



1 state laws, rules, standards, and codes governing facilities  
2 covered by the guidelines shall be maintained to assure  
3 certification of the state's construction standards and code.

4 Section 2. Section 553.503, Florida Statutes, is  
5 amended to read:

6 553.503 Adoption of guidelines.--Subject to the  
7 exceptions in s. 553.504, the federal Americans with  
8 Disabilities Act Accessibility Guidelines, as adopted by  
9 reference in 28 C.F.R., part 36, subparts A and D, and Title  
10 II of Pub. L. No. 101-336, are hereby adopted and incorporated  
11 by reference as the law of this state. The guidelines shall  
12 establish the minimum standards for the accessibility of  
13 buildings and facilities built or altered within this state.  
14 The 1997 Florida Accessibility Code for Building Construction  
15 submitted to the Legislature by the Department of Community  
16 Affairs is approved.

17 Section 3. Section 553.504, Florida Statutes, 1996  
18 Supplement, is amended to read:

19 553.504 Exceptions to applicability of the  
20 guidelines.--Notwithstanding the adoption of the Americans  
21 with Disabilities Act Accessibility Guidelines in s. 553.503,  
22 all buildings, structures, and facilities in this state shall  
23 meet the following additional requirements when they provide  
24 increased accessibility:

25 (1) All new or altered buildings and facilities  
26 subject to ss. 553.501-553.513 which may be frequented in,  
27 lived in, or worked in by the public shall comply with ss.  
28 553.501-553.513.

29 (2) All new single-family houses, duplexes, triplexes,  
30 condominiums, and townhouses shall provide at least one  
31 bathroom, located with maximum possible privacy, where

1 bathrooms are provided on habitable grade levels, with a door  
2 that has a 29-inch clear opening. However, if only a toilet  
3 room is provided at grade level, such toilet room shall have a  
4 clear opening of not less than 29 inches.

5 (3) All required doors and walk-through openings in  
6 buildings excluding single-family homes, duplexes, and  
7 triplexes not covered by the Americans with Disabilities Act  
8 of 1990 or the Fair Housing Act shall have at least 29 inches  
9 of clear width except under ss. 553.501-553.513.

10 (4) In addition to the requirements in reference 4.8.4  
11 of the guidelines, all landings on ramps shall be not less  
12 than 60 inches clear, and the bottom of each ramp shall have  
13 not less than 72 inches of straight and level clearance.

14 (5) All curb ramps shall be designed and constructed  
15 in accordance with the following requirements:

16 (a) In addition to the other requirements in reference  
17 4.7.1 of the guidelines, curb ramps or curb cuts from parking  
18 areas that are privately owned, to the walkway level, shall be  
19 provided and, if more than one is provided, it shall be spaced  
20 along such walkways at intervals of no more than 100 feet and  
21 such ramps or curb cuts shall be located as close as practical  
22 to main entrances and exits to buildings.

23 (b) Notwithstanding the requirements of reference  
24 4.8.5.2 of the guidelines, handrails on ramps which are not  
25 continuous shall extend not less than 18 inches beyond the  
26 sloped segment at both the top and bottom, and shall be  
27 parallel to the floor or ground surface.

28 (c) Notwithstanding the requirements of references  
29 4.3.3 and 4.8.3 of the guidelines, curb ramps that are part of  
30 a required means of egress shall be not less than 44 inches  
31 wide.

1 (d) Notwithstanding the requirements of reference  
2 4.7.5 of the guidelines, curb ramps located where pedestrians  
3 must use them and all curb ramps which are not protected by  
4 handrails or guardrails shall have flared sides with a slope  
5 not exceeding a ratio of 1 to 12.

6 (6) Notwithstanding the requirements in reference  
7 4.13.11 of the guidelines, exterior hinged doors shall be so  
8 designed that such doors can be pushed or pulled open with a  
9 force not exceeding 8.5 foot pounds.

10 (7) Notwithstanding the requirements in reference  
11 4.33.1 of the guidelines, all public food service  
12 establishments, all establishments licensed under the Beverage  
13 Law for consumption on the premises, and all facilities  
14 governed by reference 4.1 of the guidelines shall provide  
15 seating or spaces for seating in accordance with the following  
16 requirements:

17 (a) For the first 100 fixed seats, ~~there shall be not~~  
18 ~~less than one such~~ accessible and usable spaces must be  
19 provided consistent with the following table:

<u>Capacity of Seating</u>	<u>Number of Required</u>
<u>In Assembly Areas</u>	<u>Wheelchair Locations</u>
<u>1 to 25.....</u>	<u>1</u>
<u>26 to 50.....</u>	<u>2</u>
<u>51 to 100.....</u>	<u>4</u>

27 ~~space for each 25 fixed seats or fraction thereof.~~

28 (b) For all remaining fixed seats, there shall be not  
29 less than one such accessible and usable space for each 100  
30 fixed seats or fraction thereof.

31

1           (8) Notwithstanding the requirements in references  
2 4.32.1-4.32.4 of the guidelines, all fixed seating in public  
3 food service establishments, in establishments licensed under  
4 the Beverage Law for consumption on the premises, and in all  
5 other facilities governed by reference 4.1 of the guidelines  
6 shall be designed and constructed in accordance with the  
7 following requirements:

8           (a) All aisles adjacent to fixed seating shall provide  
9 clear space for wheelchairs.

10           (b) Where there are open positions along both sides of  
11 such aisles, the aisles shall be not less than 52 inches wide.

12           (9) In motels and hotels a number of rooms equaling at  
13 least 5 percent of the guest rooms minus the number of  
14 accessible rooms required by the guidelines shall provide the  
15 following special accessibility features:

16           (a) Grab rails in bathrooms and toilet rooms that  
17 comply with s. 4.16.4 of the guidelines ~~shall be located 33~~  
18 ~~inches from and parallel to the finished floor, measured~~  
19 ~~vertically to the top of the rail, with a variation not to~~  
20 ~~exceed 1/2 inch.~~

21           (b) All beds in designed accessible guest rooms shall  
22 be open-frame type to permit passage of lift devices.

23           (c) All standard water closet seats shall be at a  
24 height of 15 inches, measured vertically from the finished  
25 floor to the top of the seat, with a variation of plus or  
26 minus 1/2 inch. A portable or attached raised toilet seat  
27 shall be provided in all designated handicapped accessible  
28 rooms.

29

30 All buildings, structures, or facilities licensed as a hotel,  
31 motel, or condominium pursuant to chapter 509 shall be subject

1 to the provisions of this subsection. Nothing in this  
2 subsection shall be construed as relieving the owner of the  
3 responsibility of providing accessible rooms in conformance  
4 with ss. 9.1-9.5 of the guidelines.

5 (10) Notwithstanding the requirements in reference  
6 4.29.2 of the guidelines, all detectable warning surfaces  
7 required by the guidelines shall be governed by the  
8 requirements of American National Standards Institute  
9 A117.1-1986.

10 (11) Notwithstanding the requirements in references  
11 4.31.2 and 4.31.3 of the guidelines, the installation and  
12 placement of all public telephones shall be governed by the  
13 rules of the Florida Public Service Commission.

14 (12) Notwithstanding the requirements in references  
15 4.1.3(11) and 4.16-4.23 of the guidelines, required restrooms  
16 and toilet rooms in new construction shall be designed and  
17 constructed in accordance with the following requirements:

18 ~~(a) Each restroom and toilet room shall have a minimum~~  
19 ~~clear passage of at least 36 inches to the accessible toilet~~  
20 ~~stall. If turns of 45 degrees or more are required, such~~  
21 ~~passageway shall be at least 44 inches wide.~~

22 (a)(b) The standard accessible restroom stall shall be  
23 not less than 68 inches by 68 inches and shall contain an  
24 accessible lavatory within it, the size of such lavatory to be  
25 not less than 19 inches wide by 17 inches deep, nominal size,  
26 and wall-mounted. The lavatory shall be mounted so as not to  
27 overlap the clear floor space areas required by s. 4.17 figure  
28 30(a) of the guidelines for the standard accessible stall and  
29 to comply with section 4.19 of the guidelines. Such lavatories  
30 shall be counted as part of the required fixture count for the  
31 building.

1        (b)~~(c)~~ The accessible water closet shall be located in  
2 the corner, diagonal to the door.

3        (c)~~(d)~~ ~~The stall door shall be located in the wall~~  
4 ~~adjacent to the accessible lavatory, as far from the lavatory~~  
5 ~~as possible, or the stall door shall be located in the wall~~  
6 ~~opposite the accessible lavatory if a 60-inch diameter~~  
7 ~~wheelchair turnaround can be accommodated within the stall.~~  
8 ~~The accessible stall door shall swing outward, shall be not~~  
9 ~~less than 32 inches wide, and shall be self-closing. Such~~  
10 ~~lavatories shall be counted as part of the required fixture~~  
11 ~~count for the building.~~

12        ~~(e)~~ ~~Accessible lavatories shall have lever-operated~~  
13 ~~faucets and narrow aprons which shall be mounted at a vertical~~  
14 ~~distance of 28 inches, measured by the vertical distance from~~  
15 ~~the finished surface of the floor to the bottom of the apron,~~  
16 ~~and which shall allow for use of the lavatory by persons in~~  
17 ~~wheelchairs.~~

18        ~~(f)~~ ~~Accessible water closet seats shall be at a height~~  
19 ~~of not less than 19 inches and not more than 20 inches,~~  
20 ~~measured by the vertical distance from the finished surface of~~  
21 ~~the floor to the top of the seat.~~

22        ~~(g)~~ ~~A grab rail shall be installed at a height of 33~~  
23 ~~inches, measured by the vertical distance from the finished~~  
24 ~~surface of the floor to the top of the rail, with an allowable~~  
25 ~~variation of not more than 0.5 inches.~~

26        ~~(h)~~ ~~Restroom vestibules in which doors are not in a~~  
27 ~~series shall be not less than 52 inches wide, unobstructed,~~  
28 ~~and not less than 72 inches deep, unobstructed, in inside~~  
29 ~~dimensions, and the door shall swing inward.~~

30        (13) Notwithstanding the provisions of the guidelines,  
31 when the use of a building, structure, or facility is changed

1 or is altered, the following shall apply in required restrooms  
2 and toilet rooms must contain accessible water closets and  
3 grab bars in conformance with the guidelines.+

4 ~~(a) Accessible water closet seats shall be at a height~~  
5 ~~of not less than 19 inches and not more than 20 inches,~~  
6 ~~measured by the vertical distance from the finished surface of~~  
7 ~~the floor to the top of the seat.~~

8 ~~(b) A grab rail shall be installed at a height of 33~~  
9 ~~inches, measured by the vertical distance from the finished~~  
10 ~~surface of the floor to the top of the rail, with an allowable~~  
11 ~~variation of not more than 0.5 inches.~~

12 (14) All customer checkout aisles not required by the  
13 guidelines to be handicapped accessible shall have at least 32  
14 inches of clear passage.

15 (15) Turnstiles shall not be used in occupancies which  
16 serve fewer than 100 persons, but turnstiles may be used in  
17 occupancies which serve at least 100 persons if there is an  
18 unlocked alternate passageway on an accessible route affording  
19 not less than 32 inches of clearance, equipped with latching  
20 devices in accordance with the guidelines.

21 (16) Barriers at common or emergency entrances and  
22 exits of business establishments conducting business with the  
23 general public that are existing, under construction, or under  
24 contract for construction which would prevent a person from  
25 using such entrances or exits shall be removed.

26 Section 4. Section 553.505, Florida Statutes, 1996  
27 Supplement, is amended to read:

28 553.505 Exceptions to applicability of the Americans  
29 with Disabilities Act.--Notwithstanding the Americans with  
30 Disabilities Act of 1990, churches and private clubs are  
31 governed by ss. 553.501-553.513. Parking spaces, parking lots,



1 and other parking facilities are governed by s. 316.1955 when  
2 that section provides increased accessibility.

3 Section 5. Section 553.507, Florida Statutes, is  
4 amended to read:

5 553.507 Exemptions.--Sections 553.501-553.513 do not  
6 apply to any of the following:

7 (1) Buildings, structures, or facilities that ~~which~~  
8 were either under construction or under contract for  
9 construction on October 1, 1997 ~~1993~~.

10 (2) Buildings, structures, or facilities that ~~which~~  
11 were in existence on October 1, 1997 ~~1993~~, unless:

12 (a) The building, structure, or facility is being  
13 converted from residential to nonresidential or mixed use, as  
14 defined by local law;

15 (b) The proposed alteration or renovation of the  
16 building, structure, or facility will affect ~~the~~ usability or  
17 accessibility ~~of routes of travel or primary functions~~ to a  
18 degree that ~~which~~ invokes the requirements of s. 303(a) of the  
19 Americans with Disabilities Act of 1990; or

20 (c) The original construction or any former alteration  
21 or renovation of the building, structure, or facility was  
22 carried out in violation of applicable permitting law.

23  
24 ~~Disproportionate cost as provided in reference 4.1.6(2) of the~~  
25 ~~guidelines shall be defined as exceeding 20 percent of the~~  
26 ~~cost of the alteration to the primary function area.~~

27 Section 6. Section 553.509, Florida Statutes, is  
28 amended to read:

29 553.509 Vertical accessibility.--Nothing in sections  
30 553.501-553.513 or the guidelines shall be construed to  
31 relieve the owner of any building, structure, or facility

1 governed by those sections from the duty to provide vertical  
2 accessibility to all levels above and below the occupiable  
3 ~~habitable~~ grade level, regardless of whether the guidelines  
4 require an elevator to be installed in such building,  
5 structure, or facility.

6 Section 7. Section 553.511, Florida Statutes, is  
7 amended to read:

8 553.511 Parking facilities; minimum height clearance  
9 requirement.--Every nonresidential structure built on or after  
10 January 1, 1991, which is designed to use covered or  
11 underground parking as the primary available parking space,  
12 shall design the covered or underground parking facility to  
13 maintain a minimum height ~~clearance requirement~~ for the  
14 portion of the street-accessible level of the parking facility  
15 directly over van-accessible ~~handicapped~~ parking spaces and  
16 for providing ingress and egress to such ~~handicapped~~ parking  
17 spaces of at least 8 feet 2 inches. ~~With respect to parking~~  
18 ~~on the street-accessible level of such a facility only, any~~  
19 ~~facility which complies with this minimum height requirement~~  
20 ~~shall be required to provide 100 percent of the handicapped~~  
21 ~~parking spaces which would otherwise be required by law or~~  
22 ~~rule.~~ Signs shall be posted to warn operators of  
23 handicapped-equipped vans that they cannot pass beyond a  
24 certain point due to height limitations. If compliance with  
25 this minimum height clearance requirement will cause the  
26 structure to exceed local height limitations imposed by local  
27 zoning, planning, or fire ordinances, or will result in the  
28 imposition of any additional requirements of such ordinances,  
29 the structure may exceed the height limitation specified in  
30 those particular codes as necessary to comply with the  
31 requirements of this section and is exempt from such

1 additional requirements. Structures for which the plans were  
2 sealed by an architect prior to January 1, 1991, are exempt  
3 from this section.

4 Section 8. Section 316.1955, Florida Statutes, 1996  
5 Supplement, is amended to read:

6 316.1955 Parking spaces for persons who have  
7 disabilities.--

8 (1) Subject to the exceptions described in subsections  
9 (2), (4), (5), and (6), when the parking and loading zone  
10 requirements of the federal Americans with Disabilities Act  
11 Accessibility Guidelines (ADAAG), as adopted by reference in  
12 28 C.F.R. Part 36, Subparts A and D, and Title II of Pub. L.  
13 No. 101-336, provide increased accessibility, those  
14 requirements are adopted and incorporated by reference as the  
15 law of this state.

16 (2)(1) State agencies and political subdivisions  
17 having jurisdiction over street parking or publicly owned or  
18 operated parking facilities are not required to provide a  
19 greater right-of-way width than would otherwise be planned  
20 under regulations, guidelines, or practices normally applied  
21 to new development.

22 (3)(2) If parking spaces are provided for self-parking  
23 by employees or visitors, or both, accessible spaces shall be  
24 provided in each such parking area. Such spaces shall be ~~Each~~  
25 ~~state agency and political subdivision that has jurisdiction~~  
26 ~~over street parking or publicly owned and operated parking~~  
27 ~~facilities and each commercial real estate property owner who~~  
28 ~~offers public parking shall provide a minimum number of~~  
29 ~~specially designed and marked motor vehicle parking spaces for~~  
30 the exclusive use of those individuals who have a severe  
31 physical disability and have permanent or temporary mobility

1 problems that substantially impair their ability to ambulate  
2 and who have been issued either a disabled parking permit  
3 under s. 316.1958 or s. 320.0848 or a license plate under s.  
4 320.084, s. 320.0842, s. 320.0843, or s. 320.0845.

5 ~~(4)(3)~~ The ~~following minimum~~ number of accessible ~~such~~  
6 parking spaces must comply with the parking requirements in  
7 ADAAG section 4.1. and the following ~~be provided:~~

8 (a) One space in the immediate vicinity of a publicly  
9 owned or leased building that houses a governmental entity or  
10 a political subdivision, including, but not limited to, state  
11 office buildings and courthouses, if no parking for the public  
12 is provided on the premises of the building;

13 (b) One space for each 150 metered onstreet parking  
14 spaces provided by state agencies and political subdivisions;

15 ~~(c) Parking facilities that are intended for public~~  
16 ~~use but are not subject to paragraph (a) must provide for~~  
17 ~~persons who have disabilities a minimum number of parking~~  
18 ~~spaces as set forth in the following table; however, The~~  
19 number of parking spaces for persons who have disabilities  
20 must be increased on the basis of demonstrated and documented  
21 need+

<del>Total Parking in Lot</del>	<del>Required Number of Accessible Spaces</del>
Up to 25.....	1
26 to 50.....	2
51 to 75.....	3
76 to 100.....	4
101 to 150.....	5
151 to 200.....	6

1	<del>201 to 300.....</del>	<del>7</del>
2	<del>301 to 400.....</del>	<del>8</del>
3	<del>401 to 500.....</del>	<del>9</del>
4	<del>501 to 1000.....</del>	<del>2% of total</del>
5	<del>over 1000.....</del>	<del>20 plus 1 for each</del>
6		<del>100 over 1000</del>

7  
8  
9 ~~Accessible parking spaces at outpatient facilities and~~  
10 ~~facilities that specialize in the treatment of persons with~~  
11 ~~mobility impairments shall allocate the number of accessible~~  
12 ~~spaces specified in s. 4.1.2 of the Americans with~~  
13 ~~Disabilities Act Accessibility Guidelines.~~

14 (5)(4) Accessible perpendicular and diagonal  
15 accessible such parking spaces and loading zones must be  
16 designed and located in conformance with the guidelines set  
17 forth in ADAAG ss. 4.1.2. and 4.6. and Appendix section A4.6.3  
18 "Universal Parking Design." as follows:

19 (a) All spaces ~~must have accessible thereto a~~  
20 ~~curb-ramp or curb-cut, when necessary to allow access to the~~  
21 ~~building served, and must be located on an accessible route no~~  
22 ~~less than 44 inches wide so that users will not be compelled~~  
23 ~~to walk or wheel behind parked vehicles.~~

24 (b) Each space must be located on the shortest safely  
25 accessible route from the parking space to an accessible  
26 entrance. If there are multiple entrances or multiple retail  
27 stores, the parking spaces must be dispersed to provide  
28 parking at the nearest accessible entrance. If a theme park  
29 or an entertainment complex as defined in s. 509.013(9)  
30 provides parking in several lots or areas from which access to  
31 the theme park or entertainment complex is provided, a single

1 lot or area may be designated for parking by persons who have  
2 disabilities, if the lot or area is located on the shortest  
3 safely accessible route to an accessible entrance to the theme  
4 park or entertainment complex or to transportation to such an  
5 accessible entrance.

6 (c) Each parking space must be no less than 12 feet  
7 wide. Parking access aisles must be no less than 5 feet wide  
8 and must be part of an accessible route to the building or  
9 facility entrance. The parking access aisles are reserved for  
10 the use of persons who have disabled parking permits, and  
11 violators are subject to the same penalties that are imposed  
12 for illegally parking in parking spaces that are designated  
13 for persons who have disabilities. Two accessible parking  
14 spaces may share a common access aisle. The access aisle must  
15 be striped diagonally to designate it as a no-parking zone.  
16 Any provision of this subsection to the contrary  
17 notwithstanding, a theme park or an entertainment complex as  
18 defined in s. 509.013(9) in which are provided continuous  
19 attendant services for directing individuals to marked  
20 accessible parking spaces or designated lots for parking by  
21 persons who have disabilities, the park or complex may, in  
22 lieu of the required parking space design universal spaces,  
23 provide parking spaces that comply with ss. 4.1 and 4.6 ~~either~~  
24 ~~of the alternatives specified in s. 4.6.3~~ of the Americans  
25 with Disabilities Act Accessibility Guidelines.

26 (d) On-street parallel parking spaces must be located  
27 either at the beginning or end of a block or adjacent to alley  
28 entrances. Such spaces must be designed in conformance with  
29 the guidelines set forth in ADAAG ss. 4.6.2 through 4.6.5  
30 EXCEPTION: access aisles are not required. Curbs adjacent to  
31 such spaces must be of a height that will not interfere with

1 the opening and closing of motor vehicle doors. This  
2 subsection does not relieve the owner of the responsibility to  
3 comply with the parking requirements of ADAAG ss. 4.1 and 4.6.

4 ~~(e) Perpendicular and diagonal parking spaces and~~  
5 ~~access aisles for persons who have disabilities must be even~~  
6 ~~with surface slopes and must not exceed a slope of 1 to 50 in~~  
7 ~~any direction.~~ Parallel parking spaces must be even with  
8 surface slopes, may match the grade of the adjacent travel  
9 lane, and must not exceed a cross slope of 1 to 50, where  
10 feasible.

11 (f) Curb ramps must be located outside of the disabled  
12 parking spaces and access aisles.

13 (g) Each parking space must conform with the  
14 requirements of this section no later than October 1, 1997.

15 (h)1. The removal of architectural barriers from a  
16 parking facility in accordance with 28 C.F.R. s. 36.304 or  
17 with s. 553.508 must comply with this section unless  
18 compliance would cause the barrier removal not to be readily  
19 achievable. If compliance would cause the barrier removal not  
20 to be readily achievable, a facility may provide ~~alternative~~  
21 parking spaces at alternative locations for persons who have  
22 disabilities and provide appropriate signage directing persons  
23 who have disabilities to the alternative parking ~~spaces~~. The  
24 facility may not reduce the required number or dimensions of  
25 those spaces, nor may it unreasonably increase the length of  
26 the accessible route from a parking space to the facility.  
27 The removal of an architectural barrier must not create a  
28 significant risk to the health or safety of a person who has a  
29 disability or to that of others.

30 2. A facility that is making alterations under s.  
31 553.507(2)(b) must comply with this section to the maximum

1 extent feasible. If compliance with parking location  
2 requirements is not feasible, the a facility may provide  
3 ~~alternative~~ parking spaces at alternative locations for  
4 persons who have disabilities and provide appropriate signage  
5 directing persons who have a disability to alternative parking  
6 ~~spaces~~. The facility may not reduce the required number or  
7 dimensions of those spaces, nor may it unnecessarily increase  
8 the length of the accessible route from a parking space to the  
9 facility. The alteration must not create a significant risk  
10 to the health or safety of a person who has a disability or to  
11 that of others.

12 ~~(6)(5)~~ Each such parking space must be prominently  
13 outlined with blue paint, and must be repainted when  
14 necessary, to be clearly distinguishable as a parking space  
15 designated for persons who have disabilities and must be  
16 posted with a permanent above-grade sign of a color and design  
17 approved by the Department of Transportation, bearing the  
18 international symbol of accessibility meeting the requirements  
19 of ADAAG s. 4.30.7 and the caption "PARKING BY DISABLED PERMIT  
20 ONLY." Such sign erected after October 1, 1996, must indicate  
21 the penalty for illegal use of the space. Any provision of  
22 this section to the contrary notwithstanding, in a theme park  
23 or an entertainment complex as defined in s. 509.013(9) in  
24 which accessible parking is located in designated lots or  
25 areas, the signage indicating the lot as reserved for  
26 accessible parking may be located at the entrances to the lot  
27 in lieu of a sign at each parking place. This subsection does  
28 not relieve the owner of the responsibility of complying with  
29 the signage requirements of ADAAG s. 4.30.

30 ~~(7)(6)~~ It is unlawful for any person to stop, stand,  
31 or park a vehicle within any such specially designated and



1 marked parking space provided in accordance with this section,  
2 unless the vehicle displays a disabled parking permit issued  
3 under s. 316.1958 or s. 320.0848 or a license plate issued  
4 under s. 320.084, s. 320.0842, s. 320.0843, or s. 320.0845,  
5 and the vehicle is transporting the person to whom the  
6 displayed permit is issued. The violation may not be dismissed  
7 for failure of the markings on the parking space to comply  
8 with this section if the space is in general compliance and is  
9 clearly distinguishable as a designated space.

10 (a) Whenever a law enforcement officer, a parking  
11 enforcement specialist, or the owner or lessee of the space  
12 finds a vehicle in violation of this subsection, that officer,  
13 owner, or lessor shall have the vehicle in violation removed  
14 to any lawful parking space or facility or require the  
15 operator or other person in charge of the vehicle immediately  
16 to remove the unauthorized vehicle from the parking space.  
17 Whenever any vehicle is removed under this section to a  
18 storage lot, garage, or other safe parking space, the cost of  
19 the removal and parking constitutes a lien against the  
20 vehicle.

21 (b) The officer or specialist shall charge the  
22 operator or other person in charge of the vehicle in violation  
23 with a noncriminal traffic infraction, punishable as provided  
24 in s. 316.008(4) or s. 318.18(6).

25 (c) All convictions for violations of this section  
26 must be reported to the Department of Highway Safety and Motor  
27 Vehicles by the clerk of the court.

28 (d) A law enforcement officer or a parking enforcement  
29 specialist has the right to demand to be shown the person's  
30 disabled parking permit and driver's license or state  
31 identification card when investigating the possibility of a

1 violation of this section. If such a request is refused, the  
2 person in charge of the vehicle may be issued a citation for a  
3 violation of this section.

4 (8)~~(7)~~ Any person who is chauffeuring a person who has  
5 a disability is allowed, without need for a disabled parking  
6 permit or a special license plate, to stand temporarily in any  
7 such parking space, for the purpose of loading or unloading  
8 the person who has a disability. A penalty may not be imposed  
9 upon the driver for such temporary standing.

10 (9)(a)~~(8)(a)~~ A vehicle that is transporting a person  
11 who has a disability and that has been granted a permit under  
12 s. 320.0848(1)(d) may be parked for a maximum of 30 minutes in  
13 any parking space reserved for persons who have disabilities.

14 (b) Notwithstanding paragraph (a), a theme park or an  
15 entertainment complex as defined in s. 509.013(9) which  
16 provides parking in designated areas for persons who have  
17 disabilities may allow any vehicle that is transporting a  
18 person who has a disability to remain parked in a space  
19 reserved for persons who have disabilities throughout the  
20 period the theme park is open to the public for that day.

21 Section 9. This act shall take effect October 1, 1997.  
22

23 \*\*\*\*\*

24 SENATE SUMMARY

25 Revises applicability of, exemptions from, and exceptions  
26 to the Florida Americans With Disabilities Accessibility  
Implementation Act. (See bill for details.)  
27  
28  
29  
30  
31