

By Senators Childers and Clary

1-464-98

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A bill to be entitled
An act relating to parking permits for the
disabled; amending s. 320.0848, F.S.;
specifying persons eligible for such permits;
providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (1) of section 320.0848, Florida
Statutes, is amended to read:

320.0848 Persons who have disabilities; issuance of
disabled parking permits; temporary permits; permits for
certain providers of transportation services to persons who
have disabilities.--

(1)(a) The Department of Highway Safety and Motor
Vehicles or its authorized agents shall, upon application and
receipt of the fee, issue a disabled parking permit for a
period of up to 4 years that ends on the applicant's birthday
to any person who has long-term mobility problems, or a
temporary disabled parking permit not to exceed 1 year to any
person who has temporary mobility problems.

(b) The person must be ~~currently~~ certified by ~~a~~
~~physician licensed under chapter 458, chapter 459, or chapter~~
~~460, or by a podiatrist licensed under chapter 461, by the~~
~~Division of Blind Services of the Department of Labor and~~
~~Employment Security, or by the Adjudication Office of the~~
~~United States Department of Veterans Affairs or its~~
~~predecessor~~ as being legally blind or as having any of the
following disabilities that limit or impair his or her ability
to walk:

- 1 1. Inability to walk 200 feet without stopping to
2 rest.
- 3 2. Inability to walk without the use of or assistance
4 from a brace, cane, crutch, prosthetic device, or other
5 assistive device, or without the assistance of another person.
6 If the assistive device significantly restores the person's
7 ability to walk to the extent that the person can walk without
8 severe limitation, the person is not eligible for the
9 exemption parking permit.
- 10 3. The need to permanently use a wheelchair.
- 11 4. Restriction by lung disease to the extent that the
12 person's forced (respiratory) expiratory volume for 1 second,
13 when measured by spirometry, is less than 1 liter, or the
14 person's arterial oxygen is less than 60 mm/hg on room air at
15 rest.
- 16 5. Use of portable oxygen.
- 17 6. Restriction by cardiac condition to the extent that
18 the person's functional limitations are classified in severity
19 as Class III or Class IV according to standards set by the
20 American Heart Association.
- 21 7. Severe limitation in the person's ability to walk
22 due to an arthritic, neurological, or orthopedic condition.
- 23 (c) The applicant's disability must be certified by:
- 24 1. A physician licensed under chapter 458, an
25 osteopathic physician licensed under chapter 459, a
26 chiropractor licensed under chapter 460, or a podiatrist
27 licensed under chapter 461, or such professional licensed in
28 another state, if evidence of licensure is provided with the
29 application;
- 30 2. The Division of Blind Services of the Department of
31 Labor and Employment Security; or

1 3. The Adjudication Office of the United States
2 Department of Veterans' Affairs or its predecessor.

3 ~~(d)(b)~~ The certificate of disability must include, but
4 need not be limited to:

5 1. The disability of the applicant; the certifying
6 physician's name and address; the physician's certification
7 number; the eligibility criteria for the permit; the penalty
8 for falsification by either the certifying physician or the
9 applicant; the duration of the condition that entitles the
10 person to the permit; and justification for the additional
11 placard pursuant to subsection (2).

12 2. The statement, in bold letters: "A disabled parking
13 permit may be issued only for a medical necessity that
14 severely affects mobility."

15 3. The signatures of:

16 a. The applicant's physician;

17 b. The applicant or the applicant's parent or
18 guardian; and

19 c. The employee of the department's authorized agent
20 which employee is processing the application.

21 ~~(e)(c)~~ The Department of Highway Safety and Motor
22 Vehicles shall renew the disabled parking permit of any person
23 who has been previously certified under ~~a disability upon~~
24 ~~presentation of the certification required by~~ paragraph (b).

25 ~~(f)(d)~~ The Department of Highway Safety and Motor
26 Vehicles shall, in consultation with the Commission for the
27 Transportation Disadvantaged, adopt rules, in accordance with
28 chapter 120, for the issuance of a disabled parking permit to
29 any organization that can adequately demonstrate a bona fide
30 need for such a permit because the organization provides
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1 regular transportation services to persons who have
2 disabilities and are certified as provided in paragraph (a).

3 Section 2. This act shall take effect July 1, 1998.

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SENATE SUMMARY

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Revises provisions relating to the issuance of disabled
parking permits.

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