

1 A bill to be entitled
 2 An act relating to public records; amending s.
 3 338.155, F.S., relating to the payment of tolls and
 4 associated charges; providing an exemption from public
 5 records requirements for personal identifying
 6 information; providing for future legislative review
 7 and repeal of the exemption; providing a statement of
 8 public necessity; providing an 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. Subsection (6) of section 338.155, Florida
 13 Statutes, is amended to read:

14 338.155 Payment of toll on toll facilities required;
 15 exemptions.-

16 (6) (a) Personal identifying information held by ~~provided~~
 17 ~~to, acquired by, or in the possession of~~ the Department of
 18 Transportation, a county, or an expressway authority for the
 19 purpose of paying, prepaying, or collecting tolls and associated
 20 administrative charges due for the use of ~~using a credit card,~~
 21 ~~charge card, or check for the prepayment of electronic toll~~
 22 ~~facilities charges to the department, a county, or an expressway~~
 23 ~~authority~~ is exempt from s. 119.07(1) and s. 24(a), Art. I of
 24 the State Constitution.

25 (b) This subsection is subject to the Open Government
 26 Sunset Review Act in accordance with s. 119.15 and shall stand

27 repealed on October 2, 2019, unless reviewed and saved from
 28 repeal through reenactment by the Legislature.

29 Section 2. The Legislature finds that it is a public
 30 necessity to exempt from s. 119.07(1), Florida Statutes, and s.
 31 24(a), Article I of the State Constitution personal identifying
 32 information about individuals held by the Department of
 33 Transportation, a county, or an expressway authority for the
 34 purpose of paying, prepaying, or collecting tolls and associated
 35 administrative charges due for the use of toll facilities. The
 36 exemption puts individuals who pay for tolls by TOLL-BY-PLATE,
 37 which is video billed, on equal footing with individuals who pay
 38 for tolls by check, debit card, or credit card, or who pay cash
 39 at the toll booth. The exemption protects the health and safety
 40 of the public by making exempt information regarding the
 41 location of individuals as they use the toll road system. The
 42 exemption promotes the use of the electronic toll collection
 43 system, which is a more efficient and effective government
 44 collection system for tolls, because paying for tolls by TOLL-
 45 BY-PLATE, which is video billed, or paying for tolls by check,
 46 debit card, or credit card not only saves individuals time when
 47 passing through the toll facilities, compared to individuals who
 48 pay for tolls with cash, but also costs much less to administer.
 49 Further, the exemption protects the privacy of individuals and
 50 promotes their right to be let alone from unreasonable
 51 government intrusion by prohibiting the public disclosure of
 52 private information about the finances and location of the

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53 | individual using the toll road system.

54 | Section 3. This act shall take effect upon becoming a law.