

By Senator Collins

14-00458-25

20251292\_\_

1                   A bill to be entitled  
2       An act relating to public records; amending s.  
3       119.0712, F.S.; expanding an exemption from public  
4       records requirements for e-mail addresses collected by  
5       the Department of Highway Safety and Motor Vehicles  
6       for providing renewal notices to include e-mail  
7       addresses collected for use as a method of  
8       notification generally and not only for the purpose of  
9       providing renewal notices; expanding the exemption to  
10      include e-mail addresses collected for use as a method  
11      of notification related to vessel registrations;  
12      providing retroactive applicability; providing for  
13      future legislative review and repeal of the exemption;  
14      providing a statement of public necessity; providing a  
15      contingent effective date.

16  
17 Be It Enacted by the Legislature of the State of Florida:

18  
19       Section 1. Paragraph (c) of subsection (2) of section  
20       119.0712, Florida Statutes, is amended to read:

21       119.0712 Executive branch agency-specific exemptions from  
22       inspection or copying of public records.—

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

24       (c) E-mail addresses collected by the Department of Highway  
25       Safety and Motor Vehicles pursuant to s. 319.40(3), s.  
26       320.95(2), ~~or~~ s. 322.08(10), or s. 328.30 are exempt from s.  
27       119.07(1) and s. 24(a), Art. I of the State Constitution. This  
28       exemption applies retroactively. This paragraph is subject to  
29       the Open Government Sunset Review Act in accordance with s.

14-00458-25

20251292\_\_

30 119.15 and shall stand repealed on October 2, 2030, unless  
31 reviewed and saved from repeal through reenactment by the  
32 Legislature.

33 Section 2. The Legislature finds that it is a public  
34 necessity that e-mail addresses collected by the Department of  
35 Highway Safety and Motor Vehicles for the use of e-mail in lieu  
36 of the United States Postal Service as a method of notification  
37 be made exempt from s. 119.07(1), Florida Statutes, and s.  
38 24(a), Article I of the State Constitution. Sections 320.95(2)  
39 and 322.08(10), Florida Statutes, authorize the department to  
40 collect e-mail addresses and use e-mail in lieu of the United  
41 States Postal Service to provide renewal notices related to  
42 motor vehicle license plates, driver licenses, and  
43 identification cards. The department is also authorized to  
44 collect e-mail addresses and use e-mail to provide renewal  
45 notices related to vessel registrations pursuant to s.  
46 328.30(3), Florida Statutes. SB 1290 expands the circumstances  
47 in which e-mail may be used in lieu of the United States Postal  
48 Service by authorizing e-mail to be used as a method of  
49 notification for various notices and orders issued by the  
50 department in addition to renewal notices, including, but not  
51 limited to, notices related to driver licenses, identification  
52 cards, motor vehicle registrations, vessel registrations, and  
53 orders to revoke, cancel, or suspend driver licenses. The  
54 department's use of e-mail as a method for corresponding with  
55 customers has steadily increased in recent decades. E-mail  
56 addresses are unique to each individual and, when combined with  
57 other personal identifying information, can be used for identity  
58 theft, consumer scams, unwanted solicitations, or other invasive

14-00458-25

20251292\_\_

59 contacts. The public availability of personal e-mail addresses  
60 puts the department's customers at increased risk of these  
61 problems. Such risks may be significantly limited by permitting  
62 the department to keep customer e-mail addresses exempt. The  
63 Legislature finds that these risks to consumers outweigh the  
64 state's public policy favoring open government.

65 Section 3. This act shall take effect on the same date that  
66 SB 1290 or similar legislation takes effect, if such legislation  
67 is adopted in the same legislative session or an extension  
68 thereof and becomes a law.