

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, geolocation data, and
 6 other certain information held by the Department of
 7 Highway Safety and Motor Vehicles; providing
 8 retroactive application; defining the terms "secure
 9 login credentials" and "public-facing portal";
 10 providing for future legislative review and repeal of
 11 the exemptions; providing a statement of public
 12 necessity; providing a contingent 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 held by the department for
28 | purposes of authenticating a user logging into a user account on
29 | a computer, a computer system, a computer network, or an
30 | electronic device; an online user account accessible over the
31 | Internet, whether through a mobile device, a website, or any
32 | other electronic means; or information used for authentication
33 | or password recovery.

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

49 | 3. This paragraph is subject to the Open Government Sunset
50 | Review Act in accordance with s. 119.15 and shall stand repealed

51 on October 2, 2026, unless reviewed and saved from repeal
52 through reenactment by the Legislature.

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

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

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