

1                   A bill to be entitled  
2           An act relating to motor vehicles; amending s.  
3           320.08058, F.S.; revising provisions relating  
4           to the Sea Turtle License Plate; providing for  
5           a distribution of funds from the Share the Road  
6           license plate to Bike Florida, Inc., rather  
7           than to the Governor's Council on Physical  
8           Fitness and Amateur Sports; amending s.  
9           320.084, F.S.; allowing certain disabled  
10          veterans to purchase additional disabled  
11          veterans license plates; amending s. 320.0848,  
12          F.S.; authorizing certain additional health  
13          care professionals to issue certifications of  
14          disability; eliminating disabled-parking-permit  
15          fees; providing an administrative processing  
16          fee; revising provisions relating to fees for  
17          temporary disabled-parking permits; providing  
18          an effective date.

19  
20 Be It Enacted by the Legislature of the State of Florida:

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22           Section 1. Paragraph (b) of subsection (19) and  
23 paragraph (b) of subsection (31) of section 320.08058, Florida  
24 Statutes, are amended to read:

25           320.08058 Specialty license plates.--

26           (19) SEA TURTLE LICENSE PLATES.--

27           (b) The annual use fees shall be deposited in the  
28 Marine Resources Conservation Trust Fund in the Fish and  
29 Wildlife Conservation Commission. The first \$500,000 in annual  
30 revenue shall be used by the Florida Marine Turtle Protection  
31 Program to conduct sea turtle protection, research, and

1 recovery programs. Additional license plate revenue, up to an  
2 amount not exceeding 30 percent of the total annual revenue,  
3 shall be dispersed annually through the marine turtle grants  
4 program as provided in s. 370.12(1)(h). The remaining annual  
5 use proceeds shall be used by the Florida Marine Turtle  
6 Protection Program for sea turtle conservation activities.~~The~~  
7 ~~remaining annual use proceeds shall be used by the commission~~  
8 ~~for sea turtle conservation activities, except that up to 30~~  
9 ~~percent of the remaining annual use fee proceeds shall be~~  
10 ~~annually disbursed through the marine turtle grants program as~~  
11 ~~provided in s. 370.12(1)(h).~~

12 (31) SHARE THE ROAD LICENSE PLATES.--

13 (b) The annual use fees shall be distributed to Bike  
14 Florida, Inc., up to 25 percent ~~the Florida Governor's Council~~  
15 ~~on Physical Fitness and Amateur Sports, a portion of which~~  
16 ~~shall be used for marketing and promotion of the "Share the~~  
17 ~~Road" concept and license plate. The remaining funds shall be~~  
18 ~~divided equally between Bike Florida, Inc., and the Florida~~  
19 ~~Bicycle Association, Inc., to be used for:~~

20 1. Education and awareness programs, for bicycle  
21 safety and motorist safety, with emphasis on sharing the  
22 roadway by all users.

23 2. Training, workshops, educational materials, and  
24 media events.

25 3. The promotion of safe bicycling.

26 Section 2. Subsection (6) is added to section 320.084,  
27 Florida Statutes, to read:

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

30 (6) A disabled veteran who has received a free license  
31 plate under this section may purchase additional disabled

1 veterans license plates. The cost for additional plates may  
2 not exceed the cost provided in s. 320.06(1)(b).

3 Section 3. Section 320.0848, Florida Statutes, is  
4 amended to read:

5 320.0848 Persons who have disabilities; issuance of  
6 disabled parking permits; temporary permits; permits for  
7 certain providers of transportation services to persons who  
8 have disabilities.--

9 (1)(a) The Department of Highway Safety and Motor  
10 Vehicles or its authorized agents shall, upon application and  
11 receipt of the fee, issue a disabled parking permit for a  
12 period of up to 4 years, which period ends on the applicant's  
13 birthday, to any person who has long-term mobility impairment,  
14 or a temporary disabled parking permit not to exceed 1 year to  
15 any person who has a temporary mobility impairment.

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

20 a. Inability to walk without the use of or assistance  
21 from a brace, cane, crutch, prosthetic device, or other  
22 assistive device, or without the assistance of another person.  
23 If the assistive device significantly restores the person's  
24 ability to walk to the extent that the person can walk without  
25 severe limitation, the person is not eligible for the  
26 exemption parking permit.

27 b. The need to permanently use a wheelchair.

28 c. Restriction by lung disease to the extent that the  
29 person's forced (respiratory) expiratory volume for 1 second,  
30 when measured by spirometry, is less than 1 liter, or the  
31

1 person's arterial oxygen is less than 60 mm/hg on room air at  
2 rest.

3 d. Use of portable oxygen.

4 e. Restriction by cardiac condition to the extent that  
5 the person's functional limitations are classified in severity  
6 as Class III or Class IV according to standards set by the  
7 American Heart Association.

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

10 2. The certification of disability which is required  
11 under subparagraph 1. must be provided by a physician licensed  
12 under chapter 458, chapter 459, or chapter 460, by a podiatric  
13 physician licensed under chapter 461, by an optometrist  
14 licensed under chapter 463, by the Adjudication Office of the  
15 United States Department of Veterans Affairs or its  
16 predecessor, ~~or~~ by a similarly licensed physician from another  
17 state if the application is accompanied by documentation of  
18 the physician's licensure in the other state and a form signed  
19 by the out-of-state physician verifying his or her knowledge  
20 of this state's eligibility guidelines, by an advanced  
21 registered nurse practitioner licensed under chapter 464 in a  
22 facility operated by the United States Department of Veterans  
23 Affairs under the protocol of a licensed physician as stated  
24 in this subparagraph, or by a physician assistant licensed  
25 under chapter 458 or chapter 459 in a facility operated by the  
26 United States Department of Veterans Affairs.

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

29 1. The disability of the applicant; the certifying  
30 physician's name and address; the physician's certification  
31 number; the eligibility criteria for the permit; the penalty

1 for falsification by either the certifying physician or the  
2 applicant; the duration of the condition that entitles the  
3 person to the permit; and justification for the additional  
4 placard pursuant to subsection (2).

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

8         3. The signatures of:

9             a. The applicant's physician;

10            b. The applicant or the applicant's parent or  
11 guardian; and

12            c. The employee of the department's authorized agent  
13 which employee is processing the application.

14         (d) Beginning April 1, 1999, the Department of Highway  
15 Safety and Motor Vehicles shall renew the disabled parking  
16 permit of any person certified as permanently disabled on the  
17 application.

18         (e) The Department of Highway Safety and Motor  
19 Vehicles shall, in consultation with the Commission for the  
20 Transportation Disadvantaged, adopt rules, in accordance with  
21 chapter 120, for the issuance of a disabled parking permit to  
22 any organization that can adequately demonstrate a bona fide  
23 need for such a permit because the organization provides  
24 regular transportation services to persons who have  
25 disabilities and are certified as provided in this subsection.

26         (2) **DISABLED PARKING PERMIT; PERSONS WITH LONG-TERM**  
27 **MOBILITY PROBLEMS.--**

28             (a) The disabled parking permit is a placard that can  
29 be placed in a motor vehicle so as to be visible from the  
30 front and rear of the vehicle. Each side of the placard must  
31 have the international symbol of accessibility in a

1 contrasting color in the center so as to be visible. One side  
2 of the placard must display the applicant's driver's license  
3 number or state identification card number along with a  
4 warning that the applicant must have such identification at  
5 all times while using the parking permit. A validation sticker  
6 must also be issued with each disabled parking permit, showing  
7 the month and year of expiration on each side of the placard.  
8 Validation stickers must be of the size specified by the  
9 Department of Highway Safety and Motor Vehicles and must be  
10 affixed to the disabled parking permits. The disabled parking  
11 permits must use the same colors as license plate validations.

12 (b) License plates issued under ss. 320.084, 320.0842,  
13 320.0843, and 320.0845 are valid for the same parking  
14 privileges and other privileges provided under ss. 316.1955,  
15 316.1964, and 526.141(5)(a).

16 (c) The administrative processing fee for each initial  
17 4-year disabled parking permit or renewal permit shall be  
18 \$1.50, and all proceeds shall be retained by the tax collector  
19 of the county in which the fee was collected.

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

22 ~~a. Fifteen dollars for each initial 4-year permit or~~  
23 ~~renewal permit, of which the State Transportation Trust Fund~~  
24 ~~shall receive \$13.50 and the tax collector of the county in~~  
25 ~~which the fee was collected shall receive \$1.50.p> b. One~~  
26 ~~dollar for each additional or additional renewal 4-year~~  
27 ~~permit, of which the State Transportation Trust Fund shall~~  
28 ~~receive all funds collected.~~

29 ~~b. One dollar for each additional or additional~~  
30 ~~renewal 4-year permit, of which the State Transportation Trust~~  
31 ~~Fund shall receive all funds collected.~~

1           (d) The department shall not issue an additional  
2 disabled parking permit unless the applicant states that he or  
3 she is ~~they are~~ a frequent traveler or a quadriplegic. The  
4 department may not issue to any one eligible applicant more  
5 than two disabled parking permits except to an organization in  
6 accordance with paragraph (1)(e). Subsections (1), (5), (6),  
7 and (7) apply to this subsection.

8           (e)2. If an applicant who is a disabled veteran, is a  
9 resident of this state, has been honorably discharged, and  
10 either has been determined by the Department of Defense or the  
11 United States Department of Veterans Affairs or its  
12 predecessor to have a service-connected disability rating for  
13 compensation of 50 percent or greater or has been determined  
14 to have a service-connected disability rating of 50 percent or  
15 greater and is in receipt of both disability retirement pay  
16 from the United States Department of Veterans Affairs, he or  
17 she must still provide ~~and has~~ a signed physician's statement  
18 of qualification for the disabled parking permits. ~~7. the fee~~  
19 ~~for a disabled parking permit shall be:~~

20           a. ~~One dollar and fifty cents for the initial 4-year~~  
21 ~~permit or renewal permit.~~

22           b. ~~One dollar for each additional or additional~~  
23 ~~renewal 4-year permit.~~

24  
25 ~~The tax collector of the county in which the fee was collected~~  
26 ~~shall retain all funds received pursuant to this subparagraph.~~

27           3. ~~If an applicant presents to the department a~~  
28 ~~statement from the Federal Government or the State of Florida~~  
29 ~~indicating the applicant is a recipient of supplemental~~  
30 ~~security income, the fee for the disabled parking permit shall~~  
31 ~~be \$9 for the initial 4-year permit or renewal permit, of~~

1 ~~which the State Transportation Trust Fund shall receive \$6.75~~  
2 ~~and the tax collector of the county in which the fee was~~  
3 ~~collected shall receive \$2.25.~~

4 (f)~~(d)~~ To obtain a replacement for a disabled parking  
5 permit that has been lost or stolen, a person must submit an  
6 application on a form prescribed by the department and must  
7 pay a replacement fee in the amount of ~~\$5~~\$1.00, to be  
8 retained by the issuing agency. If the person submits with the  
9 application a police report documenting that the permit was  
10 stolen, there is no replacement fee.

11 (g)~~(e)~~ A person who qualifies for a disabled parking  
12 permit under this section may be issued an international  
13 wheelchair user symbol license plate under s. 320.0843 in lieu  
14 of the disabled parking permit; or, if the person qualifies  
15 for a "DV" license plate under s. 320.084, such a license  
16 plate may be issued to him or her in lieu of a disabled  
17 parking permit.

18 (3) DISABLED PARKING PERMIT; TEMPORARY.--

19 (a) The temporary disabled parking permit is a placard  
20 of a different color from the color of the long-term disabled  
21 parking permit placard, and must clearly display the date of  
22 expiration in large print and with color coding, but is  
23 identical to the long-term disabled parking permit placard in  
24 all other respects, including, but not limited to, the  
25 inclusion of a state identification card number or driver's  
26 license number on one side of the temporary permit. The  
27 temporary disabled parking permit placard must be designed to  
28 conspicuously display the expiration date of the permit on the  
29 front and back of the placard.

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

4 (c) The fee for a temporary disabled parking permit is  
5 \$15.

6 (4) From the proceeds of the temporary disabled  
7 parking permit fees:

8 (a) The Department of Highway Safety and Motor  
9 Vehicles must receive \$3.50 for each temporary permit, to be  
10 deposited into the Highway Safety Operating Trust Fund and  
11 used for implementing the real-time disabled parking permit  
12 database and for administering the disabled parking permit  
13 program.

14 (b) The tax collector, for processing, must receive  
15 \$2.50 for each temporary permit.

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

18 1. To the Florida Governor's Alliance for the  
19 Employment of Disabled Citizens for the purpose of improving  
20 employment and training opportunities for persons who have  
21 disabilities, with special emphasis on removing transportation  
22 barriers, \$4. These fees must be deposited into the  
23 Transportation Disadvantaged Trust Fund for transfer to the  
24 Florida Governor's Alliance for Employment of Disabled  
25 Citizens.

26 2. To the Transportation Disadvantaged Trust Fund to  
27 be used for funding matching grants to counties for the  
28 purpose of improving transportation of persons who have  
29 disabilities, \$5.

30 (5) The applications for disabled parking permits and  
31 temporary disabled parking permits are official state

1 documents. The following statement must appear on each  
2 application form immediately below the physician's signature  
3 and immediately below the applicant's signature: "Knowingly  
4 providing false information on this application is a  
5 misdemeanor of the first degree, punishable as provided in s.  
6 775.082, Florida Statutes, or s. 775.083, Florida Statutes.  
7 The penalty is up to 1 year in jail or a fine of \$1,000, or  
8 both."

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

13 (7) Any person who fraudulently obtains or unlawfully  
14 displays a disabled parking permit that belongs to another  
15 person while occupying a disabled parking space or an access  
16 aisle as defined in s. 316.1955 while the owner of the permit  
17 is not being transported in the vehicle or who uses an  
18 unauthorized replica of such a disabled parking permit with  
19 the intent to deceive is guilty of a misdemeanor of the second  
20 degree, punishable as provided in s. 775.082 or s. 775.083.

21 (8) A law enforcement officer may confiscate the  
22 disabled parking permit from any person who fraudulently  
23 obtains or unlawfully uses such a permit. A law enforcement  
24 officer may confiscate any disabled parking permit that is  
25 expired, reported as lost or stolen, or defaced, or that does  
26 not display a personal identification number.

27 (a) ~~Beginning April 1, 1999,~~The permit number of each  
28 confiscated permit must be submitted to the Department of  
29 Highway Safety and Motor Vehicles, and the fact that the  
30 permit has been confiscated must be noted on the  
31 permitholder's record. If two permits issued to the same

1 person have been confiscated, the Department of Highway Safety  
2 and Motor Vehicles shall refer the information to the Florida  
3 Abuse Hotline for an investigation of potential abuse,  
4 neglect, or exploitation of the permit owner.

5 (b) A confiscated permit must be held as evidence  
6 until a judicial decision about the violation has been made.  
7 After a finding of guilt has been made or a plea of nolo  
8 contendere has been entered, the charging agency shall destroy  
9 the confiscated permit. A confiscated permit may not, under  
10 any circumstances, be returned to its registered owner after a  
11 finding of guilt has been made or a plea of nolo contendere  
12 has been entered in court. The permit number of each destroyed  
13 permit must be reported to the department, and the department  
14 must record in the real-time disabled parking permit database  
15 that the permit has been invalidated.

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

19 (10) The Department of Highway Safety and Motor  
20 Vehicles shall adopt rules to administer this section.

21 Section 4. This act shall take effect July 1, 2000.  
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