

1 A bill to be entitled
 2 An act relating to public records; amending s.
 3 338.155, F.S., relating to payment of tolls and
 4 associated charges; providing an exemption from public
 5 records requirements for personal identifying
 6 information; providing for future legislative review
 7 and repeal of the exemption under the Open Government
 8 Sunset Review Act; providing a statement of public
 9 necessity; providing an effective date.

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

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 13 Section 1. Subsection (6) of section 338.155, Florida
 14 Statutes, is amended to read:

15 338.155 Payment of toll on toll facilities required;
 16 exemptions.—

17 (6) (a) Personal identifying information held by ~~provided~~
 18 ~~to, acquired by, or in the possession of~~ the Department of
 19 Transportation, a county, or an expressway authority for the
 20 purpose of paying, prepaying, or collecting tolls and associated
 21 administrative charges due for the use of ~~using a credit card,~~
 22 ~~charge card, or check for the prepayment of electronic toll~~
 23 ~~facilities charges to the department, a county, or an expressway~~
 24 ~~authority~~ is exempt from s. 119.07(1) and s. 24(a), Art. I of
 25 the State Constitution.

26 (b) This subsection is subject to the Open Government
 27 Sunset Review Act in accordance with s. 119.15 and shall stand
 28 repealed on October 2, 2018, unless reviewed and saved from

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29 repeal through reenactment by the Legislature.

30 Section 2. The Legislature finds that it is a public
31 necessity to exempt personal identifying information about
32 individuals which is held by the Department of Transportation, a
33 county, or an expressway authority for the purpose of paying, by
34 any means of payment, for the use of toll facilities. The
35 exemption puts individuals who pay for tolls by TOLL-BY-PLATE,
36 which is video billed, on equal footing with individuals who pay
37 for tolls by check, debit card, or credit card, or who pay cash
38 at the toll booth. The exemption protects the health and safety
39 of the public by making exempt information regarding the
40 location of individuals as they use the toll road system. The
41 exemption promotes the use of the electronic toll collection
42 system, which is a more efficient and effective government
43 collection system for tolls, because paying for tolls by TOLL-
44 BY-PLATE, which is video billed, or paying for tolls by check,
45 debit card, or credit card not only saves individuals time when
46 passing through the toll facilities, compared to individuals who
47 pay for tolls with cash, but also costs much less to administer.
48 Further, the exemption protects the privacy of individuals and
49 promotes their right to be let alone from unreasonable
50 government intrusion by prohibiting the public disclosure of
51 private information about the finances and location of the
52 individual using the toll road system.

53 Section 3. This act shall take effect upon becoming a law.