

By Senator Joyner

19-00163A-13

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1 A bill to be entitled
 2 An act relating to disabled parking permits and
 3 license plates; amending s. 320.0843, F.S.; requiring
 4 the Department of Highway Safety and Motor Vehicles to
 5 automatically renew and issue a license plate stamped
 6 with the international wheelchair user symbol to
 7 persons who have certain disabilities; amending s.
 8 320.0848, F.S.; requiring the Department of Highway
 9 Safety and Motor Vehicles to automatically renew and
 10 issue a disabled parking permit to persons who have
 11 certain disabilities; amending s. 316.1955, F.S.;
 12 deleting a cross-reference to conform; providing an
 13 effective date.

14
 15 Be It Enacted by the Legislature of the State of Florida:

16
 17 Section 1. Section 320.0843, Florida Statutes, is amended
 18 to read:

19 320.0843 License plates for persons with disabilities
 20 eligible for long-term ~~permanent~~ disabled parking permits.—

21 (1) Any owner or lessee of a motor vehicle who resides in
 22 this state and qualifies for a long-term disabled parking permit
 23 under s. 320.0848~~(2)~~, upon application to the department and
 24 payment of the license tax for a motor vehicle registered under
 25 s. 320.08(2), (3)(a), (b), (c), or (e), (4)(a) or (b), (6)(a),
 26 or (9)(c) or (d), shall be issued a license plate as provided by
 27 s. 320.06 which, in lieu of the serial number prescribed by s.
 28 320.06, shall be stamped with the international wheelchair user
 29 symbol after the serial number of the license plate. The license

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30 plate entitles the person to all privileges afforded by a
31 parking permit issued under s. 320.0848. When more than one
32 registrant is listed on the registration issued under this
33 section, the eligible applicant shall be noted on the
34 registration certificate.

35 (2) If a health care practitioner identified in s.
36 320.0848(1)(b) certifies that the person's mobility impairment
37 is severe and irreversible, the department shall automatically
38 renew and issue the license plate every 10 years at no
39 additional cost to that person ~~All applications for such license~~
40 ~~plates must be made to the department.~~

41 Section 2. Subsection (1) of section 320.0848, Florida
42 Statutes, is amended to read:

43 320.0848 Persons who have disabilities; issuance of
44 disabled parking permits; temporary permits; permits for certain
45 providers of transportation services to persons who have
46 disabilities.-

47 (1)~~(a)~~ The department ~~of Highway Safety and Motor Vehicles~~
48 or its authorized agents shall, upon application and receipt of
49 the fee, issue a disabled parking permit for ~~a period of~~ up to 4
50 years, which ~~period~~ ends on the applicant's birthday, to any
51 person who has long-term mobility impairment, or a temporary
52 disabled parking permit not to exceed 6 months to any person who
53 has a temporary mobility impairment. A person may not ~~No person~~
54 ~~will~~ be required to pay a fee for a parking permit for disabled
55 persons more than once in a 12-month period from the date of the
56 prior fee payment.

57 (a) If a health care practitioner identified in
58 subparagraph (b)2. certifies that a person's mobility impairment

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59 is severe and irreversible, the department shall automatically
60 renew and issue the disabled parking permit every 4 years at no
61 additional cost to that person.

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

66 a. Inability to walk without the use of or assistance from
67 a brace, cane, crutch, prosthetic device, or other assistive
68 device, or without the assistance of another person. If the
69 assistive device significantly restores the person's ability to
70 walk to the extent that the person can walk without severe
71 limitation, the person is not eligible for the exemption parking
72 permit.

73 b. The need to permanently use a wheelchair.

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

79 d. Use of portable oxygen.

80 e. Restriction by cardiac condition to the extent that the
81 person's functional limitations are classified in severity as
82 Class III or Class IV according to standards set by the American
83 Heart Association.

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

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

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88 chapter 458, chapter 459, or chapter 460, by a podiatric
89 physician licensed under chapter 461, by an optometrist licensed
90 under chapter 463, by an advanced registered nurse practitioner
91 licensed under chapter 464 under the protocol of a licensed
92 physician as stated in this subparagraph, by a physician
93 assistant licensed under chapter 458 or chapter 459, or by a
94 similarly licensed physician from another state if the
95 application is accompanied by documentation of the physician's
96 licensure in the other state and a form signed by the out-of-
97 state physician verifying his or her knowledge of this state's
98 eligibility guidelines.

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

101 1. The disability of the applicant; the certifying
102 practitioner's name and address; the practitioner's
103 certification number; the eligibility criteria for the permit;
104 the penalty for falsification by either the certifying
105 practitioner or the applicant; the duration of the condition
106 that entitles the person to the permit; and justification for
107 the additional placard pursuant to subsection (2).

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

111 3. The signatures of:

112 a. The applicant's physician or other certifying
113 practitioner.

114 b. The applicant or the applicant's parent or guardian.

115 c. The employee of the department's authorized agent which
116 employee is processing the application.

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117 (d) Beginning October 1, 2012, the department shall renew
118 the disabled parking permit of any person certified as
119 permanently disabled on the application if the person provides a
120 certificate of disability issued within the last 12 months
121 pursuant to this subsection.

122 (e) The department ~~of Highway Safety and Motor Vehicles~~
123 shall, in consultation with the Commission for the
124 Transportation Disadvantaged, adopt rules, ~~in accordance with~~
125 ~~chapter 120,~~ for the issuance of a disabled parking permit to
126 any organization that can adequately demonstrate a bona fide
127 need for such a permit because the organization provides regular
128 transportation services to persons who have disabilities and are
129 certified as provided in this subsection.

130 Section 3. Paragraph (a) of subsection (4) of section
131 316.1955, Florida Statutes, is amended to read:

132 316.1955 Enforcement of parking requirements for persons
133 who have disabilities.—

134 (4) (a) A vehicle that is transporting a person who has a
135 disability and that has been granted a permit under s.
136 320.0848(1) ~~(a)~~ may be parked for a maximum of 30 minutes in any
137 parking space reserved for persons who have disabilities.

138 Section 4. This act shall take effect July 1, 2013.