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A bill to be entitled  
 An act relating to the issuance and renewal of  
 permanent disabled parking permits; amending s.  
 320.0848, F.S.; requiring the Department of Highway  
 Safety and Motor Vehicles to issue a permanent  
 disabled parking permit to a person who has a long-  
 term mobility impairment; removing provisions that  
 require such a person to renew a disabled parking  
 permit and that require such permit to bear a  
 validation sticker; revising provisions relating to  
 the appearance of disabled parking permits; conforming  
 provisions to changes made by the act; amending ss.  
 320.08035, 320.084, 320.0842, and 320.0843, F.S.;  
 conforming provisions to changes made by the act;  
 providing an effective date.

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

Section 1. Section 320.0848, Florida Statutes, is amended  
 to read:

320.0848 Persons who have disabilities; issuance of  
permanent or temporary disabled parking permits; ~~temporary~~  
~~permits~~; permits for certain providers of transportation  
 services to persons who have disabilities.—

(1) ISSUANCE OF DISABLED PARKING PERMIT; REQUIREMENTS.—

26 (a) The Department of Highway Safety and Motor Vehicles or  
 27 its authorized agents shall, upon application and receipt of the  
 28 appropriate fee, issue a permanent disabled parking permit to a  
 29 ~~for a period of up to 4 years, which period ends on the~~  
 30 ~~applicant's birthday, to any~~ person who has a long-term mobility  
 31 impairment, or a temporary disabled parking permit for a period  
 32 of up not ~~to exceed~~ 6 months to a ~~any~~ person who has a temporary  
 33 mobility impairment. A ~~No~~ person is not ~~will be~~ required to pay  
 34 a fee for a temporary disabled parking permit ~~for disabled~~  
 35 ~~persons~~ more than once in a 12-month period from the date of the  
 36 prior fee payment.

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

41 a. Inability to walk without the use of or assistance from  
 42 a brace, cane, crutch, prosthetic device, or other assistive  
 43 device, or without the assistance of another person. If the  
 44 assistive device significantly restores the person's ability to  
 45 walk to the extent that the person is able to ~~can~~ walk without  
 46 severe limitation, the person is not eligible for a disabled ~~the~~  
 47 ~~exemption~~ parking permit.

48 b. The need to permanently use a wheelchair.

49 c. Restriction by lung disease to the extent that the  
 50 person's forced (respiratory) expiratory volume for 1 second,

51 | when measured by spirometry, is less than 1 liter, or the  
52 | person's arterial oxygen is less than 60 mm/hg on room air at  
53 | rest.

54 |       d. Use of portable oxygen.

55 |       e. Restriction by cardiac condition to the extent that the  
56 | person's functional limitations are classified in severity as  
57 | Class III or Class IV according to standards set by the American  
58 | Heart Association.

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

61 |       2. The certificate ~~certification~~ of disability ~~which is~~  
62 | required under subparagraph 1. must be provided by a physician  
63 | licensed under chapter 458, chapter 459, or chapter 460, by a  
64 | podiatric physician licensed under chapter 461, by an  
65 | optometrist licensed under chapter 463, by an advanced practice  
66 | registered nurse licensed under chapter 464 under the protocol  
67 | of a licensed physician as stated in this subparagraph, by a  
68 | physician assistant licensed under chapter 458 or chapter 459,  
69 | or by a similarly licensed physician from another state if the  
70 | application is accompanied by documentation of the physician's  
71 | licensure in the other state and a form signed by the out-of-  
72 | state physician verifying his or her knowledge of this state's  
73 | eligibility guidelines.

74 |       (c) The certificate of disability must include, but need  
75 | not be limited to:

76 1. The disability of the applicant; the certifying  
 77 practitioner's name and address; the practitioner's  
 78 certification number; the eligibility criteria for the disabled  
 79 parking permit; the penalty for falsification by either the  
 80 certifying practitioner or the applicant; the duration of the  
 81 disability condition that entitles the person to the disabled  
 82 parking permit; and, if applicable, justification for the  
 83 issuance of an additional disabled parking permit placard  
 84 pursuant to paragraph (2) (c) subsection (2).

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

88 3. The signatures of:

89 a. The applicant's physician or other certifying  
 90 practitioner.

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

92 c. The employee of the department's authorized agent,  
 93 which employee is processing the application.

94 (d) ~~The department shall renew the disabled parking permit~~  
 95 ~~of any person certified as permanently disabled on the~~  
 96 ~~application if the person provides a certificate of disability~~  
 97 ~~issued within the last 12 months pursuant to this subsection. A~~  
 98 veteran who has been previously evaluated and certified by the  
 99 United States Department of Veterans Affairs or any branch of  
 100 the United States Armed Forces as permanently and totally

101 disabled from a service-connected disability may provide a  
 102 United States Department of Veterans Affairs Form Letter 27-333,  
 103 or its equivalent, issued within the last 12 months in lieu of a  
 104 certificate of disability.

105 (e) The Department of Highway Safety and Motor Vehicles  
 106 shall, in consultation with the Commission for the  
 107 Transportation Disadvantaged, adopt rules~~7~~ in accordance with  
 108 chapter 120~~7~~ for the issuance of a disabled parking permit to  
 109 any organization that can adequately demonstrate a bona fide  
 110 need for such a permit because the organization provides regular  
 111 transportation services to persons who have disabilities and are  
 112 certified as provided in this subsection.

113 (2) PERMANENT DISABLED PARKING PERMIT; PERSONS WITH LONG-  
 114 TERM MOBILITY IMPAIRMENT ~~PROBLEMS~~.—

115 (a) The permanent disabled parking permit is a placard  
 116 that can be placed in a motor vehicle so as to be visible from  
 117 the front and rear of the vehicle. Each side of the placard must  
 118 have the international symbol of accessibility in a contrasting  
 119 color in the center so as to be visible. One side of the placard  
 120 must display the applicant's driver license number or state  
 121 identification card number along with a warning that the  
 122 applicant must possess ~~have~~ such identification at all times  
 123 while using the placard ~~parking permit~~. However, in those cases  
 124 in which ~~where~~ the severity of the disability prevents a  
 125 disabled person from physically visiting or being transported to

126 a driver license or tax collector's ~~collector~~ office to obtain a  
127 driver license or identification card, a certifying physician  
128 may sign the exemption section of the department's disabled  
129 person parking permit application to exempt the disabled person  
130 from the requirement that his or her ~~being issued a~~ driver  
131 license or identification card ~~for the number to~~ be displayed on  
132 the placard ~~parking permit. A validation sticker must also be~~  
133 ~~issued with each disabled parking permit, showing the month and~~  
134 ~~year of expiration on each side of the placard. Validation~~  
135 ~~stickers must be of the size specified by the Department of~~  
136 ~~Highway Safety and Motor Vehicles and must be affixed to the~~  
137 ~~disabled parking permits. The disabled parking permits must use~~  
138 ~~the same colors as license plate validations.~~

139 (b) License plates issued under ss. 320.084, 320.0842,  
140 320.0843, and 320.0845 are valid for the same parking privileges  
141 and other privileges provided under ss. 316.1955, 316.1964, and  
142 526.141 (5) (a).

143 (c) The department may ~~shall~~ not issue an additional  
144 disabled parking permit unless the applicant states that he or  
145 she is a frequent traveler or a quadriplegic. The department may  
146 not issue to any one eligible applicant more than two disabled  
147 parking permits except to an organization in accordance with  
148 paragraph (1)(e). Subsections (1), (5), and (6), ~~and (7)~~ apply  
149 to this subsection.

150 (d) To obtain a replacement for a disabled parking permit

151 that has been lost or stolen, a person must submit an  
152 application on a form prescribed by the department, provide a  
153 certificate of disability issued within the last 12 months  
154 pursuant to subsection (1), and pay a replacement fee in the  
155 amount of \$1, to be retained by the issuing agency. If the  
156 person submits with the application a police report documenting  
157 that the permit was stolen, there is no replacement fee. A  
158 veteran who has been previously evaluated and certified by the  
159 United States Department of Veterans Affairs or any branch of  
160 the United States Armed Forces as permanently and totally  
161 disabled from a service-connected disability may provide a  
162 United States Department of Veterans Affairs Form Letter 27-333,  
163 or its equivalent, issued within the last 12 months in lieu of a  
164 certificate of disability.

165 (e) A person who qualifies for a disabled parking permit  
166 under this section may be issued an international wheelchair  
167 user symbol license plate under s. 320.0843 in lieu of the  
168 disabled parking permit; or, if the person qualifies for a "DV"  
169 license plate under s. 320.084, such a license plate may be  
170 issued to him or her in lieu of a disabled parking permit.

171 (3) DISABLED PARKING PERMIT; TEMPORARY.—

172 (a) The temporary disabled parking permit is a placard of  
173 a ~~different~~ color different from the color of the permanent  
174 ~~long-term~~ disabled parking permit placard, ~~and must clearly~~  
175 ~~display the date of expiration in large print and with color~~

176 ~~coding,~~ but is identical to the permanent ~~long-term~~ disabled  
177 parking permit placard in all other respects, including, but not  
178 limited to, the inclusion of a state identification card number  
179 or driver license number on one side of the placard ~~temporary~~  
180 ~~permit~~. Validation stickers must also be issued with each ~~The~~  
181 ~~temporary disabled parking permit~~ so as ~~placard must be designed~~  
182 to conspicuously display the month and year of expiration date  
183 ~~of the permit~~ on each side ~~the front and back~~ of the placard.  
184 Validation stickers must be of the size specified by the  
185 department, must use the same colors as license plate validation  
186 stickers, and must be affixed to the placard.

187 (b) The department shall issue the temporary disabled  
188 parking permit for the period of the disability as stated by the  
189 certifying physician, but not to exceed 6 months.

190 (c) The fee for a temporary disabled parking permit is  
191 \$15.

192 (4) FEE DISTRIBUTION.—From the proceeds of the temporary  
193 disabled parking permit fees:

194 (a) The Department of Highway Safety and Motor Vehicles  
195 must receive \$3.50 for each temporary permit, to be deposited  
196 into the Highway Safety Operating Trust Fund and used for  
197 implementing the real-time disabled parking permit database and  
198 for administering the disabled parking permit program.

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



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

202 1. To be deposited in the Grants and Donations Trust Fund  
 203 of the Division of Vocational Rehabilitation of the Department  
 204 of Education for the purpose of improving employment and  
 205 training opportunities for persons who have disabilities, with  
 206 special emphasis on removing transportation barriers, \$4.

207 2. To be deposited in the Transportation Disadvantaged  
 208 Trust Fund to be used for funding matching grants to counties  
 209 for the purpose of improving transportation of persons who have  
 210 disabilities, \$5.

211 (5) REQUIRED STATEMENT.—The applications for permanent  
 212 disabled parking permits and temporary disabled parking permits  
 213 are official state documents. The following statement must  
 214 appear on each application form immediately below the  
 215 physician's signature and immediately below the applicant's  
 216 signature: "Knowingly providing false information on this  
 217 application is a misdemeanor of the first degree, punishable as  
 218 provided in s. 775.082, Florida Statutes, or s. 775.083, Florida  
 219 Statutes. The penalty is up to 1 year in jail or a fine of  
 220 \$1,000, or both."

221 (6) PENALTIES.—

222 (a) A ~~Any~~ person who knowingly makes a false or misleading  
 223 statement in an application or certification under this section  
 224 commits a misdemeanor of the first degree, punishable as  
 225 provided in s. 775.082 or s. 775.083.

226        ~~(b)(7)~~ A ~~Any~~ person who fraudulently obtains or unlawfully  
 227 displays a disabled parking permit that belongs to another  
 228 person while occupying a disabled parking space or an access  
 229 aisle as defined in s. 553.5041 while the permitholder ~~owner of~~  
 230 ~~the permit~~ is not being transported in the motor vehicle or who  
 231 uses an unauthorized replica of such a disabled parking permit  
 232 with the intent to deceive commits ~~is guilty of~~ a misdemeanor of  
 233 the second degree, punishable as provided in s. 775.082 or s.  
 234 775.083.

235        ~~(7)(8)~~ CONFISCATION OF DISABLED PARKING PERMIT.—A law  
 236 enforcement officer or a parking enforcement specialist may  
 237 confiscate the disabled parking permit from a ~~any~~ person who  
 238 fraudulently obtains or unlawfully uses such a permit. A law  
 239 enforcement officer or a parking enforcement specialist may  
 240 confiscate a ~~any~~ disabled parking permit that is expired,  
 241 reported as lost or stolen, or defaced or that does not display  
 242 a personal identification number.

243        (a) The permit number of each confiscated disabled parking  
 244 permit must be submitted to the department, and the fact that  
 245 the disabled parking permit has been confiscated must be noted  
 246 on the permitholder's record. If two disabled parking permits  
 247 issued to the same person have been confiscated, the department  
 248 shall refer the information to the central abuse hotline of the  
 249 Department of Children and Families for an investigation of  
 250 potential abuse, neglect, or exploitation of the permitholder

251 ~~permit owner.~~

252 (b) A confiscated disabled parking permit must be held as  
253 evidence until a judicial decision about the violation has been  
254 made. After a finding of guilt has been made or a plea of nolo  
255 contendere has been entered, the charging agency shall destroy  
256 the confiscated disabled parking permit. A confiscated disabled  
257 parking permit may not, under any circumstances, be returned to  
258 the permitholder ~~its registered owner~~ after a finding of guilt  
259 has been made or a plea of nolo contendere has been entered in  
260 court. If a finding of guilt has been made or a plea of nolo  
261 contendere has been entered for fraudulent or other unlawful use  
262 of a disabled parking permit after a prior finding of guilt or  
263 plea of nolo contendere for fraudulent or other unlawful use of  
264 a disabled parking permit issued to the same ~~registered~~  
265 permitholder, the permitholder may not apply for a new disabled  
266 parking permit for 4 years. The permit number of each destroyed  
267 permit must be reported to the department, and the department  
268 must record in the real-time disabled parking permit database  
269 that the permit has been invalidated.

270 ~~(8)-(9)~~ REVIEW.—

271 (a) At least once every 6 months, the department shall  
272 randomly review disabled parking permitholders to ensure that  
273 all required criteria for the ownership and possession of such  
274 permit remain valid. As a component of the review, the  
275 department shall, at a minimum:

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276 1. Review death records maintained by the Department of  
277 Health to ensure that the permit holder is not deceased ~~has not~~  
278 ~~died~~.

279 2. Review the number of times the permit has been  
280 confiscated for fraudulent or unlawful use, if at all.

281 3. Determine whether ~~if~~ the permit has ever been reported  
282 lost or stolen and, if so, determine the current status of the  
283 permit.

284 (b) At least annually, the department shall verify that  
285 the holder ~~owner~~ of each disabled parking permit is not deceased  
286 ~~has not died~~. Such verification shall include, but need not be  
287 limited to, consultation of death records maintained by the  
288 Department of Health. If a disabled parking permit holder is  
289 found to be deceased, the department shall promptly invalidate  
290 the decedent's disabled parking permit.

291 ~~(9)-(10)~~ REPORTS OF ABUSE.—The department shall develop and  
292 implement a means by which persons may ~~can~~ report abuse of  
293 disabled parking permits by telephone hotline or by submitting a  
294 form online or by mail.

295 ~~(10)-(11)~~ FURTHER DISCIPLINARY ACTION.—A violation of this  
296 section is grounds for disciplinary action under s. 458.331, s.  
297 459.015, s. 460.413, s. 461.013, s. 463.016, or s. 464.018, as  
298 applicable.

299 Section 2. Section 320.08035, Florida Statutes, is amended  
300 to read:

301           320.08035 Persons who have disabilities; reduced dimension  
302 license plate.—The owner or lessee of a motorcycle, moped, or  
303 motorized disability access vehicle who resides in this state  
304 and qualifies for a permanent disabled parking permit for a  
305 person who has a disability under s. 320.0848, upon application  
306 and payment of the appropriate license tax and fees under s.  
307 320.08(1), must be issued a license plate that has reduced  
308 dimensions as provided under s. 320.06(3)(a). The plate must be  
309 stamped with the international symbol of accessibility after the  
310 numeric and alpha serial number of the license plate. The plate  
311 entitles the person to all privileges afforded by a permanent  
312 disabled parking permit issued under s. 320.0848.

313           Section 3. Paragraph (b) of subsection (5) of section  
314 320.084, Florida Statutes, is amended to read:

315           320.084 Free motor vehicle license plate to certain  
316 disabled veterans.—

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

322           (b) When the person is parked without a permanent disabled  
323 parking permit issued under s. 320.0848 in a space designated  
324 for use by persons who have disabilities.

325           Section 4. Paragraph (b) of subsection (2) of section

326 | 320.0842, Florida Statutes, is amended to read:

327 |       320.0842 Free motor vehicle license plates to veterans who  
328 | use wheelchairs.—

329 |       (2) In order to be eligible for the motor vehicle license  
330 | plate described in subsection (1), a person must comply with the  
331 | following provisions:

332 |       (b) The veteran must offer, in addition to the proof  
333 | required by s. 320.084(1), proof that due to a service-connected  
334 | disability he or she permanently uses a wheelchair or proof, in  
335 | the form of an application that conforms to the requirements set  
336 | forth in s. 320.0848, that he or she qualifies for a permanent  
337 | disabled parking permit under that section. The license plate  
338 | entitles the person to all privileges afforded by a permanent  
339 | disabled parking permit issued under s. 320.0848.

340 |       Section 5. Subsection (1) of section 320.0843, Florida  
341 | Statutes, is amended to read:

342 |       320.0843 License plates for persons with disabilities  
343 | eligible for permanent disabled parking permits.—

344 |       (1) Any owner or lessee of a motor vehicle who resides in  
345 | this state and qualifies for a permanent disabled parking permit  
346 | under s. 320.0848(2), upon application to the department and  
347 | payment of the license tax for a motor vehicle registered under  
348 | s. 320.08(2), (3)(a), (b), (c), or (e), (4)(a) or (b), (6)(a),  
349 | or (9)(c) or (d), shall be issued a license plate as provided by  
350 | s. 320.06 which, in lieu of the serial number prescribed by s.

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351 320.06, shall be stamped with the international wheelchair user  
352 symbol after the serial number of the license plate. The license  
353 plate entitles the person to all privileges afforded by a  
354 permanent disabled parking permit issued under s. 320.0848. When  
355 more than one registrant is listed on the registration issued  
356 under this section, the eligible applicant shall be noted on the  
357 registration certificate.

358 Section 6. This act shall take effect July 1, 2023.