

799-120AX-02

Bill No. CS/HB 1525

Amendment No. \_\_\_\_ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

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10  
11 Representative(s) Cusack offered the following:

12

13 **Amendment (with title amendment)**

14 Remove everything after the enacting clause

15

16 and insert:

17 Section 1. Section 320.0848, Florida Statutes, is  
18 renumbered as section 322.181, Florida Statutes, and amended  
19 to read:

20 322.181 ~~320.0848~~ Persons who have disabilities;  
21 issuance of disabled parking permits; temporary permits;  
22 permits for certain providers of transportation services to  
23 persons who have disabilities.--

24 (1)(a) The Department of Highway Safety and Motor  
25 Vehicles or its authorized agents shall, upon application and  
26 receipt of the fee, issue a disabled parking permit for a  
27 period of up to 4 years, which period ends on the applicant's  
28 birthday, to any person who has long-term mobility impairment,  
29 or a temporary disabled parking permit not to exceed 6 months  
30 ~~1 year~~ to any person who has a temporary mobility impairment.

31 No person shall be required to pay a fee for a disabled

1 parking permit more than once in a 12-month period from the  
2 date of the prior fee payment. The department must adopt rules  
3 that require a picture of the applicant to appear on a parking  
4 permit for a person with a long-term mobility impairment, upon  
5 initial application or upon the next permit renewal.

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

10 a. Inability to walk without the use of or assistance  
11 from a brace, cane, crutch, prosthetic device, or other  
12 assistive device, or without the assistance of another person.  
13 If the assistive device significantly restores the person's  
14 ability to walk to the extent that the person can walk without  
15 severe limitation, the person is not eligible for the  
16 exemption parking permit.

17 b. The need to permanently use a wheelchair.

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

23 d. Use of portable oxygen.

24 e. Restriction by cardiac condition to the extent that  
25 the person's functional limitations are classified in severity  
26 as Class III or Class IV according to standards set by the  
27 American Heart Association.

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

30 2. The certification of disability which is required  
31 under subparagraph 1. must be provided by a physician licensed

1 under chapter 458, chapter 459, or chapter 460, by a podiatric  
2 physician licensed under chapter 461, by an optometrist  
3 licensed under chapter 463, by the Adjudication Office of the  
4 United States Department of Veterans Affairs or its  
5 predecessor, or by a similarly licensed physician from another  
6 state if the application is accompanied by documentation of  
7 the physician's licensure in the other state and a form signed  
8 by the out-of-state physician verifying his or her knowledge  
9 of this state's eligibility guidelines.

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

12 1. The disability of the applicant; the certifying  
13 physician's name and address; the physician's certification  
14 number; the eligibility criteria for the permit; the penalty  
15 for falsification by either the certifying physician or the  
16 applicant; the duration of the condition that entitles the  
17 person to the permit; and justification for the additional  
18 placard pursuant to subsection (2).

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

22 3. The signatures of:

23 a. The applicant's physician;

24 b. The applicant or the applicant's parent or  
25 guardian; and

26 c. The employee of the department's authorized agent  
27 which employee is processing the application.

28 (d) Beginning April 1, 1999, the Department of Highway  
29 Safety and Motor Vehicles shall renew the disabled parking  
30 permit of any person certified as permanently disabled on the  
31 application.

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1           (e) The Department of Highway Safety and Motor  
2 Vehicles shall, in consultation with the Commission for the  
3 Transportation Disadvantaged, adopt rules, in accordance with  
4 chapter 120, for the issuance of a disabled parking permit to  
5 any organization that can adequately demonstrate a bona fide  
6 need for such a permit because the organization provides  
7 regular transportation services to persons who have  
8 disabilities and are certified as provided in this subsection.

9           (2) DISABLED PARKING PERMIT; PERSONS WITH LONG-TERM  
10 MOBILITY PROBLEMS.--

11           (a) The disabled parking permit is a placard that can  
12 be placed in a motor vehicle so as to be visible from the  
13 front and rear of the vehicle. Each side of the placard must  
14 have the international symbol of accessibility in a  
15 contrasting color in the center so as to be visible. One side  
16 of the placard must display the applicant's driver's license  
17 number or state identification card number and a photograph of  
18 the applicant ~~along with a warning that the applicant must~~  
19 ~~have such identification at all times while using the parking~~  
20 ~~permit.~~ A validation sticker must also be issued with each  
21 disabled parking permit, showing the month and year of  
22 expiration on each side of the placard. Validation stickers  
23 must be of the size specified by the Department of Highway  
24 Safety and Motor Vehicles and must be affixed to the disabled  
25 parking permits. The disabled parking permits must use the  
26 same colors as license plate validations.

27           (b) License plates issued under ss. 320.084, 320.0842,  
28 320.0843, and 320.0845 are valid for the same parking  
29 privileges and other privileges provided under ss. 316.1955,  
30 316.1964, and 526.141(5)(a).

31           (c)1. Except as provided in subparagraph 2., the fee

1 for a disabled parking permit shall be:

2 a. Fifteen dollars for each initial 4-year permit or  
3 renewal permit, of which the State Transportation Trust Fund  
4 shall receive \$13.50 and the tax collector of the county in  
5 which the fee was collected shall receive \$1.50, if that tax  
6 collector has the capability to process a digital image of the  
7 applicant. If the application was processed by the department,  
8 the \$1.50 shall be deposited into the Highway Safety Operating  
9 Trust Fund.

10 b. One dollar for each additional or additional  
11 renewal 4-year permit, of which the State Transportation Trust  
12 Fund shall receive all funds collected.

13  
14 The department shall not issue an additional disabled parking  
15 permit unless the applicant states that they are a frequent  
16 traveler or a quadriplegic. The department may not issue to  
17 any one eligible applicant more than two disabled parking  
18 permits except to an organization in accordance with paragraph  
19 (1)(e). Subsections (1), (5), (6), and (7) apply to this  
20 subsection.

21 2. If an applicant who is a disabled veteran, is a  
22 resident of this state, has been honorably discharged, and  
23 either has been determined by the Department of Defense or the  
24 United States Department of Veterans Affairs or its  
25 predecessor to have a service-connected disability rating for  
26 compensation of 50 percent or greater or has been determined  
27 to have a service-connected disability rating of 50 percent or  
28 greater and is in receipt of both disability retirement pay  
29 from the United States Department of Veterans Affairs and has  
30 a signed physician's statement of qualification for the  
31 disabled parking permits, the fee for a disabled parking

1 permit shall be:

2 a. One dollar and fifty cents for the initial 4-year  
3 permit or renewal permit.

4 b. One dollar for each additional or additional  
5 renewal 4-year permit.

6  
7 The tax collector of the county in which the fee was collected  
8 shall retain all funds received pursuant to this subparagraph,  
9 if that tax collector has the capability to process a digital  
10 image of the applicant. If the application was processed by  
11 the department, the proceeds shall be deposited into the  
12 Highway Safety Operating Trust Fund.

13 3. If an applicant presents to the department a  
14 statement from the Federal Government or the State of Florida  
15 indicating the applicant is a recipient of supplemental  
16 security income, the fee for the disabled parking permit shall  
17 be \$9 for the initial 4-year permit or renewal permit, of  
18 which the State Transportation Trust Fund shall receive \$6.75  
19 and the tax collector of the county in which the fee was  
20 collected shall receive \$2.25, if that tax collector has the  
21 capability to process a digital image of the applicant. If the  
22 application was processed by the department, the \$2.25 shall  
23 be deposited into the Highway Safety Operating Trust Fund.

24 (d) To obtain a replacement for a disabled parking  
25 permit that has been lost or stolen, a person must submit an  
26 application on a form prescribed by the department and must  
27 pay a replacement fee in the amount of \$1.00, to be retained  
28 by the issuing agency. If the person submits with the  
29 application a police report documenting that the permit was  
30 stolen, there is no replacement fee.

31 (e) A person who qualifies for a disabled parking

1 permit under this section may be issued an international  
2 wheelchair user symbol license plate under s. 320.0843 in lieu  
3 of the disabled parking permit; or, if the person qualifies  
4 for a "DV" license plate under s. 320.084, such a license  
5 plate may be issued to him or her in lieu of a disabled  
6 parking permit.

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

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

20 (b) The department shall issue the temporary disabled  
21 parking permit for the period of the disability as stated by  
22 the certifying physician, but not to exceed 6 months ~~1 year~~.

23 (c) The fee for a temporary disabled parking permit is  
24 \$15.

25 (4) From the proceeds of the temporary disabled  
26 parking permit fees:

27 (a) The Department of Highway Safety and Motor  
28 Vehicles must receive \$3.50 for each temporary permit, to be  
29 deposited into the Highway Safety Operating Trust Fund and  
30 used for implementing the real-time disabled parking permit  
31 database and for administering the disabled parking permit

1 program.

2 (b) The tax collector, for processing, must receive  
3 \$2.50 for each temporary permit.

4 (c) The remainder must be distributed monthly as  
5 follows:

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

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

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

28 (6) Any person who knowingly makes a false or  
29 misleading statement in an application or certification under  
30 this section commits a misdemeanor of the first degree,  
31 punishable as provided in s. 775.082 or s. 775.083.

1           (7) Any person who fraudulently obtains or unlawfully  
2 displays a disabled parking permit that belongs to another  
3 person while occupying a disabled parking space or an access  
4 aisle as defined in s. 553.5041 while the owner of the permit  
5 is not being transported in the vehicle or who uses an  
6 unauthorized replica of such a disabled parking permit with  
7 the intent to deceive is guilty of a misdemeanor of the second  
8 degree, punishable as provided in s. 775.082 or s. 775.083.

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

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

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

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1 has been entered in court. The permit number of each destroyed  
2 permit must be reported to the department, and the department  
3 must record in the real-time disabled parking permit database  
4 that the permit has been invalidated.

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

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

10 Section 2. Subsection (1) and paragraph (a) of  
11 subsection (4) of section 316.1955, Florida Statutes, are  
12 amended to read:

13 316.1955 Enforcement of parking requirements for  
14 persons who have disabilities.--

15 (1) It is unlawful for any person to stop, stand, or  
16 park a vehicle within, or to obstruct, any such specially  
17 designated and marked parking space provided in accordance  
18 with s. 553.5041, unless the vehicle displays a disabled  
19 parking permit issued under s. 316.1958 or s. 322.181 ~~s.~~  
20 ~~320.0848~~ or a license plate issued under s. 320.084, s.  
21 320.0842, s. 320.0843, or s. 320.0845, and the vehicle is  
22 transporting the person to whom the displayed permit is  
23 issued. The violation may not be dismissed for failure of the  
24 marking on the parking space to comply with s. 553.5041 if the  
25 space is in general compliance and is clearly distinguishable  
26 as a designated accessible parking space for people who have  
27 disabilities. Only a warning may be issued for unlawfully  
28 parking in a space designated for persons with disabilities if  
29 there is no above-grade sign as provided in s. 553.5041.

30 (a) Whenever a law enforcement officer, a parking  
31 enforcement specialist, or the owner or lessee of the space

1 finds a vehicle in violation of this subsection, that officer,  
 2 owner, or lessor shall have the vehicle in violation removed  
 3 to any lawful parking space or facility or require the  
 4 operator or other person in charge of the vehicle immediately  
 5 to remove the unauthorized vehicle from the parking space.  
 6 Whenever any vehicle is removed under this section to a  
 7 storage lot, garage, or other safe parking space, the cost of  
 8 the removal and parking constitutes a lien against the  
 9 vehicle.

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

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

17 (d) A law enforcement officer or a parking enforcement  
 18 specialist has the right to demand to be shown the person's  
 19 disabled parking permit and driver's license or state  
 20 identification card when investigating the possibility of a  
 21 violation of this section. If such a request is refused, the  
 22 person in charge of the vehicle may be charged with resisting  
 23 an officer without violence, as provided in s. 843.02.

24 (4)(a) A vehicle that is transporting a person who has  
 25 a disability and that has been granted a permit under s.  
 26 322.181(1)(a)~~s. 320.0848(1)(a)~~ may be parked for a maximum of  
 27 30 minutes in any parking space reserved for persons who have  
 28 disabilities.

29 Section 3. Subsections (1) and (7) of section  
 30 316.1964, Florida Statutes, are amended to read:

31 316.1964 Exemption of vehicles transporting certain

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1 persons who have disabilities from payment of parking fees and  
2 penalties.--

3 (1) A state agency, county, municipality, or any  
4 agency thereof, may not exact any fee for parking on the  
5 public streets or highways or in any metered parking space  
6 from the driver of a vehicle that displays a disabled parking  
7 permit or a license plate issued under s. 316.1958 or s.  
8 322.181 ~~s. 320.0848~~ or a license plate issued under s.  
9 320.084, s. 320.0842, s. 320.0843, or s. 320.0845 if the  
10 vehicle is transporting the person who has a disability and to  
11 whom the disabled parking permit or license plate was issued.

12 (7) An airport that owns, operates, or leases parking  
13 facilities, or any other parking facilities that are used for  
14 the purpose of air travel, may charge for parking vehicles  
15 that display a disabled parking permit or license tag issued  
16 under s. 316.1958, s. 320.084, s. 320.0842, s. 320.0843, s.  
17 320.0845, or s. 322.181 ~~s. 320.0848~~. However, the governing  
18 body of each publicly owned or publicly operated airport must  
19 grant free parking to any vehicle with specialized equipment,  
20 such as ramps, lifts, or foot or hand controls, or for  
21 utilization by a person who has a disability or whose vehicle  
22 is displaying the Florida Toll Exemption permit.

23 Section 4. Section 318.18, Florida Statutes, is  
24 amended to read:

25 318.18 Amount of civil penalties.--The penalties  
26 required for a noncriminal disposition pursuant to s. 318.14  
27 are as follows:

28 (1) Fifteen dollars for:

29 (a) All infractions of pedestrian regulations.

30 (b) All infractions of s. 316.2065, unless otherwise  
31 specified.

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1 (c) Other violations of chapter 316 by persons 14  
2 years of age or under who are operating bicycles, regardless  
3 of the noncriminal traffic infraction's classification.

4 (2) Thirty dollars for all nonmoving traffic  
5 violations and:

6 (a) For all violations of s. 322.19.

7 (b) For all violations of ss. 320.0605, 320.07(1),  
8 322.065, and 322.15(1). Any person who is cited for a  
9 violation of s. 320.07(1) shall be charged a delinquent fee  
10 pursuant to s. 320.07(4).

11 1. If a person who is cited for a violation of s.  
12 320.0605 or s. 320.07 can show proof of having a valid  
13 registration at the time of arrest, the clerk of the court may  
14 dismiss the case and may assess a \$5 dismissal fee. A person  
15 who finds it impossible or impractical to obtain a valid  
16 registration certificate must submit an affidavit detailing  
17 the reasons for the impossibility or impracticality. The  
18 reasons may include, but are not limited to, the fact that the  
19 vehicle was sold, stolen, or destroyed; that the state in  
20 which the vehicle is registered does not issue a certificate  
21 of registration; or that the vehicle is owned by another  
22 person.

23 2. If a person who is cited for a violation of s.  
24 322.03, s. 322.065, or s. 322.15 can show a driver's license  
25 issued to him or her and valid at the time of arrest, the  
26 clerk of the court may dismiss the case and may assess a \$5  
27 dismissal fee.

28 3. If a person who is cited for a violation of s.  
29 316.646 can show proof of security as required by s. 627.733,  
30 issued to the person and valid at the time of arrest, the  
31 clerk of the court may dismiss the case and may assess a \$5

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1 dismissal fee. A person who finds it impossible or impractical  
 2 to obtain proof of security must submit an affidavit detailing  
 3 the reasons for the impracticality. The reasons may include,  
 4 but are not limited to, the fact that the vehicle has since  
 5 been sold, stolen, or destroyed; that the owner or registrant  
 6 of the vehicle is not required by s. 627.733 to maintain  
 7 personal injury protection insurance; or that the vehicle is  
 8 owned by another person.

9 (c) For all violations of ss. 316.2935 and 316.610.  
 10 However, for a violation of s. 316.2935 or s. 316.610, if the  
 11 person committing the violation corrects the defect and  
 12 obtains proof of such timely repair by an affidavit of  
 13 compliance executed by the law enforcement agency within 30  
 14 days from the date upon which the traffic citation was issued,  
 15 and pays \$4 to the law enforcement agency, thereby completing  
 16 the affidavit of compliance, then upon presentation of said  
 17 affidavit by the defendant to the clerk within the 30-day time  
 18 period set forth under s. 318.14(4), the fine must be reduced  
 19 to \$5, which the clerk of the court shall retain.

20 (3)(a) Except as otherwise provided in this section,  
 21 \$60 for all moving violations not requiring a mandatory  
 22 appearance.

23 (b) For moving violations involving unlawful speed,  
 24 the fines are as follows:

25		Fine:
26	For speed exceeding the limit by:	
27	1-5 m.p.h.....	Warning
28	6-9 m.p.h.....	\$ 25
29	10-14 m.p.h.....	\$100
30	15-19 m.p.h.....	\$125
31	20-29 m.p.h.....	\$150

1 30 m.p.h. and above.....\$250

2

3 (c) Notwithstanding paragraph (b), a person cited for  
4 exceeding the speed limit by up to 5 m.p.h. in a legally  
5 posted school zone will be fined \$50. A person exceeding the  
6 speed limit in a school zone will be assessed a fine double  
7 the amount listed in paragraph (b).

8 (d) A person cited for exceeding the speed limit in a  
9 posted construction zone will be assessed a fine double the  
10 amount listed in paragraph (b). The fine shall be doubled for  
11 construction zone violations only if construction personnel  
12 are present or operating equipment on the road or immediately  
13 adjacent to the road under construction.

14 (e) If a violation of s. 316.1301 or s. 316.1303  
15 results in an injury to the pedestrian or damage to the  
16 property of the pedestrian, an additional fine of up to \$250  
17 must be assessed. This amount must be distributed pursuant to  
18 s. 318.21.

19 (4) The penalty imposed under s. 316.545 shall be  
20 determined by the officer in accordance with the provisions of  
21 ss. 316.535 and 316.545.

22 (5)(a) One hundred dollars for a violation of s.  
23 316.172(1)(a), failure to stop for a school bus. If, at a  
24 hearing, the alleged offender is found to have committed this  
25 offense, the court shall impose a minimum civil penalty of  
26 \$100. In addition to this penalty, for a second or subsequent  
27 offense within a period of 5 years, the department shall  
28 suspend the driver's license of the person for not less than  
29 90 days and not more than 6 months.

30 (b) Two hundred dollars for a violation of s.  
31 316.172(1)(b), passing a school bus on the side that children

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1 enter and exit when the school bus displays a stop signal. If,  
2 at a hearing, the alleged offender is found to have committed  
3 this offense, the court shall impose a minimum civil penalty  
4 of \$200. In addition to this penalty, for a second or  
5 subsequent offense within a period of 5 years, the department  
6 shall suspend the driver's license of the person for not less  
7 than 180 days and not more than 1 year.

8 (6) One hundred dollars or the fine amount designated  
9 by county ordinance, plus court costs for illegally parking,  
10 under s. 316.1955, in a parking space provided for people who  
11 have disabilities. However, this fine will be waived if a  
12 person provides to the law enforcement agency that issued the  
13 citation for such a violation proof that the person committing  
14 the violation has a valid parking permit or license plate  
15 issued pursuant to s. 316.1958, s. 320.0842, s. 320.0843, s.  
16 320.0845, or s. 322.181 ~~s. 320.0848~~ or a signed affidavit that  
17 the owner of the disabled parking permit or license plate was  
18 present at the time the violation occurred, and that such a  
19 parking permit or license plate was valid at the time the  
20 violation occurred. The law enforcement officer, upon  
21 determining that all required documentation has been submitted  
22 verifying that the required parking permit or license plate  
23 was valid at the time of the violation, must sign an affidavit  
24 of compliance. Upon provision of the affidavit of compliance  
25 and payment of a \$5 dismissal fee to the clerk of the circuit  
26 court, the clerk shall dismiss the citation.

27 (7) One hundred dollars for a violation of s.  
28 316.1001. However, a person may elect to pay \$30 to the clerk  
29 of the court, in which case adjudication is withheld, and no  
30 points are assessed under s. 322.27. Upon receipt of the fine,  
31 the clerk of the court must retain \$5 for administrative

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1 purposes and must forward the \$25 to the governmental entity  
2 that issued the citation. Any funds received by a governmental  
3 entity for this violation may be used for any lawful purpose  
4 related to the operation or maintenance of a toll facility.

5 (8)(a) Any person who fails to comply with the court's  
6 requirements or who fails to pay the civil penalties specified  
7 in this section within the 30-day period provided for in s.  
8 318.14 must pay an additional civil penalty of \$12, \$2.50 of  
9 which must be remitted to the Department of Revenue for  
10 deposit in the General Revenue Fund, and \$9.50 of which must  
11 be remitted to the Department of Revenue for deposit in the  
12 Highway Safety Operating Trust Fund. The department shall  
13 contract with the Florida Association of Court Clerks, Inc.,  
14 to design, establish, operate, upgrade, and maintain an  
15 automated statewide Uniform Traffic Citation Accounting System  
16 to be operated by the clerks of the court which shall include,  
17 but not be limited to, the accounting for traffic infractions  
18 by type, a record of the disposition of the citations, and an  
19 accounting system for the fines assessed and the subsequent  
20 fine amounts paid to the clerks of the court. On or before  
21 December 1, 2001, the clerks of the court must provide the  
22 information required by this chapter to be transmitted to the  
23 department by electronic transmission pursuant to the  
24 contract.

25 (b) Any person who fails to comply with the court's  
26 requirements as to civil penalties specified in this section  
27 due to demonstrable financial hardship shall be authorized to  
28 satisfy such civil penalties by public works or community  
29 service. Each hour of such service shall be applied, at the  
30 rate of the minimum wage, toward payment of the person's civil  
31 penalties; provided, however, that if the person has a trade

1 or profession for which there is a community service need and  
 2 application, the rate for each hour of such service shall be  
 3 the average standard wage for such trade or profession. Any  
 4 person who fails to comply with the court's requirements as to  
 5 such civil penalties who does not demonstrate financial  
 6 hardship may also, at the discretion of the court, be  
 7 authorized to satisfy such civil penalties by public works or  
 8 community service in the same manner.

9 (c) If the noncriminal infraction has caused or  
 10 resulted in the death of another, the person who committed the  
 11 infraction may perform 120 community service hours under s.  
 12 316.027(4), in addition to any other penalties.

13 (9) One hundred dollars for a violation of s.  
 14 316.1575.

15 (10) Twenty-five dollars for a violation of s.  
 16 316.2074.

17 (11)(a) Court costs that are to be in addition to the  
 18 stated fine shall be imposed by the court in an amount not  
 19 less than the following:

- 20
- 21 For pedestrian infractions.....\$ 3.
  - 22 For nonmoving traffic infractions.....\$ 6.
  - 23 For moving traffic infractions.....\$10.
- 24

25 (b) In addition to the court cost assessed under  
 26 paragraph (a), the court shall impose a \$3 court cost for each  
 27 infraction to be distributed as provided in s. 938.01 and a \$2  
 28 court cost as provided in s. 938.15 when assessed by a  
 29 municipality or county.

30

31 Court costs imposed under this subsection may not exceed \$30.

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1 A criminal justice selection center or other local criminal  
2 justice access and assessment center may be funded from these  
3 court costs.

4 Section 5. Section 320.08035, Florida Statutes, is  
5 amended to read:

6 320.08035 Persons who have disabilities; reduced  
7 dimension license plate.--The owner or lessee of a motorcycle,  
8 moped, or motorized disability access vehicle who resides in  
9 this state and qualifies for a parking permit for a person who  
10 has a disability under s. 322.181 ~~s. 320.0848~~, upon  
11 application and payment of the appropriate license tax and  
12 fees under s. 320.08(1), must be issued a license plate that  
13 has reduced dimensions as provided under s. 320.06(3)(a). The  
14 plate must be stamped with the international symbol of  
15 accessibility after the numeric and alpha serial number of the  
16 license plate. The plate entitles the person to all  
17 privileges afforded by a disabled parking permit issued under  
18 s. 322.181 ~~s. 320.0848~~.

19 Section 6. Subsection (5) of section 320.084, Florida  
20 Statutes, is amended to read:

21 320.084 Free motor vehicle license plate to certain  
22 disabled veterans.--

23 (5) A county or municipality, or any agency thereof,  
24 may not impose upon any person who is issued a license plate  
25 with the international accessibility symbol, under this  
26 section, any fee or penalty for parking in any metered or  
27 timed parking space except:

28 (a) As provided in s. 316.1964; or

29 (b) When the person is parked without a permit issued  
30 under s. 322.181 ~~s. 320.0848~~ in a space designated for use by  
31 persons who have disabilities.

1 Section 7. Subsection (2) of section 320.0842, Florida  
2 Statutes, is amended to read:

3 320.0842 Free motor vehicle license plates to veterans  
4 who use wheelchairs.--

5 (2) In order to be eligible for the motor vehicle  
6 license plate described in subsection (1), a person must  
7 comply with the following provisions:

8 (a) The veteran must be eligible for the license plate  
9 issued under s. 320.084 and must apply for the license plate  
10 issued under this section in lieu of or in exchange for the  
11 motor vehicle license number plate authorized by s. 320.084;  
12 and

13 (b) The veteran must offer, in addition to the proof  
14 required by s. 320.084(1), proof that due to a  
15 service-connected disability he or she permanently uses a  
16 wheelchair or proof, in the form of an application that  
17 conforms to the requirements set forth in s. 322.181 ~~s.~~  
18 ~~320.0848~~, that he or she qualifies for a disabled parking  
19 permit under that section. The license plate entitles the  
20 person to all privileges afforded by a parking permit issued  
21 under s. 322.181 ~~s. 320.0848~~.

22 Section 8. Subsection (1) of section 320.0843, Florida  
23 Statutes, is amended to read:

24 320.0843 License plates for persons with disabilities  
25 eligible for permanent disabled parking permits.--

26 (1) Any owner or lessee of a motor vehicle who resides  
27 in this state and qualifies for a disabled parking permit  
28 under s. 322.181(2) ~~s. 320.0848(2)~~, upon application to the  
29 department and payment of the license tax for a motor vehicle  
30 registered under s. 320.08(2), (3)(a), (b), (c), or (e),  
31 (4)(a) or (b), (6)(a), or (9)(c) or (d), shall be issued a

1 license plate as provided by s. 320.06 which, in lieu of the  
 2 serial number prescribed by s. 320.06, shall be stamped with  
 3 the international wheelchair user symbol after the serial  
 4 number of the license plate. The license plate entitles the  
 5 person to all privileges afforded by a parking permit issued  
 6 under s. 322.181 ~~s. 320.0848~~.

7 Section 9. Subsection (1) of section 322.051, Florida  
 8 Statutes, is amended to read:

9 322.051 Identification cards.--

10 (1) Any person who is 12 years of age or older, or any  
 11 person who has a disability, regardless of age, who applies  
 12 for a disabled parking permit under s. 322.181 ~~s. 320.0848~~,  
 13 may be issued an identification card by the department upon  
 14 completion of an application and payment of an application  
 15 fee.

16 (a) Each such application shall include the following  
 17 information regarding the applicant:

18 1. Full name (first, middle or maiden, and last),  
 19 gender, social security card number, residence and mailing  
 20 address, and a brief description.

21 2. Proof of birth date satisfactory to the department.

22 3. Proof of identity satisfactory to the department.

23 Such proof must include one of the following unless a driver's  
 24 license record or identification card record has already been  
 25 established: a certified copy of a United States birth  
 26 certificate, a valid United States passport, an alien  
 27 registration receipt card (green card), an employment  
 28 authorization card issued by the United States Department of  
 29 Justice, or proof of nonimmigrant classification provided by  
 30 the United States Department of Justice, for an original  
 31 identification card.

1 (b) An application for an identification card must be  
2 signed and verified by the applicant in a format designated by  
3 the department before a person authorized to administer oaths.  
4 The fee for an identification card is \$3, including payment  
5 for the color photograph or digital image of the applicant.

6 Section 10. Paragraph (a) of subsection (5) of section  
7 526.141, Florida Statutes, is amended to read:

8 526.141 Self-service gasoline stations; attendants;  
9 regulations.--

10 (5)(a) Every full-service gasoline station offering  
11 self-service at a lesser cost shall require an attendant  
12 employed by the station to dispense gasoline from the  
13 self-service portion of the station to any motor vehicle  
14 properly displaying an exemption parking permit as provided in  
15 s. 316.1958 or s. 322.181 ~~s. 320.0848~~ or a license plate  
16 issued pursuant to s. 320.084, s. 320.0842, s. 320.0843, or s.  
17 320.0845 when the person to whom such permit has been issued  
18 is the operator of the vehicle and such service is requested.  
19 Such stations shall prominently display a decal no larger than  
20 8 square inches on the front of all self-service pumps clearly  
21 stating the requirements of this subsection and the penalties  
22 applicable to violations of this subsection. The Department  
23 of Agriculture and Consumer Services shall enforce this  
24 requirement.

25 Section 11. Subsection (3) of section 553.5041,  
26 Florida Statutes, is amended to read:

27 553.5041 Parking spaces for persons who have  
28 disabilities.--

29 (3) If parking spaces are provided for self-parking by  
30 employees or visitors, or both, accessible spaces shall be  
31 provided in each such parking area. Such spaces shall be

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1 designed and marked for the exclusive use of those individuals  
 2 who have a severe physical disability and have permanent or  
 3 temporary mobility problems that substantially impair their  
 4 ability to ambulate and who have been issued either a disabled  
 5 parking permit under s. 316.1958 or s. 322.181 ~~s. 320.0848~~ or  
 6 a license plate under s. 320.084, s. 320.0842, s. 320.0843, or  
 7 s. 320.0845.

8 Section 12. This act shall take effect October 1,  
 9 2002.

10

11

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

13 And the title is amended as follows:

14 remove: the entire title

15

16 and insert:

17

A bill to be entitled

18

An act relating to parking permits for disabled

19

persons; amending and renumbering s. 320.0848,

20

F.S.; reducing the term of temporary parking

21

permits; providing for photographs on parking

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permits for disabled persons; transferring the

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issuance of such permits to the driver's

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license office within the Department of Highway

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Safety and Motor Vehicles; authorizing tax

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collectors to issue such permits if they have

27

the capability of processing a digital image of

28

the applicant; amending ss. 316.1955, 316.1964,

29

318.18, 320.08035, 320.084, 320.0842, 320.0843,

30

322.051, 526.141, and 553.5041, F.S.;

31

conforming provisions; providing an effective

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date.