



469694

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/21/2014	.	
	.	
	.	
	.	

The Committee on Rules (Galvano) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Paragraph (b) of subsection (2) of section
316.066, Florida Statutes, is amended, and paragraph (f) is
added to that subsection, to read:

316.066 Written reports of crashes.—

(2)

(b) Crash reports held by an agency under paragraph (a) may
be made immediately available to the parties involved in the



469694

12 crash, their legal representatives, their licensed insurance
13 agents, their insurers or insurers to which they have applied
14 for coverage, persons under contract with such insurers to
15 provide claims or underwriting information, prosecutorial
16 authorities, law enforcement agencies, the Department of
17 Transportation, county traffic operations, victim services
18 programs, radio and television stations licensed by the Federal
19 Communications Commission, newspapers qualified to publish legal
20 notices under ss. 50.011 and 50.031, and, in accordance with
21 paragraph (f), free newspapers of general circulation, published
22 once a week or more often, of which at least 7,500 copies are
23 distributed by mail or by carrier as verified by a postal
24 statement or by a notarized printer's statement of press run,
25 which are intended to be generally distributed and circulated,
26 and which contain news of general interest with at least 10
27 pages per publication, available and of interest to the public
28 generally for the dissemination of news. For the purposes of
29 this section, the following products or publications are not
30 newspapers as referred to in this section: those intended
31 primarily for members of a particular profession or occupational
32 group; those with the primary purpose of distributing
33 advertising; and those with the primary purpose of publishing
34 names and other personal identifying information concerning
35 parties to motor vehicle crashes.

36 (f) Free newspapers of general circulation published once a
37 week or more often, of which at least 7,500 copies are
38 distributed by mail or by carrier as verified by a postal
39 statement or by a notarized printer's statement of press run,
40 which are intended to be generally distributed and circulated,



469694

41 which contain news of general interest with at least 10 pages
42 per publication, available and of interest to the public
43 generally for the dissemination of news, and which request 10 or
44 more crash reports within a 24-hour period before 60 days have
45 elapsed after the report is filed may not have access to the
46 home, cellular, employment, or other telephone number or the
47 home or employment address of any of the parties involved in the
48 crash. This paragraph is subject to the Open Government Sunset
49 Review Act in accordance with s. 119.15 and shall stand repealed
50 on October 2, 2019, unless reviewed and saved from repeal
51 through reenactment by the Legislature.

52 Section 2. The Legislature finds that a crash report that
53 reveals the home, cellular, employment, or other telephone
54 number or the home or employment address of any of the parties
55 involved in a crash and that is held by an agency that regularly
56 receives or prepares information from or concerning the parties
57 involved in motor vehicle crashes is confidential and exempt
58 from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of
59 the State Constitution for 60 days after the date that the
60 report is filed. Public access to such information during that
61 60-day period by free newspapers of general circulation,
62 published once a week or more often, of which at least 7,500
63 copies are distributed by mail or by carrier as verified by a
64 postal statement or by a notarized printer's statement of press
65 run, which are intended to be generally distributed and
66 circulated, which contain news of general interest with at least
67 10 pages per publication, available and of interest to the
68 public generally for the dissemination of news, and which
69 request 10 or more crash reports within a 24-hour period before



469694

70 60 days have elapsed after the report is filed should be
71 restricted to combat widespread insurance fraud that occurs when
72 the information is unlawfully used to contact the parties
73 involved in a crash. The exemption protects the parties involved
74 in a crash from those who would unlawfully solicit personal
75 injury protection insurance claims. Accordingly, the Legislature
76 finds that the harm to parties involved in a crash which could
77 result from the release of such information outweighs any
78 minimal public benefit that would be derived from disclosure of
79 that information to the public. Therefore, it is the finding of
80 the Legislature that such information must be made confidential
81 and exempt from public records requirements.

82 Section 3. This act shall take effect on the same date that
83 SB 876 or similar legislation takes effect, if such legislation
84 is adopted in the same legislative session or an extension
85 thereof and becomes law.

86

87 ===== T I T L E A M E N D M E N T =====

88 And the title is amended as follows:

89 Delete everything before the enacting clause
90 and insert:

91

A bill to be entitled

92

An act relating to public records; amending s.

93

316.066, F.S.; providing an exemption from public

94

records requirements for certain personal contact

95

information contained in motor vehicle crash reports;

96

providing for future legislative review and repeal of

97

the exemption; providing a statement of public

98

necessity; providing a contingent effective date.