

By Senator Burt

16-1002-02

See CS/HB 323

1 A bill to be entitled
2 An act relating to vehicle crash reports;
3 amending s. 316.066, F.S.; including local
4 agencies and agents and employees of local,
5 state, and federal agencies under provisions
6 granting access to vehicle crash reports for
7 certain purposes under certain circumstances;
8 requiring local, state, and federal agencies,
9 agents, and employees to maintain the
10 confidential and exempt status of such reports;
11 providing an effective date.

13 Be It Enacted by the Legislature of the State of Florida:

15 Section 1. Paragraph (c) of subsection (3) of section
16 316.066, Florida Statutes, is amended to read:

17 316.066 Written reports of crashes.--

18 (3)

19 (c) Crash reports required by this section which
20 reveal the identity, home or employment telephone number or
21 home or employment address of, or other personal information
22 concerning the parties involved in the crash and which are
23 received or prepared by any agency that regularly receives or
24 prepares information from or concerning the parties to motor
25 vehicle crashes are confidential and exempt from s. 119.07(1)
26 and s. 24(a), Art. I of the State Constitution for a period of
27 60 days after the date the report is filed. However, such
28 reports may be made immediately available to the parties
29 involved in the crash, their legal representatives, their
30 licensed insurance agents, their insurers or insurers to which
31 they have applied for coverage, persons under contract with

1 such insurers to provide claims or underwriting information,
2 prosecutorial authorities, radio and television stations
3 licensed by the Federal Communications Commission, newspapers
4 qualified to publish legal notices under ss. 50.011 and
5 50.031, and free newspapers of general circulation, published
6 once a week or more often, available and of interest to the
7 public generally for the dissemination of news. For the
8 purposes of this section, the following products or
9 publications are not newspapers as referred to in this
10 section: those intended primarily for members of a particular
11 profession or occupational group; those with the primary
12 purpose of distributing advertising; and those with the
13 primary purpose of publishing names and other personally
14 identifying information concerning parties to motor vehicle
15 crashes. Any local, state, or federal agency, agent, or
16 employee that is authorized to have access to such reports by
17 any provision of law shall be granted such access in the
18 furtherance of the agency's statutory duties notwithstanding
19 the provisions of this paragraph. Any local, state, or federal
20 agency, agent, or employee receiving such crash reports shall
21 maintain the confidential and exempt status of those reports,
22 and shall not disclose such crash reports to any person or
23 entity. Any person attempting to access crash reports within
24 60 days after the date the report is filed must present
25 legitimate credentials or identification that demonstrates his
26 or her qualifications to access that information. This
27 exemption is subject to the Open Government Sunset Review Act
28 of 1995 in accordance with s. 119.15, and shall stand repealed
29 on October 2, 2006, unless reviewed and saved from repeal
30 through reenactment by the Legislature.
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Section 2. This act shall take effect upon becoming a law.

SENATE SUMMARY

Provides for agents and employees of local, state, and federal agencies to have access to reports concerning motor vehicle crashes. Requires a person who receives any such report to maintain the confidential status of the report.