



## Memorandum

**Memorandum No: 23-032**

**Date:** February 28, 2023

**To:** Honorable Mayor, Vice Mayor, and Commissioners

**From:** Greg Chavarria, City Manager   
Greg Chavarria (Mar 8, 2023 08:55 EST)

**Re: Disabled Parking Payment Requirements in Parking Lots and Garages**

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At the request of the City Commission, staff reviewed current City policies regarding disabled parking payment requirements in parking lots and garages. This memorandum will serve as background on current City policy and processes.

Pursuant to Florida Statute 316.1964, a municipality, may not exact any fee for parking on the public streets or highways or in any metered parking space from the driver of a vehicle that displays a disabled parking permit or license plate. In 1998, according to the amendment to 316.1964 (5), Florida Statutes, when an on-street parking meter restricts the duration of time that a vehicle may be parked, a vehicle properly displaying a disabled parking permit is allowed a maximum of 4 hours at no charge, unless such time is extended by local ordinance.

At that time, Florida Statute 316.1965(8) was also amended to permit a municipality to charge disabled permit parking in a facility or lot that provides timed parking spaces. Those vehicles with any specialized equipment, such as ramps, lifts, or foot or hand controls, for use by a person who has a disability, or any vehicle that is displaying the Florida Toll Exemption permit, remained exempt from any parking fees.

To better align City policy to Florida State Statutes pertaining to traffic and parking, the Transportation and Mobility Department proposed several revisions to Chapter 26 of the City's Code of Ordinances in 2014. These ordinance revisions included specific language regarding disabled parking fees in lots and garages, complimentary on-street parking for up to four hours for those with valid disabled permits, and specific exceptions for paying to park in lots and garages. This ordinance revision was presented under CAM 14-0910 and passed at the second reading on December 2, 2014, as illustrated below:

*Section 26-144. - Parking in spaces provided for disabled persons.*

*No person shall stop, stand or park a vehicle within any parking space specially designated and marked for the exclusive use of physically disabled persons only, unless such vehicle displays a parking permit issued pursuant to F.S. §§ 316.1958 or*

*320.0848, or a license plate issued pursuant to F.S. §§ 320.084, 320.0842, 320.0843 or 320.0845, and such vehicle is transporting a person eligible for such parking permit or license plate; provided, however, any person who is chauffeuring a disabled person shall be allowed, without need for an identification parking permit or a special license plate, momentary parking in any such parking space, for the purpose of loading or unloading such disabled person, and no penalty shall be imposed upon the driver for such momentary parking. (a)As per F.S. § 316.1964, vehicles parked as indicated above may use the handicap space for a maximum of four (4) hours without payment in any on-street metered space, unless signage posted restricts the time to park. For example, if the signage establishes a three-hour time limit, then the driver is allowed to park for a maximum of three hours. After the time limit expires, the driver must make payment into the parking meter or move the vehicle from the parking space to a different street block. (b)During city designated special events, payment is required as per normal parking practices. (c)Payment is required for all vehicles in lots and garages. Only drivers of vehicles with specialized equipment such as a ramp, lift, or foot or hand controls or displaying the Florida Toll Exemption Permit are exempt from parking fees.*

City staff noted that one of the primary reasons for these changes was to mitigate the illegal use of handicap parking permits. There were ongoing discussions statewide related to the challenges of enforcement of disabled spaces and that unauthorized users were using permits to avoid the financial impacts of paid parking.

It is difficult to accurately calculate the specific financial impact that the City of Fort Lauderdale collects from disabled parking as the payments are not isolated. However, based on the number of parking spaces controlled by the city and by using a general average revenue per space amount, staff estimates that disabled parking fees generate approximately \$300,000 per year.

City staff conducted a survey of other local coastal cities which identified that many follow a similar business model for disabled parking payment requirements following Florida State Statute exemptions:

City	Parking Lots/Garages	On-Street Parking
<b>Fort Lauderdale</b>	Payment Required	No Charge, Time Limited
<b>Deerfield Beach</b>	Payment Required	No Charge, Time Limited
<b>Pompano Beach</b>	Payment Required	No Charge, Time Limited
<b>Hollywood</b>	Payment Required	No Charge, Time Limited
<b>Boca Raton</b>	No-Charge, Time Limited	No Charge, Time Limited
<b>Miami Beach</b>	No Charge, Time Limited	No Charge, Time Limited
<b>Tampa</b>	Payment Required	No Charge, Time Limited

For further information, please contact Ben Rogers, Director of Transportation and Mobility at [brogers@fortlauderdale.gov](mailto:brogers@fortlauderdale.gov).

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