



596104

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
04/18/2014	.	
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	.	

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 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
crash, their legal representatives, their licensed insurance



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12 agents, and their insurers or insurers to which they have
13 applied for coverage;; persons under contract with such insurers
14 to provide claims or underwriting information;; prosecutorial
15 authorities;; law enforcement agencies;; the Department of
16 Transportation;; county traffic operations;; victim services
17 programs;; radio and television stations licensed by the Federal
18 Communications Commission;; newspapers qualified to publish
19 legal notices under ss. 50.011 and 50.031;; and free newspapers
20 that are published on a weekly or daily basis, that have a
21 minimum of 5,000 copies distributed by mail or by carrier as
22 verified by a postal statement, by a notarized printer's
23 statement of press run, or by industry-accepted auditors such as
24 the Alliance for Audited Media, the Certified Audit of
25 Circulations, or the Circulation Verification Council, and that
26 have the intention of being of general distribution and
27 circulation and that contain news of general interest with a
28 minimum of four pages per publication ~~of general circulation,~~
29 ~~published once a week or more often, available and of interest~~
30 ~~to the public generally for the dissemination of news.~~ For the
31 purposes of this section, the following products or publications
32 are not newspapers as referred to in this section: those
33 intended primarily for members of a particular profession or
34 occupational group; those with the primary purpose of
35 distributing advertising; and those with the primary purpose of
36 publishing names and other personal identifying information
37 concerning parties to motor vehicle crashes.

38 Section 2. The Legislature finds that a crash report that
39 reveals the identity, home or employment telephone number, or
40 home or employment address of a party involved in a crash, or



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41 other personal information concerning a party involved in the
42 crash, and that is held by an agency that regularly receives or
43 prepares information from or concerning the parties to motor
44 vehicle crashes is confidential and exempt from s. 119.07(1),
45 Florida Statutes, and s. 24(a), Article I of the State
46 Constitution for 60 days after the date the report is filed.
47 Public access to such information during that 60-day period by
48 free newspapers published on a weekly or daily basis with a
49 minimum of 5,000 copies distributed by mail or by carrier and
50 having the intention of being of general distribution and
51 circulation and containing news of general interest with a
52 minimum of four pages per publication, should be restricted. The
53 restricted access to personal information in a crash report
54 helps prevent widespread insurance fraud that may occur when
55 information is obtained by runners and websites claiming to be
56 free newspapers in order to obtain information concerning
57 parties involved in a crash and to use this information to
58 contact the parties. The exemption from public records
59 requirements protects the parties involved in a crash from those
60 who would unlawfully solicit personal injury protection
61 insurance claims. Accordingly, the Legislature finds that the
62 harm to parties involved in a crash which could result from the
63 release of personal information outweighs any minimal public
64 benefit that would be derived from disclosure of that
65 information to those claiming to be free newspapers that
66 illegally compile victim identities. Therefore, it is the
67 finding of the Legislature that such information must be made
68 exempt from public disclosure.

69 Section 3. This act shall take effect on the same date that



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70 SB 876 or similar legislation takes effect, if such legislation
71 is adopted in the same legislative session or an extension
72 thereof and becomes a law.

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

75 And the title is amended as follows:

76 Delete everything before the enacting clause
77 and insert:

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A bill to be entitled

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An act relating to public records; amending 316.066,

80

F.S.; requiring that crash reports be made available

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to certain newspapers; providing a statement of public

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necessity; providing a contingent effective date.