

STATE OF OKLAHOMA

2nd Session of the 52nd Legislature (2010)

Bill \_\_\_\_\_

By: Russell of the Senate  
and  
Ritze of the House

AS INTRODUCED

An Act relating to motor vehicles; creating the Stop Big Brother Act; \_\_\_ An Act relating to driver licenses, motor vehicle records; provides for prohibitions to access databases for the purpose of identifying individuals in public using any biometric technology; provides a prohibition for any law enforcement agency, operating in the state of Oklahoma, from installing any tracking device, on any privately owned vehicle, without a court order, but does not prevent the voluntary or consensual installation of such a device, by the owner of the privately owned vehicle; providing for codification; providing for noncodification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

This act shall be known and may be cited as the “Stop Big Brother Act”

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

A. No department or agency of the state charged with motor vehicle registration or operation, the issuance or renewal of driver licenses, or the issuance or renewal of any identification cards, shall allow access, by any other entity, to databases containing personally identifiable information, that would result in the searching of such databases with any biometric technology, for the purpose of making biometric identification, and no other entity shall have direct, or indirect access to multiple records that contain physical representations of individuals, where such

access could be used for biometric searches, and no agreement shall be entered into with any entity that may facilitate such access, and no surveillance camera, that is in a public place, except related in the issuance of a driver license or identification card, shall be in any way connected, directly or indirectly to such databases, by any entity, including the department or agent charged with the issuance of those documents.

B. No law enforcement agency, operating in the State of Oklahoma, shall be allowed to install, or facilitate the installation of, a tracking device, or device capable of transmitting data when scanned, on any privately owned vehicle, without a court order.

C. This Act shall not be construed as preventing the owner of a privately owned vehicle from installing such a device or consenting to the installation of a such a device.

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