

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Community Affairs

BILL: SB 222

INTRODUCER: Senator Detert

SUBJECT: Parking for Disabled Veterans

DATE: November 30, 2015 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Jones</u>	<u>Eichin</u>	<u>TR</u>	<u>Favorable</u>
2.	<u>Cochran</u>	<u>Yeatman</u>	<u>CA</u>	<u>Pre-meeting</u>
3.	_____	_____	<u>FP</u>	_____

I. Summary:

SB 222 exempts vehicles displaying a Disabled Veteran license plate issued by this state from parking fees at publicly owned or publicly operated airports.

The bill adds that a vehicle displaying the Disabled Veteran license plate stamped with the international accessibility symbol or the Paralyzed Veterans of America license plate may not be charged for parking by a county, municipality, or any agency thereof, in a facility or lot that provides timed parking spaces.

II. Present Situation:

Section 316.1964, F.S., prohibits a state agency, county, municipality, or any agency thereof from charging a fee for parking on the public streets or highways or in any *metered* parking spaces if the vehicle displays:

- An out of state or out of county disabled license plate or disabled parking permit;¹
- A disabled parking permit;²
- A disabled veteran license plate;³
- A disabled veteran license plate stamped with the international accessibility symbol;⁴
- A license plate stamped with the international accessibility symbol;⁵ or
- A Paralyzed Veterans of America license plate.⁶

¹ Recognized under s. 316.1958, F.S.

² Issued under s. 320.0848, F.S.

³ Issued under s. 320.084, F.S.

⁴ Issued under s. 320.0842, F.S.

⁵ Issued under s. 320.0843, F.S.

⁶ Issued under s. 320.0845, F.S.

Exceptions

A parking facility or lot may charge parking fees to vehicles displaying disabled plates or permits if the facility or lot is being used in connection with an event at a convention center, cruise-port terminal, sports stadium or arena, coliseum, or auditorium.⁷

A parking facility that leases a parking space for a duration that exceeds one week may charge a lessee who is disabled.⁸

An airport that owns, operates, or leases parking facilities may charge for parking vehicles that display disabled parking permits or license plates. However, the governing body of a publicly owned and operated airport may not charge parking fees to any vehicle with specialized equipment, such as ramps, lifts, or foot or hand controls for utilization by a person who has a disability or whose vehicle is displaying the Florida Toll Exemption permit.⁹

Additionally, a local government may charge vehicles displaying disabled plates or permits for parking in a facility or lot that provides *timed* parking spaces, unless the vehicle is equipped with specialized equipment for use by a person who has a disability, is displaying the “DV” license plate issued under s. 320.084, F.S., or is displaying the Florida Toll Exemption permit.¹⁰

Disabled Veteran “DV” License Plate

Section 320.084, F.S., provides that a disabled veteran is eligible for one free “DV” license plate if he or she has been a resident of this state for the preceding five years or has established a domicile in this state, has been honorably discharged from the United States Armed Forces, and provides proof that he or she:

- Has a vehicle initially acquired through financial assistance by the United States Department of Veterans Affairs (VA) or its predecessor specifically for the purchase of an automobile;
- Has been determined by the VA or its predecessor to have a service-related 100 percent disability rating for compensation; or
- Has been determined to have a service connected disability rating of 100 percent and receives disability retirement pay from any branch of the United States Armed Forces.

The Department of Highway Safety and Motor Vehicles provided that as of October 9, 2015, there were 41,435 active Disabled Veteran license plates.

Disabled Veteran License Plate with the International Accessibility Symbol

Section 320.0842, F.S., provides that a disabled veteran is eligible for a free Disabled Veteran license plate stamped with the international symbol of accessibility if he or she is eligible for

⁷ Section 316.1964(3), F.S.

⁸ Section 316.1964(6), F.S.

⁹ Section 316.1964(7), F.S.

¹⁰ Section 316.1964(8), F.S.

both the “DV” license plate¹¹ and proves that due to a service-connected disability he or she permanently uses a wheelchair or otherwise qualifies for a disabled parking permit.¹²

The Department of Highway Safety and Motor Vehicles provided that as of October 9, 2015, there were 11,509 active Disabled Veteran license plates with the International Accessibility symbol.

Paralyzed Veterans of America License Plate

Section 320.0845, F.S., provides that a Florida resident who is a member of the Paralyzed Veterans of America, upon proof of membership, application, and payment of appropriate license taxes and fees, is eligible for a “Paralyzed Vets of America” license plate.

Paralyzed Veterans of America is a national organization that offers membership to veterans with spinal cord injuries or diseases affecting the spinal cord.¹³

The Department of Highway Safety and Motor Vehicles provided that as of October 9, 2015, there were 59 active Paralyzed Veterans of America license plates.

III. Effect of Proposed Changes:

The bill removes provisions allowing an airport that owns, operates, or leases parking facilities, or any other parking facilities that are used for the purposes of air travel from charging vehicles displaying:

- A Disabled Veteran license plate;
- A Disabled Veteran license plate stamped with the International Accessibility symbol; or
- A Paralyzed Veterans of America license plate.

The bill prohibits publicly owned or operated airports from charging parking fees to a vehicle displaying:

- A Disabled Veteran license plate;
- A Disabled Veteran license plate stamped with the International Accessibility symbol; or
- A Paralyzed Veterans of America license plate.

The bill adds, in addition to the Disabled Veteran “DV” plate, vehicles displaying the Disabled Veteran plate stamped with the International Accessibility symbol and the Paralyzed Veterans of America license plates may not be charged by a county, municipality, or any agency thereof for parking in a facility or lot that provides timed parking spaces.

The bill takes effect July 1, 2016.

¹¹ Section 320.084, F.S.

¹² Pursuant to s. 320.0848, F.S., the person must be currently certified as being legally blind or as having certain disabilities that render him or her unable to walk 200 feet without stopping to rest.

¹³ *PVA Membership Information*, Paralyzed Veterans for America, http://www.pva.org/site/c.ajIRK9NJLcJ2E/b.6305539/k.4AC/PVA_Membership_Information_PVA_Applications_Contact.htm (last visited Oct. 26, 2015).

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

The bill may reduce the authority of counties and municipalities to raise revenues because it would eliminate their ability to charge the operator of a vehicle displaying a disabled veteran plate for parking in a facility that provides timed parking spaces, or at a publicly owned or publicly operated airport. Article VII, s. 18(b) of the Florida Constitution requires a two-thirds vote of the membership of each house of the Legislature in order to enact a general law that reduces the authority of municipalities and counties to raise revenues in the aggregate. Article VII, s. 18(d) of the Florida Constitution provides an exemption if the law is determined to have an insignificant fiscal impact. The fiscal impact of this bill is indeterminate.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

Individuals who qualify for the exemption from parking fees may experience a positive fiscal impact.

C. Government Sector Impact:

The bill will have an indeterminate negative fiscal impact on local governments and publicly owned or publicly operated airports prohibited from charging parking fees for individuals displaying a disabled veteran license plate.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 316.1964 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
