

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** CS/HB 1325 Parking Permits for Persons with Mobility Impairment  
**SPONSOR(S):** Transportation & Highway Safety Subcommittee; Zimmermann and others  
**TIED BILLS:** **IDEN./SIM. BILLS:** SB 1558

| REFERENCE   | ACTION              | ANALYST | STAFF DIRECTOR or<br>BUDGET/POLICY CHIEF |
|---|---------------------|---------|--|
| 1) Transportation & Highway Safety Subcommittee                         | 14 Y, 0 N, As<br>CS | Davy    | Miller                                   |
| 2) Transportation & Economic Development<br>Appropriations Subcommittee | 12 Y, 0 N           | Perkins | Davis                                    |
| 3) Economic Affairs Committee   | 15 Y, 0 N           | Davy    | Creamer                                  |

### SUMMARY ANALYSIS

Currently, individuals who are deemed to have long-term mobility impairment qualify to receive a disabled parking permit for a period of up to four years by the Department of Highway Safety and Motor Vehicles (DHSMV).

Individuals with long-term mobility impairment may have a disabled parking permit placard that can be placed in a motor vehicle so as to be visible from the front and rear of the vehicle. Each side of the placard must have the international symbol of accessibility in a contrasting color in the center so as to be visible. One side of the placard must display the applicant's driver's license number or state identification card number along with a warning that the applicant must have such identification at all times while using the parking permit.

The bill provides that a disabled parking permit may be a sticker, which may be affixed to a registration license plate, including special and specialty license plates, issued under chapter 320, F.S.

The bill further provides that DHSMV must design a sticker displaying the international symbol of accessibility which shall be affixed to the upper left hand corner of a registration license plate issued under this chapter. The sticker may be issued in lieu of the placard currently provided for to persons with long-term mobility problems and shall be valid for the same parking and other privileges as a placard, which is currently provided for by law.

The bill provides that a replacement for a disabled parking decal that has been lost or stolen may be obtained with the same application, proof of disability, and \$1 fee that is currently provided for a disabled parking placard.

The bill is expected to have an insignificant fiscal impact of \$16,200 for programming expenses. This impact will be absorbed within existing DHSMV resources.

The bill has an effective date of October 1, 2014.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

##### **Background**

Currently, the DHSMV or its authorized agents shall, upon application, issue a disabled parking permit for a period of up to 4 years to any person who has long-term mobility impairment, or a temporary disabled parking permit not to exceed 6 months to any person who has a temporary mobility impairment.<sup>1</sup> A lost or disabled parking permit may be replaced after submission of an application and a \$1 replacement fee to DHSMV. A stolen permit may be replaced without the \$1 replacement fee with submission of a police report documenting the theft.

Current law provides that individuals with long-term mobility impairment may have a disabled parking permit placard that can be placed in a motor vehicle so as to be visible from the front and rear of the vehicle. Each side of the placard must have the international symbol of accessibility (wheelchair outline) in a contrasting color in the center so as to be visible. One side of the placard must display the applicant's driver's license number or state identification card number along with a warning that the applicant must have such identification at all times while using the parking permit.<sup>2</sup>

In those cases where the severity of the disability prevents a disabled person from physically visiting or being transported to a driver license or tax collector office to obtain a driver's license or identification card, a certifying physician may sign the exemption section of the department's parking permit application to exempt the disabled person from being issued a driver's license or identification card for the number to be displayed on the parking permit. A validation sticker must also be issued with each disabled parking permit, showing the month and year of expiration on each side of the placard. Validation stickers must be of the size specified by the DHSMV and must be affixed to the disabled parking permits. The disabled parking permits must use the same colors as license plate validations.<sup>3</sup>

The department may not issue an additional disabled parking permit unless the applicant states that he or she is a frequent traveler or a quadriplegic. Generally, the department may not issue to any one eligible applicant more than two disabled parking permits.<sup>4</sup>

If an applicant who is a disabled veteran, is a resident of this state, has been honorably discharged, and either has been determined by the Department of Defense or the United States Department of Veterans Affairs or its predecessor to have a service-connected disability rating for compensation of 50 percent or greater or has been determined to have a service-connected disability rating of 50 percent or greater and is in receipt of both disability retirement pay from the United States Department of Veterans Affairs. An applicant must still provide a signed physician's statement of qualification for the disabled parking permits.<sup>5</sup>

A person who qualifies for a disabled parking permit under this section may be issued an international wheelchair user symbol license plate under s. 320.0843, F.S., in lieu of the disabled parking permit; or, if the person qualifies for a disabled veteran license plate under s. 320.084, F.S., such a license plate may be issued to him or her in lieu of a disabled parking permit.<sup>6</sup>

However, under current law, an individual may not have both an international wheelchair user symbol license plate or a disabled veteran license plate and another specialty license plate such as a Purple Heart medal specialty license plate under s. 320.089, F.S.

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<sup>1</sup> Section 320.0848(1)(a), F.S.

<sup>2</sup> Section 320.0848(2)(a), F.S.

<sup>3</sup> *Id.*

<sup>4</sup> Section 320.0848(2)(c), F.S.

<sup>5</sup> Section 320.0848(2)(d)

<sup>6</sup> Section 320.0848(1)(f), F.S.

## Effect of the Proposed Changes

The bill amends s. 320.0848, F.S., to provide that a disabled parking permit may be a sticker, which may be affixed to a registration license plate, including special and specialty license plates, issued under chapter 320, F.S.

The bill provides that DHSMV must design a sticker displaying the international symbol of accessibility which shall be affixed to the upper left hand corner of a registration license plate issued under this chapter. The sticker may be issued in lieu of the placard currently provided for to persons with long-term mobility problems and shall be valid for the same parking and other privileges as a placard, which is currently provided for by law.

The bill further provides that a replacement for a disabled parking permit decal that has been lost or stolen may be obtained after submission of an application on a form prescribed by the department, provision of a certificate of disability issued within the last 12 months pursuant to subsection (1), and pay a replacement fee in the amount of \$1, to be retained by the issuing agency. If the person submits with the application a police report documenting that the permit was stolen, there is no replacement fee.

### B. SECTION DIRECTORY:

Section 1: amends s. 320.0848, F.S., to provide that a disabled parking permit may be a sticker placed on the vehicle's license plate; requires DHSMV to design a disabled parking permit sticker.

Section 2: provides that the act will take effect October 1, 2014.

## II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

### A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

Additional programming would be required to issue a decal in a lieu of a parking permit as well as programming to issue a replacement parking permit decal. DHSMV estimates that such programming will take approximately 330 hours and will cost \$16,200, which will be absorbed within the department's existing resources.<sup>7</sup>

### B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

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<sup>7</sup> DHSMV Agency Analysis of HB1325. Information received 3/20/14 and on file with the Transportation and Highway Safety Subcommittee.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

The bill will provide more flexibility for individuals with long-term mobility problems in how they choose to display their disabled parking permit.

D. FISCAL COMMENTS:

None.

### III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

This bill does not appear to affect county or municipal governments.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

### IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

On March 26, 2014, the Transportation & Highway Safety Subcommittee adopted two amendments to HB 1325 and reported the bill favorably as a committee substitute. The first amendment provided that the disabled parking permit decal must be affixed to the upper left hand corner of the license plate, and it changed the bill's effective date to October 1, 2014. The second amendment provided that a replacement for a disabled parking decal that has been lost or stolen may be obtained with the same application, proof of disability, and \$1 fee that is currently provided to replace a lost or stolen disabled parking placard.

This analysis is drafted to the committee substitute as reported by the Transportation & Highway Safety Subcommittee.