

By Senator Calatayud

38-01230-26

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1 A bill to be entitled  
2 An act relating to motor vehicle operator privacy;  
3 providing a short title; amending s. 119.0712, F.S.;  
4 defining terms; prohibiting certain personal  
5 information and e-mail addresses from being sold to or  
6 shared with a third-party company, foreign country of  
7 concern, or foreign principal; providing for  
8 retroactive application; providing penalties for a  
9 third-party company that uses or releases certain  
10 information for a specified purpose; providing an  
11 effective date.

12  
13 Be It Enacted by the Legislature of the State of Florida:

14  
15 Section 1. This act may be cited as the "Driver Privacy  
16 Act."

17 Section 2. Subsection (2) of section 119.0712, Florida  
18 Statutes, is amended to read:

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

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

22 (a) For purposes of this subsection, the term:

23 1. "Foreign country of concern" has the same meaning as in  
24 s. 692.201.

25 2. "Foreign principal" has the same meaning as in s.  
26 692.201.

27 3. "Motor vehicle record" means any record that pertains to  
28 a motor vehicle operator's permit, motor vehicle title, motor  
29 vehicle registration, or identification card issued by the

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Department of Highway Safety and Motor Vehicles.

4. "Public-facing portal" means a web portal or computer application accessible by the public over the Internet, whether through a mobile device, a website, or any other electronic means, which is established for administering chapter 319, chapter 320, chapter 322, chapter 328, or any other provision of law conferring duties upon the department.

5. "Secure login credentials" means information held by the department for purposes of authenticating a user logging into a user account on a computer, a computer system, a computer network, or an electronic device; an online user account accessible over the Internet, whether through a mobile device, a website, or any other electronic means; or information used for authentication or password recovery.

6. "Third-party company" means any marketing firm, debt collector, insurance company, or data broker.

(b) Personal information, including highly restricted personal information as defined in 18 U.S.C. s. 2725, contained in a motor vehicle record is confidential pursuant to the federal Driver's Privacy Protection Act of 1994, 18 U.S.C. ss. 2721 et seq. Such information may be released only as authorized by that act; however, information received pursuant to that act may not be used for mass commercial solicitation of clients for litigation against motor vehicle dealers and may not be sold to or shared with a third-party company, foreign country of concern, or foreign principal.

(c) E-mail addresses collected by the Department of Highway Safety and Motor Vehicles pursuant to s. 319.40(3), s. 320.95(2), or s. 322.08(10) are exempt from s. 119.07(1) and s.

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24(a), Art. I of the State Constitution and may not be sold to  
or shared with a third-party company, foreign country of  
concern, or foreign principal. This exemption applies  
retroactively.

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

2. Without the express consent of the person to whom such  
emergency contact information applies, the emergency contact  
information contained in a motor vehicle record may be released  
only to:

a. Law enforcement agencies for purposes of contacting  
those listed in the event of an emergency.

b. A receiving facility, hospital, or licensed  
detoxification or addictions receiving facility pursuant to s.  
394.463(2)(a) or s. 397.6772(1)(a) for the sole purpose of  
informing a patient's emergency contacts of the patient's  
whereabouts.

(e) Any person or third-party company that ~~who~~ uses or  
releases any information contained in the Driver and Vehicle  
Information Database for a purpose not specifically authorized  
by law commits a noncriminal infraction, punishable by a fine  
not exceeding \$2,000.

(f)1. Secure login credentials held by the Department of  
Highway Safety and Motor Vehicles are exempt from s. 119.07(1)  
and s. 24(a), Art. I of the State Constitution. This exemption  
applies to secure login credentials held by the department  
before, on, or after the effective date of the exemption. ~~For~~  
~~purposes of this subparagraph, the term "secure login~~

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88 ~~credentials" means information held by the department for~~  
89 ~~purposes of authenticating a user logging into a user account on~~  
90 ~~a computer, a computer system, a computer network, or an~~  
91 ~~electronic device; an online user account accessible over the~~  
92 ~~Internet, whether through a mobile device, a website, or any~~  
93 ~~other electronic means; or information used for authentication~~  
94 ~~or password recovery.~~

95       2. Internet protocol addresses, geolocation data, and other  
96 information held by the Department of Highway Safety and Motor  
97 Vehicles which describes the location, computer, computer  
98 system, or computer network from which a user accesses a public-  
99 facing portal, and the dates and times that a user accesses a  
100 public-facing portal, are exempt from s. 119.07(1) and s. 24(a),  
101 Art. I of the State Constitution. This exemption applies to such  
102 information held by the department before, on, or after the  
103 effective date of the exemption. ~~For purposes of this~~  
104 ~~subparagraph, the term "public-facing portal" means a web portal~~  
105 ~~or computer application accessible by the public over the~~  
106 ~~Internet, whether through a mobile device, website, or other~~  
107 ~~electronic means, which is established for administering chapter~~  
108 ~~319, chapter 320, chapter 322, chapter 328, or any other~~  
109 ~~provision of law conferring duties upon the department.~~

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

114       Section 3. This act shall take effect July 1, 2026.