

By Senator Galvano

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1 A bill to be entitled
2 An act relating to public records; amending s.
3 316.066, F.S.; providing an exemption from public
4 records requirements for certain personal contact
5 information contained in motor vehicle crash reports;
6 providing for future legislative review and repeal of
7 the exemption; providing a statement of public
8 necessity; providing a contingent effective date.

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

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12 Section 1. Paragraph (g) is added to subsection (2) of
13 section 316.066, Florida Statutes, as amended by SB 876, 2014
14 Regular Session, to read:

15 316.066 Written reports of crashes.—

16 (2)

17 (g) Radio and television stations licensed by the Federal
18 Communications Commission, newspapers qualified to publish legal
19 notices under ss. 50.011 and 50.031, and free newspapers of
20 general circulation published once a week or more often,
21 available and of interest to the public generally for the
22 dissemination of news, which request crash reports before 60
23 days have elapsed after the report is filed must request such
24 crash reports on an individual basis and may not have access to
25 the home, cellular, employment, or other telephone number or the
26 home or employment address of any of the parties involved in the
27 crash. This paragraph is subject to the Open Government Sunset
28 Review Act in accordance with s. 119.15 and shall stand repealed
29 on October 2, 2019, unless reviewed and saved from repeal

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30 through reenactment by the Legislature.

31 Section 2. The Legislature finds that the personal contact
32 information contained in a motor vehicle crash report is
33 confidential and exempt from s. 119.07(1), Florida Statutes, and
34 s. 24(a), Article I of the State Constitution for 60 days after
35 the report is filed and that it is a public necessity that
36 access to such information during that 60-day period by
37 newspapers and radio and television stations be restricted to
38 combat widespread insurance fraud that occurs when the
39 information is unlawfully used to contact the parties involved
40 in a crash. The exemption prohibits access by newspapers and
41 television and radio stations to the addresses and telephone
42 numbers of the parties involved in a crash to protect the
43 parties from those who would unlawfully solicit the parties to
44 make claims against their personal injury protection insurance
45 policies.

46 Section 3. This act shall take effect on the same date that
47 SB 876 or similar legislation takes effect, if such legislation
48 is adopted in the same legislative session or an extension
49 thereof and becomes law.