

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

SENATE BILL 857

By: Weaver

AS INTRODUCED

An Act relating to automatic license plate reader systems; defining terms; authorizing use of license plate reader systems on highway rights-of-way under certain conditions; requiring certain permit; establishing authorized purpose for use; requiring certain policy by law enforcement; establishing certain conditions for use; requiring promulgation of rules; providing for codification; 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 to be codified in the Oklahoma Statutes as Section 15-133 of Title 47, unless there is created a duplication in numbering, reads as follows:

A. For purposes of this section:

1. "Alert" means a notification generated by an automatic license plate reader system indicating that a vehicle passed an automatic license plate reader system camera with a license plate or vehicle characteristics that match data held by the National Crime Information Center or other database or hot list;

1           2. "Automatic license plate reader system" means a system of  
2 one or more law-enforcement-controlled cameras combined with  
3 computer algorithms to convert images of license plates into  
4 computer-readable data;

5           3. "Hot list" means a list of license plates or vehicle  
6 characteristics against which vehicles passing by automatic license  
7 plate reader system cameras are checked for matches;

8           4. "Law enforcement agency" means any county sheriff, municipal  
9 police department, the Oklahoma Highway Patrol, and any state or  
10 local public body that employs public safety personnel;

11           5. "License plate reader data" means the global positioning  
12 device coordinates, date and time, photograph, license plate number,  
13 and vehicle characteristics captured by an automatic license plate  
14 reader system; and

15           6. "Highway right-of-way" is a public road being maintained by  
16 the Department of Transportation.

17           B. In accordance with applicable state and federal laws  
18 governing the use and management of highway rights-of-way and  
19 subject to the approval of the Federal Highway Administration as  
20 required by federal law, automatic license plate reader systems may  
21 be utilized on highway rights-of-way to the extent that such use is  
22 consistent with the continued use, operation, maintenance, and  
23 safety of the highway facility and does not interfere with the free  
24 and safe flow of traffic. Except as provided in Sections 7-606.1

1 and 7-606.2 of Title 47 of the Oklahoma Statutes, such devices shall  
2 not be used to enforce state or local traffic violations or to issue  
3 citations for such violations.

4 C. Prior to the installation of an automatic license plate  
5 reader system on a highway right-of-way, a law enforcement agency  
6 shall obtain a permit from the Department of Transportation that  
7 meets standards set by the Department.

8 D. In addition to Sections 7-606.1 and 7-606.2 of Title 47 of  
9 the Oklahoma Statutes, operation of and access to an automatic  
10 license plate reader system by law enforcement agencies shall be for  
11 official law enforcement purposes only.

12 E. Prior to the use of an automatic license plate reader  
13 system, a law enforcement agency shall adopt and make publicly  
14 available a written policy governing the use of the automatic  
15 license plate reader system that includes, but is not limited to:

- 16 1. Supervisory oversight of the automatic license plate reader  
17 system;
- 18 2. A training protocol for automatic license plate reader  
19 system users;
- 20 3. A protocol for ensuring hot lists stay up to date;
- 21 4. Rules for access to and security of license plate reader  
22 data;
- 23 5. Rules for retention and destruction of license plate reader  
24 data; and

1           6. An audit schedule and process to ensure that the system is  
2 used in accordance with this section and agency policy.

3           F. A law enforcement agency using an automatic license plate  
4 reader system must comply with the following:

5           1. Upon receipt of an alert and prior to performing a traffic  
6 stop, an officer, dispatcher, or other law enforcement agency  
7 employee shall visually confirm that the scanned plate matches the  
8 alert with regard to plate letters, numbers, and the issuing state  
9 and confirm that the stop meets criteria laid out in the policies of  
10 the law enforcement agency and applicable law;

11           2. License plate reader data shall be deleted within thirty  
12 (30) days of being recorded in such a manner that the record is  
13 destroyed and not recoverable, unless the record is a part of an  
14 ongoing investigation, in which case the data shall be retained and  
15 destroyed in accordance with applicable records retention laws;

16           3. License plate reader data shall be encrypted in transmission  
17 and at rest with industry-recognized encryption protocols to  
18 safeguard against unauthorized access. The data shall be stored in  
19 a manner that meets or exceeds the requirements set forth by current  
20 best practices to ensure comprehensive security measures including,  
21 but not limited to, physical security, access control, and regular  
22 security assessments;

23           4. Any license plate or vehicle added to a hot list in order to  
24 trigger an alert and any search performed of license plate reader

1 data shall be supported by a legitimate, specific, and documented  
2 law enforcement purpose;

3 5. Access logs for the automatic license plate reader system  
4 shall be maintained to provide a clear audit trail for oversight and  
5 accountability purposes;

6 6. A law enforcement agency authorized to use an automatic  
7 license plate reader system pursuant to this section shall own the  
8 license plate reader data and shall not sell license plate reader  
9 data for any purpose; and

10 7. Law enforcement agencies may share license plate reader data  
11 with other law enforcement agencies for legitimate law enforcement  
12 purposes.

13 G. The Department of Transportation shall promulgate rules to  
14 administer the provisions of this section.

15 SECTION 2. This act shall become effective November 1, 2025.

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