

1 A bill to be entitled

2 An act relating to public records; creating s.
3 316.0777, F.S.; providing a public records exemption
4 for images obtained through use of an automated
5 traffic law enforcement system; providing for future
6 legislative review and repeal of the exemption;
7 providing a statement of public necessity; providing a
8 contingent effective date.
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10 Be It Enacted by the Legislature of the State of Florida:

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12 Section 1. Section 316.0777, Florida Statutes, is created
13 to read:

14 316.0777 Recorded images made by an automated traffic law
15 enforcement system; public records exemption.—Recorded images
16 made by an automated traffic law enforcement system are
17 confidential and shall be made available only to the alleged
18 violator and governmental and law enforcement agencies for
19 purposes of adjudicating a violation of law, for statistical
20 purposes, or for other governmental purposes. A recorded image
21 evidencing a violation of law may be admissible in a proceeding
22 resulting from the issuance of a citation. This section is
23 subject to the Open Government Sunset Review Act in accordance
24 with s. 119.15 and is repealed on October 2, 2019, unless
25 reviewed and saved from repeal through reenactment by the
26 Legislature.

27 Section 2. The Legislature finds that it is a public
28 necessity that images obtained through the use of an automated
29 traffic law enforcement system be exempt from public records
30 requirements. The release of such images held by an agency and
31 personal identifying information in data generated from such
32 images could enable a third party to track a person's movements
33 and compile a history on where a person has driven. This
34 exemption is necessary because the public disclosure of such
35 information constitutes an unwarranted invasion into the
36 personal life and privacy of a person. The harm from disclosing
37 such information outweighs the public benefit that can be
38 derived from widespread and unregulated public access to such
39 information.

40 Section 3. This act shall take effect on the same date
41 that HB 553 or similar legislation takes effect, if such
42 legislation is adopted in the same legislative session or an
43 extension thereof and becomes a law.