

By Representative Baker

1                                   A bill to be entitled  
2           An act relating to vehicle crash reports;  
3           amending s. 316.066, F.S.; providing limited  
4           exceptions to a public records exemption for  
5           vehicle crash reports to authorize immediate  
6           disclosure of vehicle crash reports to tissue  
7           and organ donation facilitation organizations;  
8           including local agencies and agents and  
9           employees of local, state, and federal agencies  
10          under provisions granting access to vehicle  
11          crash reports for certain purposes under  
12          certain circumstances; providing an effective  
13          date.

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

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17           Section 1. Paragraph (c) of subsection (3) of section  
18   316.066, Florida Statutes, is amended to read:

19           316.066 Written reports of crashes.--

20           (3)

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

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

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HOUSE SUMMARY

Provides limited exceptions to a public records exemption for vehicle crash reports to authorize immediate disclosure of vehicle crash reports to tissue and organ donation facilitation organizations and to include local agencies and agents and employees of local, state, and federal agencies under provisions granting access to vehicle crash reports, by agencies authorized to have access to such reports by law, in furtherance of the agencies' statutory duties.