

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

SENATE  
RESOLUTION 18

By: Sacchieri

AS INTRODUCED

A Resolution affirming Oklahoma's right to opt out of the federal REAL ID system; supporting the state's obligation to offer residents a meaningful choice between REAL ID-compliant and -noncompliant identification; and opposing unwarranted collection and sharing of personal data.

WHEREAS, the Legislature finds that the enactment into law by the United States Congress of the federal REAL ID Act of 2005, Public Law Number 109-13, is an action that individual Oklahomans do have the right to refuse to comply with the enactment under the principles of federalism protected by the Tenth Amendment to the United States Constitution; and

WHEREAS, a REAL ID-compliant driver license or identification card requires the collection and retention of personal and sensitive biometric information from each applicant; and

WHEREAS, the State of Oklahoma does provide an option for Oklahomans to choose between a REAL ID-compliant or a REAL ID-noncompliant driver license or identification card; and

1           WHEREAS, this choice provides a distinction without a difference  
2 as the state, in fact, collects, stores, and shares all applicants'  
3 personal and sensitive biometric information in exactly the same  
4 manner for both the REAL ID-compliant and the REAL ID-noncompliant  
5 option.

6           NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE 1ST SESSION  
7 OF THE 60TH OKLAHOMA LEGISLATURE:

8           THAT the Oklahoma State Senate recognizes that Oklahomans opting  
9 out of REAL ID understand the limitations for federal purposes of  
10 the REAL ID-noncompliant driver license or identification card, and  
11 they expect in return that their personal information will not be  
12 shared with the federal government absent a court-approved warrant.

13           THAT the Oklahoma State Senate affirms the right of Oklahomans  
14 to refuse participation in the federal REAL ID program and urges the  
15 State of Oklahoma to continue offering both compliant and  
16 noncompliant identification options, and further believes that the  
17 State of Oklahoma should protect the personal information of our  
18 citizens who choose a REAL ID-noncompliant driver license or  
19 identification card by prohibiting the sharing of their personal  
20 identifiable information including biometric samples, biometric  
21 data, or biometric templates, absent a court-approved warrant.

22           THAT the Oklahoma State Senate recognizes the importance of  
23 protecting Oklahomans' right to refuse participation in the  
24 voluntary federal REAL ID system, supporting a genuine choice

1 between compliant and noncompliant IDs, and protecting Oklahomans  
2 from both coerced compliance and the illusion of security through a  
3 distinction without a difference.

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