

Amendment No. 001 (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
1		.	
2		.	
3		.	
4		.	

ORIGINAL STAMP BELOW

The Committee on Finance & Taxation offered the following:

Amendment (with title amendment)

On page 1,
remove from the bill: everything after the enacting clause
and insert in lieu thereof:

Section 1. Paragraph (b) of subsection (19) and
paragraph (b) of subsection (31) of section 320.08058, Florida
Statutes, are amended to read:

320.08058 Specialty license plates.--

(19) SEA TURTLE LICENSE PLATES.--

(b) The annual use fees shall be deposited in the
Marine Resources Conservation Trust Fund in the Fish and
Wildlife Conservation Commission. The first \$500,000 in annual
revenue shall be used by the Florida Marine Turtle Protection
Program to conduct sea turtle protection, research, and
recovery programs. Additional license plate revenue, up to an
amount not exceeding 30 percent of the total annual revenue,
shall be dispersed annually through the marine turtle grants
program as provided in s. 370.12(1)(h). The remaining annual

Amendment No. 001 (for drafter's use only)

1 use proceeds shall be used by the Florida Marine Turtle
2 Protection Program for sea turtle conservation activities.~~The~~
3 ~~remaining annual use proceeds shall be used by the commission~~
4 ~~for sea turtle conservation activities, except that up to 30~~
5 ~~percent of the remaining annual use fee proceeds shall be~~
6 ~~annually disbursed through the marine turtle grants program as~~
7 ~~provided in s. 370.12(1)(h).~~

8 (31) SHARE THE ROAD LICENSE PLATES.--

9 (b) The annual use fees shall be distributed to Bike
10 Florida, Inc., up to 25 percent ~~the Florida Governor's Council~~
11 ~~on Physical Fitness and Amateur Sports, a portion of which~~
12 shall be used for marketing and promotion of the "Share the
13 Road" concept and license plate. The remaining funds shall be
14 divided equally between Bike Florida, Inc., and the Florida
15 Bicycle Association, Inc., to be used for:

16 1. Education and awareness programs, for bicycle
17 safety and motorist safety, with emphasis on sharing the
18 roadway by all users.

19 2. Training, workshops, educational materials, and
20 media events.

21 3. The promotion of safe bicycling.

22 Section 2. Subsection (6) is added to section 320.084,
23 Florida Statutes, to read:

24 320.084 Free motor vehicle license plate to certain
25 disabled veterans.--

26 (6) A disabled veteran who has received a free license
27 plate under this section may purchase additional disabled
28 veterans license plates. The cost for additional plates may
29 not exceed the cost provided in s. 320.06(1)(b).

30 Section 3. Section 320.0848, Florida Statutes, is
31 amended to read:

Amendment No. 001 (for drafter's use only)

1 320.0848 Persons who have disabilities; issuance of
2 disabled parking permits; temporary permits; permits for
3 certain providers of transportation services to persons who
4 have disabilities.--

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

12 (b)1. The person must be currently certified as being
13 legally blind or as having any of the following disabilities
14 that render him or her unable to walk 200 feet without
15 stopping to rest:

16 a. Inability to walk without the use of or assistance
17 from a brace, cane, crutch, prosthetic device, or other
18 assistive device, or without the assistance of another person.
19 If the assistive device significantly restores the person's
20 ability to walk to the extent that the person can walk without
21 severe limitation, the person is not eligible for the
22 exemption parking permit.

23 b. The need to permanently use a wheelchair.

24 c. Restriction by lung disease to the extent that the
25 person's forced (respiratory) expiratory volume for 1 second,
26 when measured by spirometry, is less than 1 liter, or the
27 person's arterial oxygen is less than 60 mm/hg on room air at
28 rest.

29 d. Use of portable oxygen.

30 e. Restriction by cardiac condition to the extent that
31 the person's functional limitations are classified in severity

Amendment No. 001 (for drafter's use only)

1 as Class III or Class IV according to standards set by the
2 American Heart Association.

3 f. Severe limitation in the person's ability to walk
4 due to an arthritic, neurological, or orthopedic condition.

5 2. The certification of disability which is required
6 under subparagraph 1. must be provided by a physician licensed
7 under chapter 458, chapter 459, or chapter 460, by a podiatric
8 physician licensed under chapter 461, by an optometrist
9 licensed under chapter 463, by the Adjudication Office of the
10 United States Department of Veterans Affairs or its
11 predecessor, ~~or~~ by a similarly licensed physician from another
12 state if the application is accompanied by documentation of
13 the physician's licensure in the other state and a form signed
14 by the out-of-state physician verifying his or her knowledge
15 of this state's eligibility guidelines, or by an advanced
16 registered nurse practitioner licensed under chapter 464 in a
17 facility operated by the United States Department of Veterans
18 Affairs under the protocol of a licensed physician as stated
19 in this subparagraph, or by a physician assistant licensed
20 under chapters 458 or 459 in a facility operated by the United
21 States Department of Veterans Affairs.

22 (c) The certificate of disability must include, but
23 need not be limited to:

24 1. The disability of the applicant; the certifying
25 physician's name and address; the physician's certification
26 number; the eligibility criteria for the permit; the penalty
27 for falsification by either the certifying physician or the
28 applicant; the duration of the condition that entitles the
29 person to the permit; and justification for the additional
30 placard pursuant to subsection (2).

31 2. The statement, in bold letters: "A disabled parking

Amendment No. 001 (for drafter's use only)

1 permit may be issued only for a medical necessity that
2 severely affects mobility."

3 3. The signatures of:

4 a. The applicant's physician;

5 b. The applicant or the applicant's parent or
6 guardian; and

7 c. The employee of the department's authorized agent
8 which employee is processing the application.

9 (d) Beginning April 1, 1999, the Department of Highway
10 Safety and Motor Vehicles shall renew the disabled parking
11 permit of any person certified as permanently disabled on the
12 application.

13 (e) The Department of Highway Safety and Motor
14 Vehicles shall, in consultation with the Commission for the
15 Transportation Disadvantaged, adopt rules, in accordance with
16 chapter 120, for the issuance of a disabled parking permit to
17 any organization that can adequately demonstrate a bona fide
18 need for such a permit because the organization provides
19 regular transportation services to persons who have
20 disabilities and are certified as provided in this subsection.

21 (2) DISABLED PARKING PERMIT; PERSONS WITH LONG-TERM
22 MOBILITY PROBLEMS.--

23 (a) The disabled parking permit is a placard that can
24 be placed in a motor vehicle so as to be visible from the
25 front and rear of the vehicle. Each side of the placard must
26 have the international symbol of accessibility in a
27 contrasting color in the center so as to be visible. One side
28 of the placard must display the applicant's driver's license
29 number or state identification card number along with a
30 warning that the applicant must have such identification at
31 all times while using the parking permit. A validation sticker

Amendment No. 001 (for drafter's use only)

1 must also be issued with each disabled parking permit, showing
2 the month and year of expiration on each side of the placard.
3 Validation stickers must be of the size specified by the
4 Department of Highway Safety and Motor Vehicles and must be
5 affixed to the disabled parking permits. The disabled parking
6 permits must use the same colors as license plate validations.

7 (b) License plates issued under ss. 320.084, 320.0842,
8 320.0843, and 320.0845 are valid for the same parking
9 privileges and other privileges provided under ss. 316.1955,
10 316.1964, and 526.141(5)(a).

11 (c) The administrative processing fee for each initial
12 4-year disabled parking permit or renewal permit shall be
13 \$1.50, and all proceeds shall be retained by the tax collector
14 of the county in which the fee was collected.

15 ~~(c)1. Except as provided in subparagraph 2., the fee~~
16 ~~for a disabled parking permit shall be:~~

17 ~~a. Fifteen dollars for each initial 4-year permit or~~
18 ~~renewal permit, of which the State Transportation Trust Fund~~
19 ~~shall receive \$13.50 and the tax collector of the county in~~
20 ~~which the fee was collected shall receive \$1.50.~~

21 ~~b. One dollar for each additional or additional~~
22 ~~renewal 4-year permit, of which the State Transportation Trust~~
23 ~~Fund shall receive all funds collected.~~

24 (d) The department shall not issue an additional
25 disabled parking permit unless the applicant states that he or
26 she is they are a frequent traveler or a quadriplegic. The
27 department may not issue to any one eligible applicant more
28 than two disabled parking permits except to an organization in
29 accordance with paragraph (1)(e). Subsections (1), (5), (6),
30 and (7) apply to this subsection.

31 ~~(e)2.~~ If an applicant who is a disabled veteran, is a

Amendment No. 001 (for drafter's use only)

1 resident of this state, has been honorably discharged, and
2 either has been determined by the Department of Defense or the
3 United States Department of Veterans Affairs or its
4 predecessor to have a service-connected disability rating for
5 compensation of 50 percent or greater or has been determined
6 to have a service-connected disability rating of 50 percent or
7 greater and is in receipt of both disability retirement pay
8 from the United States Department of Veterans Affairs, he or
9 she must still provide and has a signed physician's statement
10 of qualification for the disabled parking permits., ~~the fee~~
11 ~~for a disabled parking permit shall be:~~

12 a. ~~One dollar and fifty cents for the initial 4-year~~
13 ~~permit or renewal permit.~~

14 b. ~~One dollar for each additional or additional~~
15 ~~renewal 4-year permit.~~

16
17 ~~The tax collector of the county in which the fee was collected~~
18 ~~shall retain all funds received pursuant to this subparagraph.~~

19 3. ~~If an applicant presents to the department a~~
20 ~~statement from the Federal Government or the State of Florida~~
21 ~~indicating the applicant is a recipient of supplemental~~
22 ~~security income, the fee for the disabled parking permit shall~~
23 ~~be \$9 for the initial 4-year permit or renewal permit, of~~
24 ~~which the State Transportation Trust Fund shall receive \$6.75~~
25 ~~and the tax collector of the county in which the fee was~~
26 ~~collected shall receive \$2.25.~~

27 ~~(f)(d)~~ To obtain a replacement for a disabled parking
28 permit that has been lost or stolen, a person must submit an
29 application on a form prescribed by the department and must
30 pay a replacement fee in the amount of \$1.00, to be retained
31 by the issuing agency. If the person submits with the

Amendment No. 001 (for drafter's use only)

1 application a police report documenting that the permit was
2 stolen, there is no replacement fee.

3 (g)~~(e)~~ A person who qualifies for a disabled parking
4 permit under this section may be issued an international
5 wheelchair user symbol license plate under s. 320.0843 in lieu
6 of the disabled parking permit; or, if the person qualifies
7 for a "DV" license plate under s. 320.084, such a license
8 plate may be issued to him or her in lieu of a disabled
9 parking permit.

10 (3) DISABLED PARKING PERMIT; TEMPORARY.--

11 (a) The temporary disabled parking permit is a placard
12 of a different color from the color of the long-term disabled
13 parking permit placard, and must clearly display the date of
14 expiration in large print and with color coding, but is
15 identical to the long-term disabled parking permit placard in
16 all other respects, including, but not limited to, the
17 inclusion of a state identification card number or driver's
18 license number on one side of the temporary permit. The
19 temporary disabled parking permit placard must be designed to
20 conspicuously display the expiration date of the permit on the
21 front and back of the placard.

22 (b) The department shall issue the temporary disabled
23 parking permit for the period of the disability as stated by
24 the certifying physician, but not to exceed 1 year.

25 (c) The fee for a temporary disabled parking permit is
26 \$15.

27 (4) From the proceeds of the temporary disabled
28 parking permit fees:

29 (a) The Department of Highway Safety and Motor
30 Vehicles must receive \$3.50 for each temporary permit, to be
31 deposited into the Highway Safety Operating Trust Fund and

Amendment No. 001 (for drafter's use only)

1 used for implementing the real-time disabled parking permit
2 database and for administering the disabled parking permit
3 program.

4 (b) The tax collector, for processing, must receive
5 \$2.50 for each temporary permit.

6 (c) The remainder must be distributed monthly as
7 follows:

8 1. To the Florida Governor's Alliance for the
9 Employment of Disabled Citizens for the purpose of improving
10 employment and training opportunities for persons who have
11 disabilities, with special emphasis on removing transportation
12 barriers, \$4. These fees must be deposited into the
13 Transportation Disadvantaged Trust Fund for transfer to the
14 Florida Governor's Alliance for Employment of Disabled
15 Citizens.

16 2. To the Transportation Disadvantaged Trust Fund to
17 be used for funding matching grants to counties for the
18 purpose of improving transportation of persons who have
19 disabilities, \$5.

20 (5) The applications for disabled parking permits and
21 temporary disabled parking permits are official state
22 documents. The following statement must appear on each
23 application form immediately below the physician's signature
24 and immediately below the applicant's signature: "Knowingly
25 providing false information on this application is a
26 misdemeanor of the first degree, punishable as provided in s.
27 775.082, Florida Statutes, or s. 775.083, Florida Statutes.
28 The penalty is up to 1 year in jail or a fine of \$1,000, or
29 both."

30 (6) Any person who knowingly makes a false or
31 misleading statement in an application or certification under

Amendment No. 001 (for drafter's use only)

1 this section commits a misdemeanor of the first degree,
2 punishable as provided in s. 775.082 or s. 775.083.

3 (7) Any person who fraudulently obtains or unlawfully
4 displays a disabled parking permit that belongs to another
5 person while occupying a disabled parking space or an access
6 aisle as defined in s. 316.1955 while the owner of the permit
7 is not being transported in the vehicle or who uses an
8 unauthorized replica of such a disabled parking permit with
9 the intent to deceive is guilty of a misdemeanor of the second
10 degree, punishable as provided in s. 775.082 or s. 775.083.

11 (8) A law enforcement officer may confiscate the
12 disabled parking permit from any person who fraudulently
13 obtains or unlawfully uses such a permit. A law enforcement
14 officer may confiscate any disabled parking permit that is
15 expired, reported as lost or stolen, or defaced, or that does
16 not display a personal identification number.

17 (a) ~~Beginning April 1, 1999,~~The permit number of each
18 confiscated permit must be submitted to the Department of
19 Highway Safety and Motor Vehicles, and the fact that the
20 permit has been confiscated must be noted on the
21 permitholder's record. If two permits issued to the same
22 person have been confiscated, the Department of Highway Safety
23 and Motor Vehicles shall refer the information to the Florida
24 Abuse Hotline for an investigation of potential abuse,
25 neglect, or exploitation of the permit owner.

26 (b) A confiscated permit must be held as evidence
27 until a judicial decision about the violation has been made.
28 After a finding of guilt has been made or a plea of nolo
29 contendere has been entered, the charging agency shall destroy
30 the confiscated permit. A confiscated permit may not, under
31 any circumstances, be returned to its registered owner after a

Amendment No. 001 (for drafter's use only)

1 finding of guilt has been made or a plea of nolo contendere
2 has been entered in court. The permit number of each destroyed
3 permit must be reported to the department, and the department
4 must record in the real-time disabled parking permit database
5 that the permit has been invalidated.

6 (9) A violation of this section is grounds for
7 disciplinary action under s. 458.331, s. 459.015, s. 460.413,
8 or s. 461.013, as applicable.

9 (10) The Department of Highway Safety and Motor
10 Vehicles shall adopt rules to administer this section.

11 Section 4. This act shall take effect July 1, 2000.

12
13

14 ===== T I T L E A M E N D M E N T =====

15 And the title is amended as follows:

16 On page 1, lines 2-9

17 remove from the title of the bill: all of said lines

18

19 and insert in lieu thereof:

20 An act relating to motor vehicles; amending s. 320.08058,
21 F.S.; revising provisions relating to the Sea Turtle License
22 Plate; providing for a distribution of funds from the Share
23 the Road license plate to Bike Florida, Inc., rather than to
24 the Governor's Council on Physical Fitness and Amateur Sports;
25 amending s. 320.084, F.S.; allowing certain disabled veterans
26 to purchase additional disabled veterans license plates;
27 amending s. 320.0848, F.S.; eliminating
28 disabled-parking-permit fees; providing an administrative
29 processing fee; revising provisions relating to fees for
30 temporary disabled-parking permits; providing an effective
31 date.