



Memorandum

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To: The Honorable Carlos Alvarez, Mayor, Miami-Dade County
The Honorable Chairman Bruno A. Barreiro and
Members, Board of County Commissioners, Miami-Dade County

From: *CM* Christopher Mazzella, Inspector General

Date: April 9, 2008

Subject: Disabled Parking in the Public Parking Facilities at Miami International Airport
Ref. IG07-62

INTRODUCTION & SYNOPSIS

The Office of the Inspector General (OIG) was advised by Miami-Dade Aviation Department (MDAD) officials of their concerns about the public parking facilities at Miami International Airport (MIA). Specifically, MDAD Landside Division managers expressed their concerns that a significant number of the designated parking spaces for the disabled were being occupied, on a daily basis, by individuals who work at MIA. Since the airport does not charge any parking fees for those individuals who present a disabled parking placard upon exiting the facility, all of the suspected MIA workers were essentially receiving “free” on-site parking and occupying the spaces reserved for the disabled parking public.

Based upon these concerns, the OIG conducted an in-depth review of the designated disabled parking spaces at MIA, which included the Flamingo and Dolphin garages and the short-term lot. Our review consisted of reviewing thousands of fee waiver entries in electronic data format supplied by Airport Parking Associates (APA), the contracted firm that operates and manages the MIA public parking facilities. Our records review determined that in a two-week period, approximately half (52%) of all the disabled fee waivers were generated by individuals holding MDAD-issued security ID badges and credentials. The fee waivers were attributable to over 200 such airport employees, only five of whom were MDAD employees. The other individuals are employed by the airlines, retailers, concessionaires, government agencies, and other service industries.

Our review was also supported by visual surveillance of the parking facilities. We were able to verify that, in fact, many of the designated spaces are taken on a daily basis by individuals working at the airport. We were able to visually determine this to be true by, among other things, the work uniforms worn by these individuals. We also saw that due to

the limited number of designated disabled parking spaces, most of which were occupied, those members of the traveling public legitimately entitled to park in a designated disabled parking space often had to find another parking space farther away from the elevators/entrances.

Finally, our review found numerous instances where parking fees for cumulative days and/or weeks at a time were waived. Vehicles may park in the garages for 60 days before they are subject to being towed. Our review revealed that three airline employees, identified as living out-of-state, parked in the disabled parking spaces for days and weeks at a time. In one instance, an individual parked for free for 58 days. The waived parking fee was \$870. Our review also made it clear that these extended stays were not just limited to airport workers, but applied as well to the traveling public who were able to produce a disabled parking placard upon exit.¹

There has been a steady increase in the average daily number of waivers since FY98-99. For the past nine years, the average daily number of waivers has increased 136 percent. The fee waiver amounts for the same nine years have increased 263 percent. The overall impact of parking fee waivers was \$1.6 million in FY05-06 and \$2.2 million in FY06-07. Based upon the employee percentage as determined by the OIG (52%), the monetary impact of fee waivers for airport workers during FY06-07 exceeded \$1 million.

Individuals working at MIA are afforded off-site parking, which also has designated parking spaces for the disabled. Shuttle service is afforded between the employee off-site lot and the airport terminal. While there is obviously a difference in travel time between on-site versus off-site parking, the OIG found that individuals parking in the disabled spaces in the employee off-site lot and riding the shuttle to the terminal have less of a walking distance than those parking in the Dolphin or Flamingo garages and walking into the terminal.

This memorandum is being provided for informational purposes. As such, the OIG did not provide a copy of this report for a response, or as a draft, to anyone or any entity, organization, or department. We believe findings presented in this memorandum present the conditions—or state of parking activity—and the financial impact of these collective conditions. Moreover, we make no specific recommendations in this report. The OIG acknowledges that the financial impacts relayed herein are the unintended result of the County's policy to waive parking fees for anyone presenting a disabled parking placard and, as such, this topic deserves thoughtful and comprehensive policy discussions in order to assess whether changes to the polic(ies) are warranted.²

¹ The OIG did not focus its inquiry on non-employees using disabled parking placards, though we also found some instances where non-employee extended parking charges were waived.

² It should be noted that substantial fee waivers are also generated at the Seaport—approximately \$500,000 per year—and may also apply at Transit parking garages.

RELEVANT COUNTY CODE PROVISIONS

The requirement on Miami-Dade County and each municipality within the County to designate a certain number of parking spaces accessible for the disabled is found in Section 30-442 of the Code of Miami-Dade County. Section 30-442(a) states:

Miami-Dade County and each municipality within Miami-Dade County, and each agency, instrumentality and authority thereof, having jurisdiction over street parking or publicly owned and operated parking facilities shall provide a minimum number of specially designated and marked motor vehicle parking spaces for the exclusive use of those severely physically disabled individuals who have permanent mobility problems that substantially impair their ability to ambulate and who have been issued an exemption entitlement parking permit pursuant to Section 316.1958, Florida Statutes, or Section 320.0848, Florida Statutes.

The remainder of the Code section sets a formula to determine the minimum required number of accessible spaces. As it pertains to waiving parking charges at government owned or operated facilities, the Miami-Dade County Board of County Commissioners (BCC), in June 1987, with the passage of Ordinance No. 87-42, enacted Section 30-388.2 of the Code of Miami-Dade County entitled *Free parking for the physically disabled*. It states in whole:

Any motor vehicle which is qualified to park in a specially marked parking space designated for the physically disabled pursuant to Article II [see Section 30-442 cited above] of this chapter shall be permitted to park in any public parking space in Dade County without incurring a fee for parking. For purposes of this section the term “public parking space” shall mean a parking space provided by Miami-Dade County and each municipality within Miami-Dade County, and each agency, instrumentality and authority thereof.

Miami International Airport (MIA) is a public facility owned and operated by Miami-Dade County. In short, the Aviation Department may not charge a parking fee—for parking in *any* of the public parking facilities—against any vehicle that is so qualified. This qualification is met by the presentation of a disabled parking placard upon exiting the facility, which then causes the generation of a fee waiver form. This fee waiver applies whether the length of the parking stay is for one hour or 60 days.

BACKGROUND

There are approximately 30,000 people working at MIA on a daily basis, with most of the employees working within the terminal and concourse areas. These employees include county employees of the Miami-Dade Aviation Department, but are overwhelmingly comprised of individuals employed by the airlines, retailers and concessionaires, other airport service-sector personnel, and employees of other government agencies. MIA is the hub for an estimated 32 million passengers annually, thus making parking an important operational component for passengers and employees.

MIA Public Parking

MIA has three public parking options within walking distance of the terminal. Two are garages and the third is a “short-term” lot. The Dolphin and Flamingo garages are each six-level garages that have both hourly and daily parking fee rates. Combined, the two garages have 128 spaces designated by signage for disabled parking, and 16 spaces designated by signage for stroller permits. The third parking option, often referred to as short-term parking, is a bi-level lot located near Concourse E, which has seven (7) disabled spaces and two (2) stroller spaces.³ There is also a fourth off-site parking option, which is an economy park-and-ride lot for long-term parking, where passengers are bused to the terminal.

Parking fees at the Dolphin and Flamingo garages are based on an hourly rate. After four (4) hours, the maximum daily rate of \$15 is charged. Rates for the short-term lot are calculated by the half-hour. After five and a half (5 ½) hours, the maximum daily rate of \$30 is charged. Vehicles parking in any of the three MIA on-site parking facilities can be parked for up to 60 days before the vehicle may be towed.

MIA Employee Parking

MDAD provides parking for all airport employees’ personal vehicles at the Main Employee Parking Lot located at Northwest 14th Street, west of LeJeune Road. The annual cost of a parking decal is \$360, although many of the airlines and other companies pay this fee for their employees.

The employee parking lot has 4,782 parking spaces, with 24 spaces designated for disabled parking. Shuttle buses operated by First Transit, Inc. (a contracted operator) run 24 hours, 7 days a week from the lot to the terminal. According to the operator, during the majority of the day—20 hours from 4:00 am to 12:00 am—buses run at five to seven minute intervals. There are nine pick-up and drop-off points within the employee lot. Six of the

³ A new short-term parking lot adjacent to the south terminal opened in late December 2007, and was not in use during this investigation.

nine stops have designated disabled parking spaces in very close proximity to the shuttle bus stop. The shuttles currently make four stops around the MIA terminal at gates C, E, G and J.⁴

Airport Parking Associates (APA)

Airport Parking Associates (APA) manages and operates the MIA public parking garages/lots pursuant to a contract with the County. APA staffs the parking operation by providing personnel to monitor the entrance gates and parking areas, cashiers to operate the toll plaza, and administrative support staff for the business operations.

Upon entering the MIA parking facilities, individuals take a date and time-stamped ticket, which is used to calculate the parking fee upon exiting. Upon exiting, individuals with disabled parking placards present the entrance ticket along with their placard, registration and driver license to the toll plaza cashier (an APA employee), who then completes a *Disabled Parking Form*—a fee waiver form. APA's operating procedures state that the cashier must review the individual's disabled placard, placard registration, and driver license (or state identification card) before completing the fee waiver form. The fee waiver form includes fields for the date, vehicle tag number, (disabled parking) permit number, driver license number, disabled patron's name, address, city, state, zip code, home telephone number, work/cell telephone number, cashier's name, amount waived, and the customer's signature. Each form has a six-digit identifying number in the upper right corner. Upon completion, the form is signed by the recipient (i.e. the person whom the placard belongs to), and then returned to the cashier.

In May 2005, APA began entering the transaction date, placard number, vehicle tag number and amount waived into a computer database. This data was utilized by the OIG in its review.

INVESTIGATION

The OIG's review was initiated in early September 2007 upon receiving concerns from MDAD officials about what was perceived as an increasing number of airport employees parking for free in the public garages on a regular basis. OIG Special Agents met with MDAD's Landside Operations Division Director and Supervisor in charge of the on-site parking facilities. Their concern was that these employees, by presenting disabled parking placards upon their exit, were receiving free on-site parking during their regular work shifts. They advised that a preliminary review of the APA's data showed that numerous placards were used multiple times during recent months, indicating that many were possibly airport employees.

⁴ Due to current construction activity in Concourse A, the drop off point was changed to the curb outside of the Concourse C.

The OIG determined that there are approximately 225 to 250 disabled placards presented daily (average of 7,000 a month) at the toll plaza to waive the parking fees incurred in the MIA public garages, and that the waived fees are increasing dramatically. It was estimated that for FY06/07, ending 9/30/07, over \$2 million would have been waived for disabled parking.

OIG Review of APA Reports and Waiver Forms

The OIG reviewed APA reports documenting disabled parking waivers submitted since May 2005. The OIG’s initial analysis for the two-week period of August 16 - 29, 2007, reflected that 3,452 waivers (totaling \$96,084) were completed, with 1,780 waivers (or 52%) attributed to over 200 airport employees. The OIG was able to verify these individuals’ employment status through their federally-mandated airport security badges (or non-secure area credentials) issued by MDAD. Employees working in or needing access to the secure areas of the airport must have a security badge. Other airport workers whose work is exclusively in public non-secure areas are supposed to be issued MDAD credentials.

Further review of APA records for additional months identified that at least 227 airport employees used, on a regular basis, disabled placards to park for free at one of the three on-site parking facilities. We also saw that other individuals regularly park for free at MIA by presenting disabled parking placards; however, employment status for these other repeat parkers could not be verified if they were not issued MDAD security credentials. We note that in some cases, we found individuals parking (and presenting a disabled parking placard) five days a week but because we could not find any MDAD-issued credentials for that person, we could not verify employment status vis-à-vis the airport.

Table 1 below shows that within the past nine years the average daily number of disabled parking fee waivers have increased 136% (from FY98-99 to FY06-07). The average annual fees waived have also increased during the same nine-year period by 263%. The approximate dollar amount of fees waived for the last fiscal year (FY06-07) was \$2.2 million. Based on our earlier two-week sample of “identified airport employees” regularly parking for free by presenting a disabled parking placard, free parking for employees working at the airport amounts to \$1.1 million in lost revenues last year. Moreover, within the past fiscal year alone, there was a 31% increase in the dollar amount of fees waived (\$1.7 to \$2.2 million). Based upon the trend of the past nine years, it is only reasonable to assume that this year’s figures—absent any change in policy or change in hourly/daily fees—would be even higher.

Table 1: Number of Disabled Placard Waivers and Total Amount Waived

FY	Average Daily Number of Waivers	Average Daily Fees Waived	Annual Number of Waivers	Annual Waived Fees Total
98/99	98	\$1,673	35,788	\$610,550
99/00	108	\$1,775	39,364	\$648,030

FY	Average Daily Number of Waivers	Average Daily Fees Waived	Annual Number of Waivers	Annual Waived Fees Total
00/01	125	\$2,233	45,762	\$815,128
01/02	128	\$2,334	46,777	\$815,945
02/03	134	\$2,521	49,082	\$920,100
03/04	165	\$3,417	60,111	\$1,247,088
04/05	185	\$3,867	67,636	\$1,411,628
05/06	205	\$4,619	75,262	\$1,686,098
06/07	232	\$6,067	84,555	\$2,214,282
Total			504,337	\$10,368,849

*Source: APA records

Moreover, while the majority of fee waivers for airport workers was based on the maximum daily rate of either \$15 (Dolphin or Flamingo garage) or \$30 (short-term lot), there were other airport employees, known to reside out-of-state and leave their vehicles in the garage for days and even weeks at a time. Obviously, these episodes generate much higher parking fees and, thus, significantly higher waived amounts. For example, one airport employee, by presenting a disabled parking placard upon exit, was able to park for free for 58 days, and the incurred fee of \$870 (58 days at \$15) was waived. While non-employees were not the focus of this review, the data clearly showed that these extended “free” stays were not limited to airport workers, but also applied to others in the traveling public who were able to produce a disabled parking placard upon exit.

OIG Visual Surveillance

The OIG physically monitored the three on-site public parking facilities from December 2007 to mid-February 2008. We observed airport workers—some distinguishable by their work uniforms, some providing the identification of the employer—on a daily basis, parking their vehicles and walking in and out of the parking areas to the terminals, concourses, etc. While we observed that many of the airport workers parked in the designated disabled parking spaces and hung a disabled parking placard, we also observed that others did not—they just parked anywhere. However, all the individuals visually monitored by the OIG and captured on video utilized disabled placards to have their parking fees waived. This was observed by monitoring the toll plaza exit at the end of the work-shift.

During the period of the OIG’s visual surveillances, we video recorded in excess of 40 employees of the various airlines, federal agencies, and other airport companies as they walked to and from their vehicles and the terminal areas. None exhibited severe disabilities that limited their ability to walk. The vast majority appeared to walk normally and many carried back packs, tote bags or other items without any problems. Several individuals were observed bending over picking up items, and some were seen leaning into the trunks of their vehicles to either place items in or take items out.

One federal agency employee was observed working on his vehicle inside the Dolphin garage on two different occasions. An APA employee was observed twice washing/wiping down her car in the parking garages. Of the airport workers observed by the OIG, none required the use of specialized equipment in order to move about. We note that one airport worker, who regularly parked for free, did make limited use of a cane to walk.

Our investigation further revealed that although APA’s policy dictated that each cashier review the placard, registration and driver license of each individual presenting a disabled placard when exiting the lot, they failed to always follow these guidelines. We found this to be the case for several APA employees, which the OIG observed handing in pre-completed disabled parking waiver forms. In observing them hand over the forms, we did not observe a disabled parking placard being produced and/or presented.⁵

Of the identified employees regularly having their daily parking fees waived, the OIG compiled data sampling seven airport employees going back to May 2005. Table 2 presents the findings for these seven employees. Based upon the dollar amount of the fee waived (\$15 or \$30), we were able to discern if the individual had pulled a parking ticket for either the Flamingo or Dolphin garages or the short-term lot.

Table 2: Sampling of Placard Usage

Employee	Date placard first used	Number of times used	Total amount waived	Most common fee waived	Average monthly usage
A	May 2005	484	\$6,583	Long term lot \$15 / day	16
B	May 2005	501	\$12,876	Short term lot \$30 / day	16
C	May 2005	261	\$5,289	Long term lot \$15 / day	8
D	June 2005	427	\$10,599	Short term lot \$30 / day	14
E	August 2005	418	\$6,062	Long term lot \$15 / day	14
F	Sept. 2005	594	\$8,036	Long term lot \$15 / day	21
G	October 2005	557	\$11,475	Short term lot \$30 / day	21

Source: APA records

During our surveillance period, we also observed that on numerous occasions all of the disabled parking spaces in either of the garages and/or short-term lot were occupied—many of which were occupied by the airport workers’ cars that we were monitoring. During these instances, the passenger requiring disabled spaces were forced to park in regular spaces much farther away from the elevators and entrances. Also, the OIG visually took notice that many of the disabled parking spaces at the employees’ off-site lot were not occupied.

⁵ Of the 227 airport workers regularly parking for free, we found that 12 to be APA employees. During the two-week period of August 16-29, 2007, we counted 10 APA employees parking multiple times at MIA for free.

The OIG recognizes that there are many airport employees authorized to park in the MIA garages who have credentials that allow them to swipe in and out without paying a fee. These are not the employees referred to in this report, as they would have no reason to present a disabled placard upon exiting. They could simply exit the facility much faster by swiping their identification card through one of the dedicated credit card or mag-card lanes.

CONCLUSION

Any airport employee, as a member of the general public, may park in the airport's garages. Hourly rates or a fixed maximum daily rate applies. The maximum daily rate for parking in either the Flamingo or Dolphin garages is \$15 daily. The maximum daily rate for the short-term lot is \$30 daily. However, if one presents a disabled parking placard upon exiting the parking facility, the parking fee is waived. Based on OIG calculations of the annual number of waivers and the associated dollar amount for those waivers, we determined that approximately \$2.2 million in parking fees were waived just during the last fiscal year.

The OIG investigation revealed that a large portion, upwards of 50% or higher, of all the designated disabled parking spaces at MIA are taken by individuals working at the airport. These employees should park in the airport employees' off-site parking lot. Shuttle service to the terminal is provided. The employees' off-site parking lot has designated disabled parking spaces in close proximity to the shuttle pick-up/drop-off spots. The shuttle currently makes four stops around the terminal at gates C, E, G and J.

While it is clear that airport workers who park on-site for free (because they present a disabled parking placard) make a substantial impact on the dollar amount of disabled parking fee waivers generated each year, our visual observations also make clear that there is a negative impact on the available number of designated disabled parking spaces for the general public.

Attachment (redacted OIG video compact disc of selected surveillances)

cc: George M. Burgess, County Manager
Jose Abreu, Director, Miami-Dade Aviation Department
Heidi Johnson-Wright, Director, Office of ADA Coordination
Cathy Jackson, Director, Audit and Services Management Department
Denis Morales, Chief of Staff, Office of the Mayor
Charles Anderson, Commission Auditor

Clerk of the Board (copy filed without video attached)