

THE FLORIDA SENATE
2014 SUMMARY OF LEGISLATION PASSED

Committee on Transportation

CS/CS/SB 226 — Public Records/Automated License Plate Recognition Systems Exemption

by Governmental Oversight and Accountability Committee; Transportation Committee; and Senator Brandes

The bill creates a public records exemption for all images obtained from an automatic license plate recognition system (ALPRS), as well as any personal identifying information in any data generated from images obtained from such a system. This information will be confidential and exempt from public disclosure. The bill provides an agency may release this information to a criminal justice agency in the performance of its official duties. This bill also provides a person to whom a license plate is registered may also have access to his or her own information, as long as the information is not subject to an active public criminal investigation. This bill also provides for retroactive application.

The bill contains a public necessity statement as required by the Florida Constitution which provides the release of personal identifying information collected by ALPRS, could enable third parties to track a person's movements, and the disclosure of such information would be an invasion of personal privacy. Moreover, such sensitive and personal information could be defamatory, or jeopardize an individual's safety and therefore, the harm from public disclosure outweighs any public benefit.

The bill is subject to the Open Government Sunset Review Act and will stand repealed on October 2, 2019, unless reviewed and reenacted by the Legislature.

If approved by the Governor, these provisions take effect July 1, 2014.

Vote: Senate 38-1; House 116-0