

1 A bill to be entitled
 2 An act relating to public records; amending s.
 3 119.0712, F.S.; providing exemptions from public
 4 records requirements for secure login credentials,
 5 Internet protocol addresses, and geolocation data held
 6 by the Department of Highway Safety and Motor
 7 Vehicles; providing retroactive application; defining
 8 the terms "secure login credentials" and "public-
 9 facing portal"; providing for future legislative
 10 review and repeal of the exemptions; providing a
 11 statement of public necessity; providing a contingent
 12 effective date.

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

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 16 Section 1. Paragraph (e) is added to subsection (2) of
 17 section 119.0712, Florida Statutes, to read:

18 119.0712 Executive branch agency-specific exemptions from
 19 inspection or copying of public records.—

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

21 (e)1. Secure login credentials held by the Department of
 22 Highway Safety and Motor Vehicles are exempt from s. 119.07(1)
 23 and s. 24(a), Art. I of the State Constitution. This exemption
 24 applies to secure login credentials held by the department
 25 before, on, or after the effective date of the exemption. For

26 | purposes of this subparagraph, the term "secure login
27 | credentials" means information collected or issued by the
28 | department for purposes of authenticating a user logging into a
29 | user account on a computer, a computer system, a computer
30 | network, or an electronic device; or an online user account
31 | accessible over the Internet, whether through a mobile device, a
32 | website, or any other electronic means. The term includes, but
33 | is not limited to, user identifications and passwords; personal
34 | identification numbers; security questions and answers; and e-
35 | mail addresses, telephone numbers, and human biometric
36 | information used for authentication or password recovery.

37 | 2. Internet protocol addresses, geolocation data, and
38 | other information held by the Department of Highway Safety and
39 | Motor Vehicles which describes the location, computer, computer
40 | system, or computer network from which a user accesses a public-
41 | facing portal, and the dates and times that a user accesses a
42 | public-facing portal, are exempt from s. 119.07(1) and s. 24(a),
43 | Art. I of the State Constitution. This exemption applies to such
44 | information held by the department before, on, or after the
45 | effective date of the exemption. For purposes of this
46 | subparagraph, the term "public-facing portal" means a web portal
47 | or computer application accessible by the public over the
48 | Internet, whether through a mobile device, website, or other
49 | electronic means, which is established for administering chapter
50 | 319, chapter 320, chapter 322, chapter 328, or any other

51 provision of law conferring duties upon the department.

52 3. This paragraph is subject to the Open Government Sunset
53 Review Act in accordance with s. 119.15 and shall stand repealed
54 on October 2, 2026, unless reviewed and saved from repeal
55 through reenactment by the Legislature.

56 Section 2. The Legislature finds that it is a public
57 necessity that secure login credentials, Internet protocol
58 addresses, and geolocation data held by the Department of
59 Highway Safety and Motor Vehicles for purposes of authenticating
60 a user logging into a user account be exempt from s. 119.07(1),
61 Florida Statutes, and s. 24(a), Article I of the State
62 Constitution. The Legislature finds that safeguarding the
63 integrity and accuracy of data systems maintained by the
64 Department of Highway Safety and Motor Vehicles is of paramount
65 public importance. Those systems comprise critical information
66 related to driver licenses, state identification cards, motor
67 vehicles and vessels, and Florida Highway Patrol law enforcement
68 records. Those systems also comprise personal information
69 restricted from public disclosure by the federal Driver's
70 Privacy Protection Act of 1994. Accordingly, unauthorized access
71 to those systems poses a serious threat to the integrity and
72 accuracy of the data contained therein. Moreover, the
73 unauthorized disclosure of personal information contained in
74 those systems may subject users to identity theft, financial
75 harm, or other adverse impacts. The Legislature further finds

76 | that development in information technology allows the Department
77 | of Highway Safety and Motor Vehicles to make secure transactions
78 | more readily available to the public through expanded use of
79 | online user accounts accessible over the Internet, including
80 | applications such as digital driver licenses. The public release
81 | of secure login credentials, Internet protocol addresses, and
82 | geolocation data would render these data systems vulnerable to
83 | unauthorized access. The Legislature finds that, to safeguard
84 | user accounts from unauthorized access and avert the
85 | unauthorized disclosure of personal information, it is a public
86 | necessity that secure login credentials, Internet protocol
87 | addresses, and geolocation data be exempt from public records
88 | requirements and, without the public records exemption, the
89 | effective and efficient administration of user accounts would be
90 | hindered.

91 | Section 3. This act shall take effect on the same date
92 | that HB 1313 or similar legislation takes effect, if such
93 | legislation is adopted in the same legislative session or an
94 | extension thereof and becomes a law.