	CS/HB 1333 2013
1	A bill to be entitled
2	An act relating to public records; amending s.
3	338.155, F.S., relating to 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 under the Open Government
8	Sunset Review Act; providing a statement of public
9	necessity; providing an effective date.
10	
11	Be It Enacted by the Legislature of the State of Florida:
12	
13	Section 1. Subsection (6) of section 338.155, Florida
14	Statutes, is amended to read:
15	338.155 Payment of toll on toll facilities required;
16	exemptions
17	(6) <u>(a)</u> Personal identifying information <u>held by</u> provided
18	to, acquired by, or in the possession of the Department of
19	Transportation, a county, or an expressway authority for the
20	purpose of paying, prepaying, or collecting tolls and associated
21	administrative charges due for the use of using a credit card,
22	charge card, or check for the prepayment of electronic toll
23	facilities charges to the department, a county, or an expressway
24	authority is exempt from s. 119.07(1) and s. 24(a), Art. I of
25	the State Constitution.
26	(b) This subsection is subject to the Open Government
27	Sunset Review Act in accordance with s. 119.15 and shall stand
28	repealed on October 2, 2018, unless reviewed and saved from

Page 1 of 2

CODING: Words stricken are deletions; words <u>underlined</u> are additions.

CS/HB 1333

2013

29	repeal through reenactment by the Legislature.
30	Section 2. The Legislature finds that it is a public
31	necessity to exempt from s. 119.07(1), Florida Statutes, and s.
32	24(a), Article I of the State Constitution personal identifying
33	information about individuals held by the Department of
34	Transportation, a county, or an expressway authority for the
35	purpose of paying, prepaying, or collecting tolls and associated
36	administrative charges due for the use of toll facilities. The
37	exemption puts individuals who pay for tolls by TOLL-BY-PLATE,
38	which is video billed, on equal footing with individuals who pay
39	for tolls by check, debit card, or credit card, or who pay cash
40	at the toll booth. The exemption protects the health and safety
41	of the public by making exempt information regarding the
42	location of individuals as they use the toll road system. The
43	exemption promotes the use of the electronic toll collection
44	system, which is a more efficient and effective government
45	collection system for tolls, because paying for tolls by TOLL-
46	BY-PLATE, which is video billed, or paying for tolls by check,
47	debit card, or credit card not only saves individuals time when
48	passing through the toll facilities, compared to individuals who
49	pay for tolls with cash, but also costs much less to administer.
50	Further, the exemption protects the privacy of individuals and
51	promotes their right to be let alone from unreasonable
52	government intrusion by prohibiting the public disclosure of
53	private information about the finances and location of the
54	individual using the toll road system.
55	Section 3. This act shall take effect upon becoming a law.

Page 2 of 2

CODING: Words stricken are deletions; words <u>underlined</u> are additions.