

By the Committee on Transportation; and Senator Miller

306-1755-02

1 A bill to be entitled
2 An act relating to parking permits for disabled
3 persons; transferring, renumbering, and
4 amending s. 320.0848, F.S., and amending s.
5 322.181, F.S.; providing for photographs on
6 parking permits for disabled persons;
7 transferring the issuance of such permits to
8 the driver's license office within the
9 Department of Highway Safety and Motor
10 Vehicles; authorizing tax collectors to issue
11 such permits if they have the capability of
12 processing a digital image of the applicant;
13 amending ss. 316.1955, 316.1964, 318.18,
14 320.08035, 320.084, 320.0842, 320.0843,
15 322.051, 526.141, 553.5041, F.S.; conforming
16 provisions; providing an effective date.

17
18 Be It Enacted by the Legislature of the State of Florida:

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20 Section 1. Section 320.0848, Florida Statutes, is
21 transferred, renumbered as section 322.181, Florida Statutes,
22 and amended to read:

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

27 (1)(a) The Department of Highway Safety and Motor
28 Vehicles or its authorized agents shall, upon application and
29 receipt of the fee, issue a disabled parking permit for a
30 period of up to 4 years, which period ends on the applicant's
31 birthday, to any person who has long-term mobility impairment,

1 or a temporary disabled parking permit not to exceed 1 year to
2 any person who has a temporary mobility impairment. The
3 department must adopt rules that require a picture of the
4 applicant to appear on a parking permit for a person with a
5 long-term mobility impairment, upon initial application or
6 upon the next permit renewal.

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

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

18 b. The need to permanently use a wheelchair.

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

24 d. Use of portable oxygen.

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

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

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

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

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

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

24 3. The signatures of:

25 a. The applicant's physician;

26 b. The applicant or the applicant's parent or
27 guardian; and

28 c. The employee of the department's authorized agent
29 which employee is processing the application.

30 (d) Beginning April 1, 1999, the Department of Highway
31 Safety and Motor Vehicles shall renew the disabled parking

1 permit of any person certified as permanently disabled on the
2 application.

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

11 (2) DISABLED PARKING PERMIT; PERSONS WITH LONG-TERM
12 MOBILITY PROBLEMS.--

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

29 (b) License plates issued under ss. 320.084, 320.0842,
30 320.0843, and 320.0845 are valid for the same parking
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1 privileges and other privileges provided under ss. 316.1955,
2 316.1964, and 526.141(5)(a).

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

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

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

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

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

1 from the United States Department of Veterans Affairs and has
2 a signed physician's statement of qualification for the
3 disabled parking permits, the fee for a disabled parking
4 permit shall be:

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

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

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

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

27 (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

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

3 (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. However, a
19 photograph of the applicant is not required on the temporary
20 parking permit.The temporary disabled parking permit placard
21 must be designed to conspicuously display the expiration date
22 of the permit on the front and back of the placard.

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

26 (c) The fee for a temporary disabled parking permit is
27 \$15.

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

30 (a) The Department of Highway Safety and Motor
31 Vehicles must receive \$3.50 for each temporary permit, to be

1 deposited into the Highway Safety Operating Trust Fund and
2 used for implementing the real-time disabled parking permit
3 database and for administering the disabled parking permit
4 program.

5 (b) The tax collector, for processing, must receive
6 \$2.50 for each temporary permit.

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

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

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

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

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

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

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

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

29 (b) A confiscated permit must be held as evidence
30 until a judicial decision about the violation has been made.
31 After a finding of guilt has been made or a plea of nolo

1 | contendere has been entered, the charging agency shall destroy
2 | the confiscated permit. A confiscated permit may not, under
3 | any circumstances, be returned to its registered owner after a
4 | finding of guilt has been made or a plea of nolo contendere
5 | has been entered in court. The permit number of each destroyed
6 | permit must be reported to the department, and the department
7 | must record in the real-time disabled parking permit database
8 | that the permit has been invalidated.

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

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

14 | Section 2. Subsection (1) and paragraph (a) of
15 | subsection (4) of section 316.1955, Florida Statutes, are
16 | amended to read:

17 | 316.1955 Enforcement of parking requirements for
18 | persons who have disabilities.--

19 | (1) It is unlawful for any person to stop, stand, or
20 | park a vehicle within, or to obstruct, any such specially
21 | designated and marked parking space provided in accordance
22 | with s. 553.5041, unless the vehicle displays a disabled
23 | parking permit issued under s. 316.1958 or s. 322.181 ~~s.~~
24 | ~~320.0848~~ or a license plate issued under s. 320.084, s.
25 | 320.0842, s. 320.0843, or s. 320.0845, and the vehicle is
26 | transporting the person to whom the displayed permit is
27 | issued. The violation may not be dismissed for failure of the
28 | marking on the parking space to comply with s. 553.5041 if the
29 | space is in general compliance and is clearly distinguishable
30 | as a designated accessible parking space for people who have
31 | disabilities. Only a warning may be issued for unlawfully

1 parking in a space designated for persons with disabilities if
2 there is no above-grade sign as provided in s. 553.5041.

3 (a) Whenever a law enforcement officer, a parking
4 enforcement specialist, or the owner or lessee of the space
5 finds a vehicle in violation of this subsection, that officer,
6 owner, or lessor shall have the vehicle in violation removed
7 to any lawful parking space or facility or require the
8 operator or other person in charge of the vehicle immediately
9 to remove the unauthorized vehicle from the parking space.

10 Whenever any vehicle is removed under this section to a
11 storage lot, garage, or other safe parking space, the cost of
12 the removal and parking constitutes a lien against the
13 vehicle.

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

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

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

28 (4)(a) A vehicle that is transporting a person who has
29 a disability and that has been granted a permit under s.
30 322.181(1)(a)~~s. 320.0848(1)(a)~~ may be parked for a maximum of

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1 30 minutes in any parking space reserved for persons who have
2 disabilities.

3 Section 3. Subsections (1) and (7) of section
4 316.1964, Florida Statutes, are amended to read:

5 316.1964 Exemption of vehicles transporting certain
6 persons who have disabilities from payment of parking fees and
7 penalties.--

8 (1) A state agency, county, municipality, or any
9 agency thereof, may not exact any fee for parking on the
10 public streets or highways or in any metered parking space
11 from the driver of a vehicle that displays a disabled parking
12 permit or a license plate issued under s. 316.1958 or s.
13 322.181 ~~s. 320.0848~~ or a license plate issued under s.
14 320.084, s. 320.0842, s. 320.0843, or s. 320.0845 if the
15 vehicle is transporting the person who has a disability and to
16 whom the disabled parking permit or license plate was issued.

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

28 Section 4. Section 318.18, Florida Statutes, is
29 amended to read:

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1 318.18 Amount of civil penalties.--The penalties
2 required for a noncriminal disposition pursuant to s. 318.14
3 are as follows:

4 (1) Fifteen dollars for:

5 (a) All infractions of pedestrian regulations.

6 (b) All infractions of s. 316.2065, unless otherwise
7 specified.

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

11 (2) Thirty dollars for all nonmoving traffic
12 violations and:

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

14 (b) For all violations of ss. 320.0605, 320.07(1),
15 322.065, and 322.15(1). Any person who is cited for a
16 violation of s. 320.07(1) shall be charged a delinquent fee
17 pursuant to s. 320.07(4).

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

30 2. If a person who is cited for a violation of s.
31 322.03, s. 322.065, or s. 322.15 can show a driver's license

1 issued to him or her and valid at the time of arrest, the
2 clerk of the court may dismiss the case and may assess a \$5
3 dismissal fee.

4 3. If a person who is cited for a violation of s.
5 316.646 can show proof of security as required by s. 627.733,
6 issued to the person and valid at the time of arrest, the
7 clerk of the court may dismiss the case and may assess a \$5
8 dismissal fee. A person who finds it impossible or impractical
9 to obtain proof of security must submit an affidavit detailing
10 the reasons for the impracticality. The reasons may include,
11 but are not limited to, the fact that the vehicle has since
12 been sold, stolen, or destroyed; that the owner or registrant
13 of the vehicle is not required by s. 627.733 to maintain
14 personal injury protection insurance; or that the vehicle is
15 owned by another person.

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

27 (3)(a) Except as otherwise provided in this section,
28 \$60 for all moving violations not requiring a mandatory
29 appearance.

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

1		
2	For speed exceeding the limit by:	Fine:
3	1-5 m.p.h.....	Warning
4	6-9 m.p.h.....	\$ 25
5	10-14 m.p.h.....	\$100
6	15-19 m.p.h.....	\$125
7	20-29 m.p.h.....	\$150
8	30 m.p.h. and above.....	\$250

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

15 (d) A person cited for exceeding the speed limit in a
16 posted construction zone will be assessed a fine double the
17 amount listed in paragraph (b). The fine shall be doubled for
18 construction zone violations only if construction personnel
19 are present or operating equipment on the road or immediately
20 adjacent to the road under construction.

21 (e) If a violation of s. 316.1301 or s. 316.1303
22 results in an injury to the pedestrian or damage to the
23 property of the pedestrian, an additional fine of up to \$250
24 must be assessed. This amount must be distributed pursuant to
25 s. 318.21.

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

29 (5)(a) One hundred dollars for a violation of s.
30 316.172(1)(a), failure to stop for a school bus. If, at a
31 hearing, the alleged offender is found to have committed this

1 offense, the court shall impose a minimum civil penalty of
2 \$100. In addition to this penalty, for a second or subsequent
3 offense within a period of 5 years, the department shall
4 suspend the driver's license of the person for not less than
5 90 days and not more than 6 months.

6 (b) Two hundred dollars for a violation of s.
7 316.172(1)(b), passing a school bus on the side that children
8 enter and exit when the school bus displays a stop signal. If,
9 at a hearing, the alleged offender is found to have committed
10 this offense, the court shall impose a minimum civil penalty
11 of \$200. In addition to this penalty, for a second or
12 subsequent offense within a period of 5 years, the department
13 shall suspend the driver's license of the person for not less
14 than 180 days and not more than 1 year.

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

1 and payment of a \$5 dismissal fee to the clerk of the circuit
2 court, the clerk shall dismiss the citation.

3 (7) One hundred dollars for a violation of s.
4 316.1001. However, a person may elect to pay \$30 to the clerk
5 of the court, in which case adjudication is withheld, and no
6 points are assessed under s. 322.27. Upon receipt of the fine,
7 the clerk of the court must retain \$5 for administrative
8 purposes and must forward the \$25 to the governmental entity
9 that issued the citation. Any funds received by a governmental
10 entity for this violation may be used for any lawful purpose
11 related to the operation or maintenance of a toll facility.

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

1 (b) Any person who fails to comply with the court's
2 requirements as to civil penalties specified in this section
3 due to demonstrable financial hardship shall be authorized to
4 satisfy such civil penalties by public works or community
5 service. Each hour of such service shall be applied, at the
6 rate of the minimum wage, toward payment of the person's civil
7 penalties; provided, however, that if the person has a trade
8 or profession for which there is a community service need and
9 application, the rate for each hour of such service shall be
10 the average standard wage for such trade or profession. Any
11 person who fails to comply with the court's requirements as to
12 such civil penalties who does not demonstrate financial
13 hardship may also, at the discretion of the court, be
14 authorized to satisfy such civil penalties by public works or
15 community service in the same manner.

16 (c) If the noncriminal infraction has caused or
17 resulted in the death of another, the person who committed the
18 infraction may perform 120 community service hours under s.
19 316.027(4), in addition to any other penalties.

20 (9) One hundred dollars for a violation of s.
21 316.1575.

22 (10) Twenty-five dollars for a violation of s.
23 316.2074.

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

- 27
- | | | |
|----|--|-------|
| 28 | For pedestrian infractions..... | \$ 3. |
| 29 | For nonmoving traffic infractions..... | \$ 6. |
| 30 | For moving traffic infractions..... | \$10. |

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

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7 Court costs imposed under this subsection may not exceed \$30.
8 A criminal justice selection center or other local criminal
9 justice access and assessment center may be funded from these
10 court costs.

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

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

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

28 320.084 Free motor vehicle license plate to certain
29 disabled veterans.--

30 (5) A county or municipality, or any agency thereof,
31 may not impose upon any person who is issued a license plate

1 with the international accessibility symbol, under this
2 section, any fee or penalty for parking in any metered or
3 timed parking space except:

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

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

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

10 320.0842 Free motor vehicle license plates to veterans
11 who use wheelchairs.--

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

15 (a) The veteran must be eligible for the license plate
16 issued under s. 320.084 and must apply for the license plate
17 issued under this section in lieu of or in exchange for the
18 motor vehicle license number plate authorized by s. 320.084;
19 and

20 (b) The veteran must offer, in addition to the proof
21 required by s. 320.084(1), proof that due to a
22 service-connected disability he or she permanently uses a
23 wheelchair or proof, in the form of an application that
24 conforms to the requirements set forth in s. 322.181 ~~s.~~
25 ~~320.0848~~, that he or she qualifies for a disabled parking
26 permit under that section. The license plate entitles the
27 person to all privileges afforded by a parking permit issued
28 under s. 322.181 ~~s. 320.0848~~.

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

31

1 320.0843 License plates for persons with disabilities
2 eligible for permanent disabled parking permits.--

3 (1) Any owner or lessee of a motor vehicle who resides
4 in this state and qualifies for a disabled parking permit
5 under s. 322.181(2)~~s. 320.0848(2)~~, upon application to the
6 department and payment of the license tax for a motor vehicle
7 registered under s. 320.08(2), (3)(a), (b), (c), or (e),
8 (4)(a) or (b), (6)(a), or (9)(c) or (d), shall be issued a
9 license plate as provided by s. 320.06 which, in lieu of the
10 serial number prescribed by s. 320.06, shall be stamped with
11 the international wheelchair user symbol after the serial
12 number of the license plate. The license plate entitles the
13 person to all privileges afforded by a parking permit issued
14 under s. 322.181 ~~s. 320.0848~~.

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

17 322.051 Identification cards.--

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

24 (a) Each such application shall include the following
25 information regarding the applicant:

- 26 1. Full name (first, middle or maiden, and last),
27 gender, social security card number, residence and mailing
28 address, and a brief description.
- 29 2. Proof of birth date satisfactory to the department.
- 30 3. Proof of identity satisfactory to the department.

31 Such proof must include one of the following unless a driver's

1 license record or identification card record has already been
2 established: a certified copy of a United States birth
3 certificate, a valid United States passport, an alien
4 registration receipt card (green card), an employment
5 authorization card issued by the United States Department of
6 Justice, or proof of nonimmigrant classification provided by
7 the United States Department of Justice, for an original
8 identification card.

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

14 Section 10. Paragraph (a) of subsection (5) of section
15 526.141, Florida Statutes, is amended to read:

16 526.141 Self-service gasoline stations; attendants;
17 regulations.--

18 (5)(a) Every full-service gasoline station offering
19 self-service at a lesser cost shall require an attendant
20 employed by the station to dispense gasoline from the
21 self-service portion of the station to any motor vehicle
22 properly displaying an exemption parking permit as provided in
23 s. 316.1958 or s. 322.181 ~~s. 320.0848~~ or a license plate
24 issued pursuant to s. 320.084, s. 320.0842, s. 320.0843, or s.
25 320.0845 when the person to whom such permit has been issued
26 is the operator of the vehicle and such service is requested.
27 Such stations shall prominently display a decal no larger than
28 8 square inches on the front of all self-service pumps clearly
29 stating the requirements of this subsection and the penalties
30 applicable to violations of this subsection. The Department
31

1 of Agriculture and Consumer Services shall enforce this
2 requirement.

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

5 553.5041 Parking spaces for persons who have
6 disabilities.--

7 (3) If parking spaces are provided for self-parking by
8 employees or visitors, or both, accessible spaces shall be
9 provided in each such parking area. Such spaces shall be
10 designed and marked for the exclusive use of those individuals
11 who have a severe physical disability and have permanent or
12 temporary mobility problems that substantially impair their
13 ability to ambulate and who have been issued either a disabled
14 parking permit under s. 316.1958 or s. 322.181 ~~s. 320.0848~~ or
15 a license plate under s. 320.084, s. 320.0842, s. 320.0843, or
16 s. 320.0845.

17 Section 12. This act shall take effect October 1,
18 2002.

19
20 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
21 COMMITTEE SUBSTITUTE FOR
22 SB 178

23 This CS redesignates s. 320.0848, F.S., as s. 322.181, F.S.,
24 effectively transferring the responsibility of issuing parking
25 permits for the disabled from the county tax collectors to the
26 Department of Highway Safety and Motor Vehicles' Division of
27 Driver's License. The CS also amends the redesignated section
28 to require the parking permit to display the photograph of the
29 recipient of a long-term parking permit for the disabled. The
30 CS provides certain tax collectors which have the capability
31 to process a digital image of the permit applicant will be
authorized to issue disabled parking permits. The CS amends
numerous sections of the Florida Statutes to conform
cross-references.