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1  
2 An act relating to the use of electronic databases;  
3 amending s. 119.0712, F.S.; prohibiting the use or  
4 release, not authorized by law, of any information  
5 contained in the Driver and Vehicle Information  
6 Database; providing a noncriminal infraction; amending  
7 s. 943.125, F.S.; requiring the law enforcement  
8 accreditation program to address access to and use of  
9 personal identification information contained in  
10 electronic databases; creating s. 943.1719, F.S.;  
11 requiring the Criminal Justice Standards and Training  
12 Commission to incorporate into the course curriculum  
13 required for initial certification of law enforcement  
14 officers instruction on the authorized access to and  
15 use of personal identification information contained  
16 in electronic databases; providing training  
17 requirements; creating s. 943.17191, F.S.; requiring  
18 the commission to adopt rules requiring that each law  
19 enforcement officer receive instruction on the  
20 authorized access to and use of personal  
21 identification information contained in electronic  
22 databases for continued employment or appointment as  
23 an officer; providing training requirements; providing  
24 an effective date.

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

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

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30 119.0712 Executive branch agency-specific exemptions from  
31 inspection or copying of public records.—

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

33 (a) For purposes of this subsection, the term “motor  
34 vehicle record” means any record that pertains to a motor  
35 vehicle operator’s permit, motor vehicle title, motor vehicle  
36 registration, or identification card issued by the Department of  
37 Highway Safety and Motor Vehicles.

38 (b) Personal information, including highly restricted  
39 personal information as defined in 18 U.S.C. s. 2725, contained  
40 in a motor vehicle record is confidential pursuant to the  
41 federal Driver’s Privacy Protection Act of 1994, 18 U.S.C. ss.  
42 2721 et seq. Such information may be released only as authorized  
43 by that act; however, information received pursuant to that act  
44 may not be used for mass commercial solicitation of clients for  
45 litigation against motor vehicle dealers.

46 (c) E-mail addresses collected by the Department of Highway  
47 Safety and Motor Vehicles pursuant to s. 319.40(3), s.  
48 320.95(2), or s. 322.08(10) are exempt from s. 119.07(1) and s.  
49 24(a), Art. I of the State Constitution. This exemption applies  
50 retroactively.

51 (d)1. Emergency contact information contained in a motor  
52 vehicle record is confidential and exempt from s. 119.07(1) and  
53 s. 24(a), Art. I of the State Constitution.

54 2. Without the express consent of the person to whom such  
55 emergency contact information applies, the emergency contact  
56 information contained in a motor vehicle record may be released  
57 only to law enforcement agencies for purposes of contacting  
58 those listed in the event of an emergency.

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59           (e) Any person who uses or releases any information  
60 contained in the Driver and Vehicle Information Database for a  
61 purpose not specifically authorized by law commits a noncriminal  
62 infraction, punishable by a fine not exceeding \$2,000.

63           Section 2. Paragraph (o) is added to subsection (4) of  
64 section 943.125, Florida Statutes, to read:

65           943.125 Accreditation of state and local law enforcement  
66 agencies, correctional facilities, public agency offices of  
67 inspectors general, and certain pretrial diversion programs;  
68 intent.—

69           (4) The law enforcement accreditation program must address,  
70 at a minimum, the following aspects of law enforcement:

71           (o) Access to and use of personal identification  
72 information, as defined in s. 817.568(1)(f), contained in  
73 electronic databases.

74           Section 3. Section 943.1719, Florida Statutes, is created  
75 to read:

76           943.1719 Basic skills training relating to the use of  
77 electronic databases.—The commission shall incorporate into the  
78 course curriculum required for initial certification of a law  
79 enforcement officer instruction on the authorized access to and  
80 use of personal identification information, as defined in s.  
81 817.568(1)(f), contained in electronic databases used by a law  
82 enforcement officer in his or her official capacity. This  
83 training must include, but need not be limited to, the proper  
84 use, and limitations on use, of electronic databases in a law  
85 enforcement officer's official capacity and the penalties  
86 associated with the misuse of such electronic databases.

87           Section 4. Section 943.17191, Florida Statutes, is created

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88 to read:

89 943.17191 Continued employment training relating to the use  
90 of electronic databases.—The commission shall by rule require  
91 that each law enforcement officer receive, as part of the 40  
92 hours of required instruction for continued employment or  
93 appointment as an officer, instruction on the authorized access  
94 to and use of personal identification information, as defined in  
95 s. 817.568(1)(f), contained in electronic databases used by a  
96 law enforcement officer in his or her official capacity. This  
97 training must include, but need not be limited to, the proper  
98 use, and limitations on use, of electronic databases in a law  
99 enforcement officer's official capacity and the penalties  
100 associated with the misuse of such electronic databases.

101 Section 5. This act shall take effect October 1, 2021.