

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.

9  
 10 Be It Enacted by the Legislature of the State of Florida:

11  
 12 Section 1. Paragraph (f) is added to subsection (2) of  
 13 section 316.066, Florida Statutes, to read:

14 316.066 Written reports of crashes.—

15 (2)

16 (f) Radio and television stations licensed by the Federal  
 17 Communications Commission, newspapers qualified to publish legal  
 18 notices under ss. 50.011 and 50.031, and free newspapers of  
 19 general circulation published once a week or more often,  
 20 available and of interest to the public generally for the  
 21 dissemination of news, which request crash reports before 60  
 22 days have elapsed after the report is filed must request such  
 23 crash reports on an individual basis and may not have access to  
 24 the home, cellular, employment, or other telephone number or the  
 25 home or employment address of any of the parties involved in the  
 26 crash. This paragraph is subject to the Open Government Sunset

27 Review Act in accordance with s. 119.15 and shall stand repealed  
28 on October 2, 2019, unless reviewed and saved from repeal  
29 through reenactment by the Legislature.

30 Section 2. The Legislature finds that a crash report that  
31 reveals the identity, home or employment telephone number, or  
32 home or employment address of, or other personal information  
33 concerning, a party involved in the crash and that is held by an  
34 agency that regularly receives or prepares information from or  
35 concerning the parties to motor vehicle crashes is confidential  
36 and exempt from s. 119.07(1), Florida Statutes, and s. 24(a),  
37 Article I of the State Constitution for 60 days after the date  
38 that the report is filed. Public access to such information  
39 during that 60-day period by radio and television stations  
40 licensed by the Federal Communications Commission, newspapers  
41 qualified to publish legal notices under ss. 50.011 and 50.031,  
42 Florida Statutes, and free newspapers of general circulation  
43 published once a week or more often, available and of interest  
44 to the public generally for the dissemination of news, should be  
45 restricted to combat widespread insurance fraud that occurs when  
46 the information is unlawfully used to contact the parties  
47 involved in a crash. The exemption protects the parties involved  
48 in a crash from those who would unlawfully solicit personal  
49 injury protection insurance claims. Accordingly, the Legislature  
50 finds that the harm to parties involved in a crash which could  
51 result from the release of such information outweighs any  
52 minimal public benefit that would be derived from disclosure of

CS/CS/HB 865

2014

53 that information to the public. Therefore, it is the finding of  
54 the Legislature that such information must be made exempt from  
55 public disclosure.

56 Section 3. This act shall take effect on the same date  
57 that HB 863 or similar legislation takes effect, if such  
58 legislation is adopted in the same legislative session or an  
59 extension thereof and becomes law.