

1                   A bill to be entitled  
2           An act relating to public records; amending s.  
3           119.0712, F.S.; providing and revising definitions;  
4           revising an exemption from public records requirements  
5           for certain information contained in motorist records  
6           held by the Department of Highway Safety and Motor  
7           Vehicles; providing retroactive applicability;  
8           providing exceptions for disclosure of such  
9           information for specified uses; prohibiting persons  
10          obtaining such information from disclosing the  
11          information to third parties under certain  
12          circumstances; requiring persons seeking such  
13          information to submit a sworn statement or enter into  
14          a memorandum of understanding with the department;  
15          prohibiting use of such information for commercial  
16          solicitation; conforming provisions to changes made by  
17          the act; prohibiting agency employees from unlawfully  
18          disclosing confidential information; prohibiting a  
19          person from unlawfully accessing or attempting to  
20          access confidential information; prohibiting a person  
21          from unlawfully using confidential information in  
22          violation of a filed sworn statement, memorandum of  
23          understanding, or contractual agreement; providing  
24          penalties; providing for future legislative review and  
25          repeal of the exemption; amending s. 316.066, F.S.;

26 | revising an exemption from public records requirements  
27 | for certain crash reports; extending the exemption to  
28 | crash reports held by any agency; revising the  
29 | duration of the exemption; providing retroactive  
30 | applicability; revising persons or entities that may  
31 | be provided access to crash reports; requiring a  
32 | federal, state, or local government agency accessing  
33 | crash reports to enter into a memorandum of  
34 | understanding with the agency holding the reports;  
35 | revising requirements for demonstrating eligibility to  
36 | access crash reports; providing construction;  
37 | providing an exemption from public records  
38 | requirements for certain crash report data elements  
39 | within a computerized database; providing retroactive  
40 | applicability; providing construction; providing for  
41 | future legislative review and repeal of the  
42 | exemptions; conforming provisions to changes made by  
43 | the act; prohibiting use of confidential information  
44 | in violation of a memorandum of understanding;  
45 | providing penalties; amending s. 316.650, F.S.;  
46 | providing an exemption from public records  
47 | requirements for uniform traffic citations that reveal  
48 | certain personal information; extending the exemption  
49 | to citations held by any agency; providing retroactive  
50 | applicability; authorizing certain persons and

51 entities to access confidential information in uniform  
 52 traffic citations under certain conditions; providing  
 53 construction; providing an exemption from public  
 54 records requirements for certain traffic citation data  
 55 elements within a computerized database; providing  
 56 retroactive applicability; providing construction;  
 57 providing for future legislative review and repeal of  
 58 the exemptions; prohibiting agency employees from  
 59 unlawfully disclosing confidential information;  
 60 prohibiting a person from unlawfully accessing or  
 61 attempting to access confidential information;  
 62 prohibiting use of confidential information in  
 63 violation of a filed sworn statement, memorandum of  
 64 understanding, or contractual agreement; providing  
 65 penalties; providing a statement of public necessity;  
 66 providing an effective date.

67

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

69

70 Section 1. Subsection (2) of section 119.0712, Florida  
 71 Statutes, is amended to read:

72 119.0712 Executive branch agency-specific exemptions from  
 73 inspection or copying of public records.—

74 (2) DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES.—

75 (a) For purposes of this subsection, the term:

76        1. "Department" means the Department of Highway Safety and  
77 Motor Vehicles.

78        2. "Highly restricted personal information" has the same  
79 meaning as provided in 18 U.S.C. s. 2725, except it also  
80 includes an individual's e-mail address and telephone number  
81 collected by the department in connection with a motorist  
82 record.

83        3. "Motorist ~~motor vehicle~~ record" means any record made  
84 or received by the department which ~~that~~ pertains to an  
85 individual's driver license or identification card ~~a motor~~  
86 ~~vehicle operator's permit~~, motor vehicle or vessel title, motor  
87 vehicle or vessel registration, or any record related thereto  
88 ~~identification card issued by the Department of Highway Safety~~  
89 ~~and Motor Vehicles.~~ The term includes any motor vehicle record  
90 as defined in 18 U.S.C. s. 2725. The term does not include a  
91 crash report as described in s. 316.066 or a uniform traffic  
92 citation as described in s. 316.650.

93        4. "Personal information" has the same meaning as provided  
94 in 18 U.S.C. s. 2725.

95        (b)1. Personal information, including highly restricted  
96 personal information ~~as defined in 18 U.S.C. s. 2725~~, contained  
97 in a motorist ~~motor vehicle~~ record is confidential and exempt  
98 from s. 119.07(1) and s. 24(a), Art. I of the State  
99 Constitution. This exemption applies to such information held by  
100 the department before, on, or after the effective date of the

101 ~~exemption pursuant to the federal Driver's Privacy Protection~~  
102 ~~Act of 1994, 18 U.S.C. ss. 2721 et seq.~~ Such information may  
103 only be disclosed ~~released only~~ as authorized by the federal  
104 Driver's Privacy Protection Act of 1994, 18 U.S.C. ss. 2721 et  
105 seq.

106 2. Notwithstanding the authorization for disclosure by the  
107 Driver's Privacy Protection Act in subparagraph 1., an  
108 individual's personal information may not be disclosed if the  
109 individual submits to the department, in a format prescribed by  
110 the department, a request that the individual's personal  
111 information not be disclosed. However, notwithstanding the  
112 individual's request, the department may disclose the  
113 individual's personal information:

114 a. For a use for which the department is required to  
115 disclose the personal information pursuant to 18 U.S.C. s.  
116 2721(b), provided that the use and disclosure are pursuant to a  
117 memorandum of understanding approved by the department and that  
118 further disclosure complies with this subsection.

119 b. For use by any federal, state, or local government  
120 agency, including any court or law enforcement agency, in  
121 carrying out its functions, or any private person or entity  
122 acting on behalf of a federal, state, or local government agency  
123 in carrying out its functions, provided that the use and  
124 disclosure are pursuant to a memorandum of understanding  
125 approved by the department and that further disclosure complies

126 with this subsection.

127 c. For use in connection with any proceeding filed in any  
128 federal, state, or local court, pursuant to a subpoena or court  
129 order.

130 d. For use in connection with the operation of any public  
131 or private toll transportation facility, provided that the use  
132 and disclosure are pursuant to a memorandum of understanding  
133 approved by the department and that further disclosure complies  
134 with this subsection.

135  
136 The memorandum of understanding must prohibit an individual's  
137 personal ~~that act; however,~~ information from being disclosed to  
138 any third party except as provided in paragraph (a) and this  
139 paragraph ~~received pursuant to that act may not be used for mass~~  
140 commercial solicitation of clients for litigation against motor  
141 vehicle dealers.

142 3. Except for motorist records disclosed pursuant to a  
143 memorandum of understanding under subparagraph 2., as a  
144 condition precedent to accessing personal information contained  
145 in a motorist record, a person must submit to the department, in  
146 a format prescribed by the department, a sworn statement  
147 demonstrating the person's identity and authority under 18  
148 U.S.C. s. 2721 to access the personal information. In lieu of  
149 requiring a sworn statement, the department may disclose such  
150 personal information in accordance with a memorandum of

151 understanding between the department and the person requesting  
152 to inspect or copy the motorist record. The sworn statement or  
153 memorandum of understanding must attest that such personal  
154 information will not be disclosed to any third party except as  
155 authorized in 18 U.S.C. s. 2721 and will not be used for  
156 commercial solicitation.

157 ~~(c) E-mail addresses collected by the Department of~~  
158 ~~Highway Safety and Motor Vehicles pursuant to s. 319.40(3), s.~~  
159 ~~320.95(2), or s. 322.08(9) are exempt from s. 119.07(1) and s.~~  
160 ~~24(a), Art. I of the State Constitution. This exemption applies~~  
161 ~~retroactively. This paragraph is subject to the Open Government~~  
162 ~~Sunset Review Act in accordance with s. 119.15 and shall stand~~  
163 ~~repealed on October 2, 2020, unless reviewed and saved from~~  
164 ~~repeal through reenactment by the Legislature.~~

165 (c)(d)1. Emergency contact information contained in a  
166 motorist ~~motor vehicle~~ record is confidential and exempt from s.  
167 119.07(1) and s. 24(a), Art. I of the State Constitution.

168 ~~2.~~ Without the express consent of the person to whom such  
169 emergency contact information applies, the emergency contact  
170 information contained in a motorist ~~motor vehicle~~ record may be  
171 disclosed ~~released~~ only to law enforcement agencies for purposes  
172 of contacting those listed in the event of an emergency.

173 (d) An employee of an agency in possession of information  
174 made confidential and exempt by this subsection who knowingly  
175 discloses such confidential and exempt information to a person

176 not entitled to access such information under this subsection  
177 commits a felony of the third degree, punishable as provided in  
178 s. 775.082, s. 775.083, or s. 775.084.

179 (e) A person who, knowing he or she is not entitled to  
180 access information made confidential and exempt by this  
181 subsection, accesses or attempts to access such information  
182 commits a felony of the third degree, punishable as provided in  
183 s. 775.082, s. 775.083, or s. 775.084.

184 (f) A person who knowingly uses confidential and exempt  
185 information in violation of a filed sworn statement, memorandum  
186 of understanding, or contractual agreement required by this  
187 section commits a felony of the third degree, punishable as  
188 provided in s. 775.082, s. 775.083, or s. 775.084.

189 (g) This subsection is subject to the Open Government  
190 Sunset Review Act in accordance with s. 119.15 and shall stand  
191 repealed on October 2, 2025, unless reviewed and saved from  
192 repeal through reenactment by the Legislature.

193 Section 2. Subsection (2) and paragraphs (b), (c), and (d)  
194 of subsection (3) of section 316.066, Florida Statutes, are  
195 amended to read:

196 316.066 Written reports of crashes.—

197 (2) (a) Crash reports that reveal the identity of, home or  
198 employment telephone number or home or employment address of, or  
199 other personal information concerning the parties involved in  
200 the crash and that are held by an ~~any~~ agency as defined in s.

201 119.011 ~~that regularly receives or prepares information from or~~  
202 ~~concerning the parties to motor vehicle crashes are confidential~~  
203 ~~and exempt from s. 119.07(1) and s. 24(a), Art. I of the State~~  
204 ~~Constitution. This exemption applies to such crash reports held~~  
205 ~~by an agency before, on, or after the effective date of the~~  
206 ~~exemption for a period of 60 days after the date the report is~~  
207 ~~filed.~~

208 (b) Crash reports held by an agency under paragraph (a)  
209 may be made ~~immediately~~ available to the parties involved in the  
210 crash, their legal representatives, their licensed insurance  
211 agents, their insurers or insurers to which they have applied  
212 for coverage, persons under contract with such insurers to  
213 provide claims or underwriting information, prosecutorial  
214 authorities, law enforcement agencies, the Department of  
215 Transportation, the Department of Health, county and municipal  
216 traffic operations, victim services programs, or any private  
217 person or entity acting on behalf of a federal, state, or local  
218 government agency in carrying out its functions ~~radio and~~  
219 ~~television stations licensed by the Federal Communications~~  
220 ~~Commission, newspapers qualified to publish legal notices under~~  
221 ~~ss. 50.011 and 50.031, and, in accordance with paragraph (f),~~  
222 ~~free newspapers of general circulation, published once a week or~~  
223 ~~more often, of which at least 7,500 copies are distributed by~~  
224 ~~mail or by carrier as verified by a postal statement or by a~~  
225 ~~notarized printer's statement of press run, which are intended~~

226 ~~to be generally distributed and circulated, and which contain~~  
227 ~~news of general interest with at least 10 pages per publication,~~  
228 ~~available and of interest to the public generally for the~~  
229 ~~dissemination of news. For the purposes of this section, the~~  
230 ~~following products or publications are not newspapers as~~  
231 ~~referred to in this section: those intended primarily for~~  
232 ~~members of a particular profession or occupational group; those~~  
233 ~~with the primary purpose of distributing advertising; and those~~  
234 ~~with the primary purpose of publishing names and other personal~~  
235 ~~identifying information concerning parties to motor vehicle~~  
236 ~~crashes.~~

237 (c) A federal, state, or Any local government, state, or  
238 federal agency, or any private person or entity acting on behalf  
239 of a federal, state, or local government agency in carrying out  
240 its functions, which ~~that~~ is authorized to have access to crash  
241 reports by any provision of law shall be granted such access in  
242 the furtherance of the agency's statutory duties pursuant to a  
243 memorandum of understanding approved by the agency holding the  
244 crash reports which requires that personal information contained  
245 in the crash reports remain confidential and exempt.

246 (d) As a condition precedent to accessing a crash report  
247 ~~within 60 days after the date the report is filed, a person must~~  
248 submit to the agency that holds the crash report, in a format  
249 prescribed by the agency, present a valid driver license or  
250 other photographic identification, proof of status, or

251 ~~identification that demonstrates his or her qualifications to~~  
252 ~~access that information and file a written sworn statement~~  
253 attesting to the person's identity, authority to access the  
254 crash report under paragraph (b), and agreement to keep the ~~with~~  
255 ~~the state or local agency in possession of the information~~  
256 ~~stating that information from a crash report~~ ~~made~~ confidential  
257 and refrain from using the crash report ~~exempt by this section~~  
258 ~~will not be used for any commercial solicitation of accident~~  
259 ~~victims,~~ or knowingly disclosing the crash report ~~disclosed~~ to  
260 any third party for the purpose of such solicitation, ~~during the~~  
261 ~~period of time that the information remains confidential and~~  
262 ~~exempt.~~ Such ~~written~~ sworn statement must be completed and sworn  
263 to by the requesting party for each individual crash report that  
264 is being requested ~~within 60 days after the report is filed.~~ In  
265 lieu of requiring the ~~written~~ sworn statement, an agency may  
266 provide crash reports by electronic means pursuant to a  
267 memorandum of understanding that requires ~~third-party vendors~~  
268 ~~under contract with one or more insurers, but only when such~~  
269 ~~contract states that~~ personal information revealed in ~~from~~ a  
270 crash report remain ~~made~~ confidential and exempt and prohibits  
271 such personal information from being ~~by this section will not be~~  
272 ~~used for any commercial solicitation of accident victims by the~~  
273 ~~vendors,~~ or knowingly disclosed ~~by the vendors~~ to any third  
274 party who is not authorized by this section to access such  
275 personal information ~~for the purpose of such solicitation,~~

276 ~~during the period of time that the information remains~~  
277 ~~confidential and exempt, and only when a copy of such contract~~  
278 ~~is furnished to the agency as proof of the vendor's claimed~~  
279 ~~status.~~

280 (e) This subsection does not prohibit an agency from  
281 providing summary reports of crashes to radio and television  
282 stations, newspapers, and other news media, which reports may  
283 disclose information including, but not limited to, the time,  
284 date, and location of a crash; the age, gender, race, and  
285 ethnicity of any party involved in the crash; a general  
286 description of any vehicle involved in the crash, including the  
287 vehicle's color, make, model, body style, and year; the names of  
288 the law enforcement agencies and officers responding to the  
289 scene or investigating the crash; the circumstances of the  
290 crash; and whether any arrests were made or traffic citations  
291 were issued.

292 (f) If crash reports are created by or submitted to an  
293 agency electronically as data elements within a computerized  
294 database, or if personal information from crash reports is  
295 entered into a computerized database, such crash report data  
296 held by an agency is confidential and exempt from s. 119.07(1)  
297 and s. 24(a), Art. I of the State Constitution. This exemption  
298 applies to such crash report data held by an agency before, on,  
299 or after the effective date of the exemption. This paragraph  
300 does not prevent an agency from:

301        1. Disclosing a crash report pursuant to paragraphs (b)-  
302        (d) that is rendered as an individual report in its original  
303        format, whether printed as a paper document or provided in  
304        electronic format such as portable document format or tagged  
305        image file format.

306        2. Disclosing extracts of crash report data if all  
307        personal information is omitted from the extracts.

308        ~~(e) This subsection does not prevent the dissemination or~~  
309        ~~publication of news to the general public by any legitimate~~  
310        ~~media entitled to access confidential and exempt information~~  
311        ~~pursuant to this section.~~

312        ~~(f) Free newspapers of general circulation published once~~  
313        ~~a week or more often, of which at least 7,500 copies are~~  
314        ~~distributed by mail or by carrier as verified by a postal~~  
315        ~~statement or by a notarized printer's statement of press run,~~  
316        ~~which are intended to be generally distributed and circulated,~~  
317        ~~which contain news of general interest with at least 10 pages~~  
318        ~~per publication, available and of interest to the public~~  
319        ~~generally for the dissemination of news, and which request 10 or~~  
320        ~~more crash reports within a 24-hour period before 60 days have~~  
321        ~~elapsed after the report is filed may not have access to the~~  
322        ~~home, cellular, employment, or other telephone number or the~~  
323        ~~home or employment address of any of the parties involved in the~~  
324        ~~crash.~~

325        (g) This subsection paragraph is subject to the Open

326 Government Sunset Review Act in accordance with s. 119.15 and  
327 shall stand repealed on October 2, 2025 ~~2019~~, unless reviewed  
328 and saved from repeal through reenactment by the Legislature.

329 (3)

330 (b) An ~~Any~~ employee of an ~~a state or local~~ agency, as  
331 defined in s. 119.011, in possession of information made  
332 confidential and exempt by this section who knowingly discloses  
333 such confidential and exempt information to a person not  
334 entitled to access such information under this section commits a  
335 felony of the third degree, punishable as provided in s.  
336 775.082, s. 775.083, or s. 775.084.

337 (c) A person who ~~Any person~~, knowing that he or she is not  
338 entitled to obtain information made confidential and exempt by  
339 this section, ~~who~~ obtains or attempts to obtain such information  
340 commits a felony of the third degree, punishable as provided in  
341 s. 775.082, s. 775.083, or s. 775.084.

342 (d) A ~~Any~~ person who knowingly uses confidential and  
343 exempt information in violation of a filed ~~written~~ sworn  
344 statement, memorandum of understanding, or contractual agreement  
345 required by this section commits a felony of the third degree,  
346 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

347 Section 3. Subsection (11) of section 316.650, Florida  
348 Statutes, is amended to read:

349 316.650 Traffic citations.—

350 (11) (a) ~~Driver information contained in~~ A uniform traffic

351 citation that reveals, ~~which includes but is not limited to,~~ the  
352 accused driver's identity, home or employment telephone number,  
353 home or employment person's name and address, or other personal  
354 information concerning the accused driver and that is held by an  
355 agency as defined in s. 119.011 is confidential and exempt from  
356 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.  
357 This exemption applies to such citations held by an agency  
358 before, on, or after the effective date of the exemption shall  
359 ~~not be used for commercial solicitation purposes. However, the~~  
360 ~~use of such driver information contained in a uniform traffic~~  
361 ~~citation shall not be considered a commercial purpose when used~~  
362 ~~for publication in a newspaper or other news periodical, when~~  
363 ~~used for broadcast by radio or television, or when used to~~  
364 ~~inform a person of the availability of driver safety training.~~  
365 (b) A uniform traffic citation held by an agency under  
366 paragraph (a) may be made available to the accused driver, the  
367 driver's legal representative, the driver's licensed insurance  
368 agent, the driver's insurer or insurers to which he or she has  
369 applied for coverage, persons under contract with such insurers  
370 to provide claims or underwriting information, prosecutorial  
371 authorities, law enforcement agencies, any person authorized  
372 under s. 316.066(2)(b) to access a crash report that references  
373 the citation as being issued in connection with the crash, or  
374 any private person or entity acting on behalf of a federal,  
375 state, or local government agency in carrying out its functions.

376 (c) A federal, state, or local government agency, or any  
377 private person or entity acting on behalf of a federal, state,  
378 or local government agency in carrying out its functions, which  
379 is authorized to access uniform traffic citations by any  
380 provision of law shall be granted such access in the furtherance  
381 of statutory duties pursuant to a memorandum of understanding  
382 approved by the agency holding the citations which requires that  
383 personal information contained in the citations remain  
384 confidential and exempt.

385 (d) As a condition precedent to accessing a uniform  
386 traffic citation, a person must submit to the agency that holds  
387 the citation, in a format prescribed by the agency, a sworn  
388 statement attesting to the person's identity, authority to  
389 access the citation under paragraph (b), and agreement to keep  
390 the citation confidential and refrain from using the citation  
391 for commercial solicitation or knowingly disclosing the citation  
392 to any third party for the purpose of such solicitation. Such  
393 sworn statement must be completed and sworn to by the requesting  
394 party for each individual citation that is being requested. In  
395 lieu of requiring the sworn statement, an agency may provide  
396 uniform traffic citations by electronic means pursuant to a  
397 memorandum of understanding that requires that personal  
398 information revealed in a citation remain confidential and  
399 exempt and prohibits such personal information from being used  
400 for commercial solicitation or knowingly disclosed to any third

401 party who is not authorized by this section to access such  
402 personal information.

403 (e) This subsection does not prohibit an agency from  
404 providing summary reports of uniform traffic citations to radio  
405 and television stations, newspapers, and other news media, which  
406 reports may disclose information including, but not limited to,  
407 the time, date, and location of a citation; the age, gender,  
408 race, and ethnicity of the accused driver; a general description  
409 of the driver's vehicle, including the vehicle's color, make,  
410 model, body style, and year; the names of the law enforcement  
411 agency and officer issuing the citation; the circumstances of  
412 the citation; and whether any arrests were made.

413 (f) If uniform traffic citations are created by or  
414 submitted to an agency electronically as data elements within a  
415 computerized database, or if personal information from citations  
416 is entered into a computerized database, such citation data held  
417 by an agency is confidential and exempt from s. 119.07(1) and s.  
418 24(a), Art. I of the State Constitution. This exemption applies  
419 to such citation data held by an agency before, on, or after the  
420 effective date of the exemption. This paragraph does not prevent  
421 an agency from:

422 1. Disclosing a citation pursuant to paragraphs (b)-(d)  
423 that is rendered as an individual citation in its original  
424 format, whether printed as a paper document or provided in  
425 electronic format such as portable document format or tagged

426 image file format.

427 2. Disclosing extracts of citation data if all personal  
428 information is omitted from the extracts.

429 (g) This subsection is subject to the Open Government  
430 Sunset Review Act in accordance with s. 119.15 and shall stand  
431 repealed on October 2, 2025, unless reviewed and saved from  
432 repeal through reenactment by the Legislature.

433 (h)1. An employee of an agency, as defined in s. 119.011,  
434 in possession of information made confidential and exempt by  
435 this subsection who knowingly discloses such confidential and  
436 exempt information to a person not entitled to access such  
437 information under this subsection commits a felony of the third  
438 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
439 775.084.

440 2. A person who, knowing he or she is not entitled to  
441 access information made confidential and exempt by this  
442 subsection, accesses or attempts to access such information  
443 commits a felony of the third degree, punishable as provided in  
444 s. 775.082, s. 775.083, or s. 775.084.

445 3. A person who knowingly uses confidential and exempt  
446 information in violation of a filed sworn statement, memorandum  
447 of understanding, or contractual agreement required by this  
448 subsection commits a felony of the third degree, punishable as  
449 provided in s. 775.082, s. 775.083, or s. 775.084.

450 Section 4. (1) The Legislature finds that it is a public

451 necessity that personal information, including highly restricted  
452 personal information, contained in a motorist record held by the  
453 Department of Highway Safety and Motor Vehicles be made  
454 confidential and exempt from s. 119.07(1), Florida Statutes, and  
455 s. 24(a), Article I of the State Constitution. Limiting access  
456 to motorist records affords the public a measure of privacy;  
457 protection by preventing individuals from obtaining for  
458 malicious purposes personal information contained in motorist  
459 records, including driver license, state identification card,  
460 motor vehicle, and vessel records; restraint of the burdensome  
461 intrusion of commercial solicitation; and further protection of  
462 information that allows direct intrusion by way of telephone  
463 calls and e-mail. Further, with respect to driver license, state  
464 identification card, and motor vehicle records, such an  
465 exemption conforms state law to the federal Driver's Privacy  
466 Protection Act of 1994, 18 U.S.C. ss. 2721 et seq., which  
467 prohibits disclosure of such information of a sensitive,  
468 personal nature, with specified exceptions.

469 (2) The Legislature finds that it is a public necessity  
470 that crash reports that reveal personal information concerning  
471 the parties involved in a crash and that are held by an agency  
472 be made confidential and exempt from s. 119.07(1), Florida  
473 Statutes, and s. 24(a), Article I of the State Constitution.  
474 Crash reports include extensive personal information about  
475 parties involved in a crash, including their addresses, dates of

476 birth, telephone numbers, and driver license numbers. That same  
477 personal information, when obtained from driver license records  
478 held by the Department of Highway Safety and Motor Vehicles, is  
479 protected by the federal Driver's Privacy Protection Act of  
480 1994, 18 U.S.C. ss. 2721 et seq., which prohibits disclosure of  
481 such information of a sensitive, personal nature, with specified  
482 exceptions. Disclosing crash reports undermines the protections  
483 of the Driver's Privacy Protection Act for any party involved in  
484 a crash. To afford the public a measure of privacy, protection  
485 by preventing individuals from obtaining personal information  
486 for malicious purposes, and restraint of the burdensome  
487 intrusion of commercial solicitation, it is a public necessity  
488 that such crash reports be made confidential and exempt from  
489 public records requirements.

490 (3) The Legislature finds that it is a public necessity  
491 that crash report data elements within a computerized database  
492 be made confidential and exempt from s. 119.07(1), Florida  
493 Statutes, and s. 24(a), Article I of the State Constitution.  
494 Crash report data elements include extensive personal  
495 information about parties involved in a crash, including their  
496 addresses, dates of birth, telephone numbers, and driver license  
497 numbers. That same personal information, when obtained from  
498 driver license records held by the Department of Highway Safety  
499 and Motor Vehicles, is protected by the federal Driver's Privacy  
500 Protection Act of 1994, 18 U.S.C. ss. 2721 et seq., which

501 prohibits disclosure of such information of a sensitive,  
502 personal nature, with specified exceptions. Disclosing crash  
503 report data elements undermines the protections of the Driver's  
504 Privacy Protection Act for any party involved in a crash. These  
505 negative impacts are exacerbated when these data elements are  
506 disclosed in a searchable computerized database. To afford the  
507 public a measure of privacy, protection by preventing  
508 individuals from obtaining personal information for malicious  
509 purposes, and restraint of the burdensome intrusion of  
510 commercial solicitation, it is a public necessity that such  
511 crash report data elements be made confidential and exempt from  
512 public records requirements.

513 (4) The Legislature finds that it is a public necessity  
514 that uniform traffic citations that reveal personal information  
515 concerning an accused driver and that are held by an agency be  
516 made confidential and exempt from s. 119.07(1), Florida  
517 Statutes, and s. 24(a), Article I of the State Constitution.  
518 Uniform traffic citations include extensive personal information  
519 about an accused driver, including the driver's address, date of  
520 birth, telephone number, and driver license number. That same  
521 personal information, when obtained from driver license records  
522 held by the Department of Highway Safety and Motor Vehicles, is  
523 protected by the federal Driver's Privacy Protection Act of  
524 1994, 18 U.S.C. ss. 2721 et seq., which prohibits disclosure of  
525 such information of a sensitive, personal nature, with specified

526 exceptions. Disclosing uniform traffic citations undermines the  
527 protections of the Driver's Privacy Protection Act for any  
528 driver who is issued a citation. Moreover, digital images of  
529 uniform traffic citations are increasingly available through the  
530 Internet on name-searchable traffic court dockets, disclosing  
531 the same information that the Driver's Privacy Protection Act  
532 prohibits to be disclosed when contained in driver license  
533 records held by the Department of Highway Safety and Motor  
534 Vehicles. To afford the public a measure of privacy, protection  
535 by preventing individuals from obtaining personal information  
536 for malicious purposes, and restraint of the burdensome  
537 intrusion of commercial solicitation, it is a public necessity  
538 that such uniform traffic citations be made confidential and  
539 exempt from public records requirements.

540 (5) The Legislature finds that it is a public necessity  
541 that uniform traffic citation data elements within a  
542 computerized database be made confidential and exempt from s.  
543 119.07(1), Florida Statutes, and s. 24(a), Article I of the  
544 State Constitution. Uniform traffic citation data elements  
545 include extensive personal information about an accused driver,  
546 including the driver's address, date of birth, telephone number,  
547 and driver license number. That same personal information, when  
548 obtained from driver license records held by the Department of  
549 Highway Safety and Motor Vehicles, is protected by the federal  
550 Driver's Privacy Protection Act of 1994, 18 U.S.C. ss. 2721 et

551 seq., which prohibits disclosure of such information of a  
552 sensitive, personal nature, with specified exceptions.  
553 Disclosing uniform traffic citation data elements undermines the  
554 protections of the Driver's Privacy Protection Act for any  
555 driver who is issued a citation. These negative impacts are  
556 exacerbated when these data elements are disclosed in a  
557 searchable computerized database. To afford the public a measure  
558 of privacy, protection by preventing individuals from obtaining  
559 personal information for malicious purposes, and restraint of  
560 the burdensome intrusion of commercial solicitation, it is a  
561 public necessity that such uniform traffic citation data  
562 elements be made confidential and exempt from public records  
563 requirements.

564 Section 5. This act shall take effect July 1, 2020.