

1 A bill to be entitled
 2 An act relating to public records; amending s.
 3 316.066, F.S.; providing an exemption from public
 4 records requirements for certain personal contact
 5 information contained in motor vehicle crash reports;
 6 providing for future legislative review and repeal of
 7 the exemption; providing a statement of public
 8 necessity; providing a contingent effective date.

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

11
 12 Section 1. Paragraph (g) is added to subsection (2) of
 13 section 316.066, Florida Statutes, as amended by HB 863, 2014
 14 Regular Session, to read:

15 316.066 Written reports of crashes.—

16 (2)

17 (g) Radio and television stations licensed by the Federal
 18 Communications Commission, newspapers qualified to publish legal
 19 notices under ss. 50.011 and 50.031, and free newspapers of
 20 general circulation published once a week or more often,
 21 available and of interest to the public generally for the
 22 dissemination of news, which request crash reports before 60
 23 days have elapsed after the report is filed must request such
 24 crash reports on an individual basis and may not have access to
 25 the home, cellular, employment, or other telephone number or the
 26 home or employment address of any of the parties involved in the

27 crash. This paragraph is subject to the Open Government Sunset
28 Review Act in accordance with s. 119.15 and shall stand repealed
29 on October 2, 2019, unless reviewed and saved from repeal
30 through reenactment by the Legislature.

31 Section 2. The Legislature finds that a crash report that
32 reveals the identity, home or employment telephone number, or
33 home or employment address of, or other personal information
34 concerning, a party involved in the crash and that is held by an
35 agency that regularly receives or prepares information from or
36 concerning the parties to motor vehicle crashes is confidential
37 and exempt from s. 119.07(1), Florida Statutes, and s. 24(a),
38 Article I of the State Constitution for 60 days after the date
39 that the report is filed. Public access to such information
40 during that 60-day period by radio and television stations
41 licensed by the Federal Communications Commission, newspapers
42 qualified to publish legal notices under ss. 50.011 and 50.031,
43 Florida Statutes, and free newspapers of general circulation
44 published once a week or more often, available and of interest
45 to the public generally for the dissemination of news, should be
46 restricted to combat widespread insurance fraud that occurs when
47 the information is unlawfully used to contact the parties
48 involved in a crash. The exemption protects the parties involved
49 in a crash from those who would unlawfully solicit personal
50 injury protection insurance claims. Accordingly, the Legislature
51 finds that the harm to parties involved in a crash which could
52 result from the release of such information outweighs any

53 minimal public benefit that would be derived from disclosure of
54 that information to the public. Therefore, it is the finding of
55 the Legislature that such information must be made exempt from
56 public disclosure.

57 Section 3. This act shall take effect on the same date
58 that HB 863 or similar legislation takes effect, if such
59 legislation is adopted in the same legislative session or an
60 extension thereof and becomes law.