106 Exempt Public Documents

106.1 General

This chapter describes the Department's policy concerning the distribution of sensitive documents used in the design and construction of structures.

106.2 Exempt Documents

In an effort to protect Florida's transportation infrastructure, the 2002 Legislature enacted ***Section 119.071(3)(b), Florida Statute (F.S.)***, which provides that building plans, blueprints, schematic drawings, and diagrams, including draft, preliminary, and final formats, which depict the internal layout and structural elements of a building, arena, stadium, water treatment facility, or other structure owned or operated by an agency are exempt from the requirements of Florida's Public Records Law.

Therefore, plans, blueprints, schematic drawings and diagrams of structures owned by the Department are exempt from the public records provisions of ***Chapter 119, F.S.*** This exemption includes draft, preliminary and final documents and includes paper, electronic, and other formats.

106.3 Distribution of Exempt Documents

Procedure 050-020-026 (Distribution of Exempt Documents Concerning Department Structures and Confidential and Exempt Security System Plans) describes the process for the distribution of documents deemed as exempt.

For the purpose of *Procedure 050-020-026*, the term "structure" includes bridges and culverts with an opening of more than 20 feet between undercopings of abutments or spring lines of arches or extreme ends of openings for multiple boxes, and those other bridges subject to safety inspection under ***Section 335.074, F.S.*** A roadway is not otherwise a structure.

Entities or persons outside the Department requesting or receiving copies of any portion of plans or other documents considered Exempt Documents must complete a request form (***Form No. 050-020-26***). The entity or person receiving the exempt documents must maintain the exempt status of the exempt documents. This procedure applies to all Department internal or contracted staff who have access to such exempt documents in their Department work.