

Florida

Department of Highway Safety and Motor Vehicles

Division of Motorist Services

PROCEDURE RS-08	SUBJECT: PUBLIC RECORDS, PROTECTION OF HOME ADDRESSES FOR SPECIFIC PUBLIC OFFICIALS, VICTIMS OF DOMESTIC VIOLENCE, <u>CURRENT OR FORMER IMPAIRED PRACTITIONER CONSULTANTS, AND CURRENT OR FORMER SERVICEMEMBERS AND THEIR FAMILIES SERVING SINCE SEPTEMBER 11, 2001.</u>
DESCRIPTION AND USE: THIS PROCEDURE PROVIDES INFORMATION AND INSTRUCTIONS TO ASSIST TAX COLLECTOR EMPLOYEES, LICENSE PLATE AGENCY EMPLOYEES AND THE DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES FOR PROTECTING HOME ADDRESSES <u>AND OTHER PERSONAL INFORMATION</u> FOR SPECIFIC ACTIVE AND FORMER PUBLIC OFFICIALS, VICTIMS OF DOMESTIC VIOLENCE <u>AND CURRENT OR FORMER SERVICEMEMBERS AND THEIR FAMILIES SERVING SINCE SEPTEMBER 11, 2001.</u>	
<p>I. PROVISIONS OF LAW:</p> <p>Section 119.071 (4)(d)(2)(a)(1), Florida Statutes, requires protection of the home address and home telephone number, social security number and photographs of active or former judges, law enforcement personnel including correctional and probation officers, firefighters, current and former state attorneys, assistant state attorneys, statewide prosecutors, personnel of the Department of Children and Family Services who investigate child abuse or neglect, personnel of Department of Revenue or local governments who collect revenue and enforce child support enforcement. This includes place of employment of spouses and children of such personnel. The vehicle registration may show either the individual's employing agency's street address or a post office box with or without a street address.</p> <p><u>Section 119.071(4)(d)2.n., Florida Statutes, requires the home addresses, telephone numbers, dates of birth, and photographs of current or former impaired practitioner consultants who are retained by an agency or current or former employees of an impaired practitioner consultant whose duties result in a determination of a person's skill and safety to practice a licensed profession; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such consultants or their employees; and the names and locations of schools and day care facilities attended by the children of such consultants or employees are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution if a consultant or employee has made reasonable efforts to protect such information from being accessible through other means available to the public. This subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2020, unless reviewed and saved from repeal through reenactment by the Legislature.</u></p>	
<i>Revision(s) to this procedure: Added additional Florida Statutes and Section III describing the exemption information and the reason for it as provided by the Florida Legislature.</i>	
EFFECTIVE DATE July 1, 2015	REVISION DATE 06/16/15

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Section 119.071(5)(k)1. For purposes of this paragraph, the term:

a. "Identification and location information" means the:

(I) Home address, telephone number, and date of birth of a servicemember, and the telephone number associated with a servicemember's personal communication device.

(II) Home address, telephone number, date of birth, and place of employment of the spouse or dependent of a servicemember, and the telephone number associated with such spouse's or dependent's personal communication device.

(III) Name and location of a school attended by the spouse of a servicemember or a school or day care facility attended by a dependent of a servicemember.

b. "Servicemember" means a current or former member of the Armed Forces of the United States, a reserve component of the Armed Forces of the United States, or the National Guard, who served after September 11, 2001.

2. Identification and location information held by an agency is exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution if a servicemember submits to an agency that has custody of the identification and location information:

a. A written request to exempt the identification and location information from public disclosure; and

b. A written statement that he or she has made reasonable efforts to protect the identification and location information from being accessible through other means available to the public.

3. This exemption applies to identification and location information held by an agency before, on, or after the effective date of this exemption.

4. This paragraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2020, unless reviewed and saved from repeal through reenactment by the Legislature.

Sections 741.401-741.409, and 741.465, Florida Statutes, provide the Address Confidentiality Program for Victims of Domestic Violence. This program is administered by the Office of the Attorney General and provides services to victims of domestic violence who are attempting escape from actual or threatened violence through relocation. The participants will be given an address designated by the Attorney General as a substitute mailing address in order to prevent their assailants from finding them. Victims who have left an abusive situation may apply. The former victim must be a Florida resident whose new location is unknown to the offender. The Attorney General will serve as each client's legal agent for receipt of mail and service of process. The program will prevent public access to information about Address Confidentiality Program client's in voting records.

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<p>II. ACCEPTABLE PROOF OF ELIGIBILITY:</p> <p>A. SPECIFIC PUBLIC OFFICIALS:</p> <p>In order to have a specific public official's record blocked, <u>a request must be made by either using form HSMV 96020, Public Official's Request to Suppress Records Information, or submitting name, address, date of birth, and driver license number for each person requesting a public official block.</u></p> <p><u>A customer who qualifies for the records block, may obtain Form HSMV 96020 from any tax collector office or license plate agency. Additionally, the form may be found on the Department's website at http://flhsmv.gov/courts/records/documents/hsmv96020.pdf.</u></p> <p>This form, along with the applicable letter <u>described below</u>, may either be <u>emailed to HSMV-Records@flhsmv.gov or mailed to Department of Highway Safety and Motor Vehicles (DHSMV), 2900 Apalachee Parkway, Room B239, MS 91, Tallahassee, Florida 32399.</u></p> <p>Once <u>the</u> request or form <u>HSMV 96020</u> is received by the Bureau of Records, both the driver license and motor vehicle records will be blocked.</p> <p style="text-align:center"><u>REQUIRED PROOF OF ELIGIBILITY</u></p> <p>A statement is required on the agency's letterhead verifying employment <u>or past employment</u> of <u>the individual</u> or identification indicating the person's position <u>that confirms their eligibility for the public official block.</u></p> <p>B. VICTIMS OF DOMESTIC VIOLENCE:</p> <p>Victims of domestic violence under the Address Confidentiality Program (ACP) must provide a copy of their ACP Identification Card issued by the Office of the Attorney General. The ACP address will include a street address, an ACP identification code, post office box, Florida city and a zip code. The street address shown on the ACP Identification Card should be shown as the physical address of the individual. The post office box address shall be used for the individual's mailing or mail-to address.</p> <p>III. <u>EXEMPTING IDENTIFICATION AND LOCATION INFORMATION OF CURRENT OR FORMER MEMBERS SERVING AFTER SEPTEMBER 11, 2001:</u></p> <p><u>The Legislature finds that it is a public necessity that identification and location information of current or former members of the Armed Forces of the United States, a reserve component of the Armed Forces of the United States, or the National Guard, who served after September 11, 2001, and their spouses and dependents, that is held by an agency be made exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the State Constitution. Servicemembers perform among the most critical, most effective, and most dangerous operations in defense of our nation's freedom. Terrorist groups have threatened servicemembers and their families and have encouraged terrorist sympathizers to harm servicemembers and their families within the United States. One terrorist group has allegedly gathered the photographs and home addresses of servicemembers from public sources to create and publish a list of servicemembers in order to make such persons vulnerable to an act of terrorism. The Legislature finds that allowing continued public access to the identification and location information of current or former servicemembers and their families jeopardizes the safety of servicemembers, their spouses, and their dependents. The Legislature finds that protecting the safety and security of current or former members of the Armed Forces of the United States, a reserve component of the Armed Forces of the United States, or the National Guard, who served after September 11, 2001, and their spouses and dependents, outweighs any public benefit that may be derived from the public disclosure of the identification and location information.</u></p>	
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