergency.

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

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

16 A. No state agency, board, commission or other unit or
17 subdivision of state government, county, city, township,
18 municipality, or other governmental entity under the jurisdiction of
19 the State of Oklahoma shall issue an identification document or
20 driver license used to identify a person where such identification
21 document or driver license utilizes the technology known as "Radio
22 Frequency Identification", "RFID", "Radio Frequency Technology", or
23 "RFT", or similar technologies or devices, that are capable of
24 storing and transmitting personally identifiable information or

1 unique numbers, codes, or algorithms which directly correlate to
2 personal information held in another location, database, or device.

3 B. The State of Oklahoma shall not participate in the agreement
4 known as the "Driver License Agreement" or in any other agreement or
5 compact that would require the linking of state motor vehicle
6 databases or the sharing of personal information held within state
7 motor vehicle databases with international jurisdictions or any
8 entity outside of the United States or its territories.

9 C. To protect the residents of the State of Oklahoma from
10 identification theft, loss of civil liberties, loss of privacy, and
11 to protect the general welfare of the public, the Department of
12 Public Safety is hereby directed not to enter into an agreement to
13 participate in, or implement the provisions of, the Driver License
14 Agreement or any other agreement or compact that would require the
15 linking of state motor vehicle databases or the sharing of personal
16 information held within state motor vehicle databases with
17 international jurisdictions or any entity outside of the United
18 States or its territories. The Department shall report to the
19 Governor and the Legislature any attempt by agencies or agents of
20 the United States Department of Homeland Security to secure the
21 implementation of such an agreement or compact through the
22 operations of that or any other state department, including any
23 offer for grants or funding to the state for participation in such
24 an agreement.

1 D. No department or agency of the state charged with motor
2 vehicle registration or operation, the issuance or renewal of driver
3 licenses, or the issuance or renewal of identification cards shall
4 enter into an agreement with any entity regarding the collection and
5 disclosure of personal information collected by the Department
6 unless the agreement is approved by the committee charged with
7 oversight of the Department. All documents, terms, policies, and
8 procedures associated with such an agreement shall be readily
9 available to the public.

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

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15 52-1-888 MRB 3/6/2009 2:13:19 AM

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