



747482

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/24/2017	.	
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The Committee on Governmental Oversight and Accountability (Lee) recommended the following:

Senate Amendment (with title amendment)

Delete lines 20 - 73

and insert:

324.242 Personal injury protection, medical payments,
bodily injury liability, and property damage liability insurance
policies; public records exemption.-

(1) The personal identifying information and an insurance
policy number of an insured or former insured which are the
following information regarding personal injury protection and



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11 ~~property damage liability insurance policies~~ held by the
12 department regarding insurance policies providing any of the
13 following coverages are is confidential and exempt from s.
14 119.07(1) and s. 24(a), Art. I of the State Constitution:

15 (a) Medical payments coverage ~~Personal identifying~~
16 ~~information of an insured or former insured; and~~

17 (b) Bodily injury liability coverage; ~~An insurance policy~~
18 ~~number.~~

19 (c) Property damage liability coverage; or

20 (d) For policies entered into before January 1, 2018,
21 personal injury protection coverage.

22 (2) Upon receipt of a request and proof of a crash report
23 as required under s. 316.065, s. 316.066, or s. 316.068, or a
24 crash report created pursuant to the laws of another state, the
25 department shall release the policy number for a policy covering
26 a vehicle involved in a motor vehicle accident to:

27 (a) Any person involved in such accident;

28 (b) The attorney of any person involved in such accident;

29 or

30 (c) A representative of the insurer of any person involved
31 in such accident.

32 (3) The department shall provide ~~personal injury protection~~
33 ~~and property damage liability insurance~~ policy numbers to
34 department-approved third parties that provide data collection
35 services to an insurer of any person involved in such accident.

36 (4) Before the department's release of a policy number in
37 accordance with subsection (2) or subsection (3), an insurer's
38 representative, a contracted third party, or an attorney for a
39 person involved in an accident must provide the department with



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40 documentation confirming proof of representation.

41 (5) Information made confidential and exempt by this
42 section may be disclosed to another governmental entity without
43 a written request or copy of the crash report if disclosure is
44 necessary for the receiving governmental entity to perform its
45 duties and responsibilities. For purposes of this subsection,
46 the term "governmental entity" means any federal, state, county,
47 district, authority, or municipal officer, department, division,
48 board, bureau, or commission created or established by law.

49 (6) This exemption applies to personal identifying
50 information of an insured or former insured and insurance policy
51 numbers held by the department before, on, or after October 11,
52 2007.

53 (7) This section is subject to the Open Government Sunset
54 Review Act in accordance with s. 119.15 and shall stand repealed
55 on October 2, 2022, unless reviewed and saved from repeal
56 through reenactment by the Legislature.

57 Section 2. The Legislature finds that it is a public
58 necessity to make confidential and exempt from the requirements
59 of s. 119.07(1), Florida Statutes, and s. 24(a), Article I of
60 the State Constitution the personal identifying information and
61 insurance policy numbers of an insured or former insured which
62 are held by the Department of Highway Safety and Motor Vehicles
63 regarding insurance policies providing medical payments
64 coverage; bodily injury liability coverage; property damage
65 liability coverage; or, for policies entered into before January
66 1, 2018, personal injury protection coverage. In order to ensure
67 public safety on the

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

70 And the title is amended as follows:

71 Delete lines 4 - 11

72 and insert:

73 records requirements to exempt certain information of
74 insureds and former insureds held by the Department of
75 Highway Safety and Motor Vehicles regarding insurance
76 policies providing any of specified coverages;
77 conforming a provision to changes made by the act;
78 providing for future