

By Senator Cruz

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1                   A bill to be entitled  
2       An act relating to state-licensed driver and state  
3       identification cardholder information; requiring the  
4       Department of Highway Safety and Motor Vehicles to  
5       conduct an audit of its records and to report by a  
6       specified date to the Governor and the Legislature,  
7       for specified fiscal years, the total amount of money  
8       it derived from the sale of state-licensed driver and  
9       state identification cardholder information to  
10      marketing firms and the identity of the marketing  
11      firms that paid for such information; providing  
12      additional requirements for the report; providing an  
13      effective date.

14  
15       WHEREAS, media reports indicate that the Florida Department  
16      of Highway Safety and Motor Vehicles collected more than \$77  
17      million from the sale of state-licensed driver and state  
18      identification cardholder information during the 2017 fiscal  
19      year, and

20       WHEREAS, the reports allege that some of the firms that  
21      purchased the personal information may have used the information  
22      in violation of federal and state privacy laws, and

23       WHEREAS, it is important to determine whether the personal  
24      information of state residents which was sold by the department  
25      has been misused for marketing purposes, such as robocalls and  
26      direct mail offers, and

27       WHEREAS, it is incumbent on the department to provide a  
28      full report to elected officials and to the public of its  
29      practices with regard to the sale of such information, including

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30 specific information on the dollar amounts and the purchasers  
31 associated with such sales, NOW, THEREFORE,

32  
33 Be It Enacted by the Legislature of the State of Florida:

34  
35 Section 1. Department of Highway Safety and Motor Vehicles;  
36 audit and reporting requirements related to the sale of state-  
37 licensed driver and state identification cardholder  
38 information.-

39 (1) The Department of Highway Safety and Motor Vehicles  
40 shall conduct an audit of its records to determine each of the  
41 following:

42 (a) The total amount of money the department received from  
43 the sale of state-licensed driver and state identification  
44 cardholder information to marketing firms for the 2016, 2017,  
45 and 2018 fiscal years, respectively.

46 (b) The identity of the marketing firms that paid the  
47 department for state-licensed driver and state identification  
48 cardholder information during the 2016, 2017, and 2018 fiscal  
49 years, respectively.

50 (2) The department shall submit a report to the Governor,  
51 the President of the Senate, and the Speaker of the House of  
52 Representatives by January 1, 2021, containing the information  
53 required under subsection (1). The report must include the total  
54 amount of sales to marketing firms calculated for each fiscal  
55 year and the identity of each marketing firm that purchased  
56 information during each fiscal year. The report also must  
57 provide recommendations to improve practices and security  
58 measures to protect the personal information of residents of

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59 this state.

60 Section 2. This act shall take effect upon becoming a law.