

**NOTE: A request form is available from the Deputy Town Clerk or on the Town's website; please fill it in and return it no later than the "Public Comment" section of the meeting if you would like to address the Town Council. When you speak, you must come to the podium in the front and clearly state your name and address for the record. Please mute or turn off your cell phone or electronic devices at the start of the meeting. Thank you.**

**TOWN OF BAY HARBOR ISLANDS  
MORRIS N. BROAD COMMUNITY CENTER  
1175 95TH STREET  
BAY HARBOR ISLANDS, FL 33154**

**REVISED SPECIAL COUNCIL MEETING  
AGENDA**

June 1, 2026  
6:00 PM

**STATEMENT OF DECORUM**

*All comments must be addressed to the Council as a body and not to individuals. Any person making a racial or slanderous remark or who becomes boisterous while addressing the Town Council, staff, etc. shall be barred from the audience by the presiding officer. No profanity, shouting, heckling, verbal outbursts, or disruptive behavior in support of or opposition to a speaker or his/her remarks is permitted. Please mute or turn off your cell phone or other electronic devices at the start of the meeting. Failure to do so may result on being barred from the meeting. Persons exiting the Chambers shall do so quietly.*

**SPECIAL NOTICE**

A Special Meeting of the Town Council of the Town of Bay Harbor Islands will take place in-person and virtually through the Zoom platform, on Monday, June 1, 2026, at 6:00 p.m.

"In an effort to provide greater public access and comment on pending matters, the Town of Bay Harbor Islands is providing a Zoom link to enable members of the public to comment on pending items on the Town Council agenda. Zoom access is provided under the same terms and conditions as in-person access, including length of time and decorum. Anyone desiring to be heard may utilize the Zoom link. However, members of the public must understand that the provision of Zoom access for comments is a courtesy, not a vested right, and that access is provided subject to the availability and functionality of the Town's equipment. There is no guarantee that internet service will be reliable or that the Town's equipment will function as intended. In the event that the Zoom access is unavailable or interrupted for any reason, the Town Council meeting will still proceed forward, and will not be stopped or rescheduled in any regard. Those wishing to be absolutely certain that their comments are heard by the Town Council should present themselves in person at the Council meeting and seek recognition, or alternatively, should submit their comments in advance of the meeting in writing to the Town Clerk, and ask that they be read into the record, subject to the above terms and conditions, such as length and decorum. The validity of any actions taken by the Town Council will in no way be affected by the use or functionality of Zoom access for comments."

Zoom Meeting Link: <https://us06web.zoom.us/j/87128337667?pwd=Dhd19T0sxbJlpQ2Woarij54sFDYc5R.1>

Meeting ID: 871 2833 7667  
Passcode: 964440

To request to speak during Public Comment, please utilize the "raise your hand" Zoom feature on your electronic device. You will be recognized at the direction of the Zoom Meeting Host.

In addition, any member of the public who does not wish, or is unable to participate through the Zoom video conferencing platform, but would still like to participate can do so by listening to the meeting as it happens by dialing the Toll-free numbers below:

US Toll Free Numbers: 877 853 5247 or 888 788 0099  
For higher quality, dial a number based on your current location):  
US: 1 312 626 6799 or 1 646 558 8656 or 1 301 715 8592

Meeting ID: 871 2833 7667  
Passcode: 964440  
Participant ID: Press the # key.

To request to speak: Dial \*9 on your telephone device to activate the "Raise your Hand" feature on the Zoom platform.

Members of the Public can also submit their request to speak and/or comments via email to the Office of the Town Clerk at [eherbello@bayharborislands-fl.gov](mailto:eherbello@bayharborislands-fl.gov) prior to 4:00 p.m. on the day of the meeting.

## **CALL TO ORDER:**

## **PLEDGE OF ALLEGIANCE:**

## **ROLL CALL**

## **OPENING COMMENTS BY MAYOR ISAAC SALVER**

## **PUBLIC COMMENT**

*Speakers are allowed three (3) minutes and up to no more than five (5) minutes at the discretion of the presiding officer to speak on any items on the agenda only during the Public Comment portion of the meeting. Speakers may apportion their time during Public Comment to various agenda items however they wish. Any person who wishes to speak during a public hearing may be heard for no more than two (2) minutes during each public hearing or ordinance on second reading. Your cooperation is appreciated in observing the three (3) minute rule. If you have a matter you would like to discuss which requires more than five (5) minutes, please arrange a meeting with the Town Manager or appropriate administrative official. A request form is available from staff or on the Town's website; please fill it in and return it to the Deputy Town Clerk no later than the conclusion of "Public Comment" section of the meeting, if you would like to address the Town Council. Please come forward to the podium, give your name and address, and the name and address of the organization you are representing if any*

## **DISCUSSION ITEMS:**

1. Discussion regarding the recent micromobility state legislation and enforcement of the Town's current ordinance. Sponsored by Mayor Isaac Salver.

## **ADJOURNMENT:** 9:00 p.m.

***Pursuant to Florida Statutes 286.0105, the Town hereby advises the public that should any person decide to appeal any decision of the Town Council with respect to any matter to be considered at this meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.***

**AGENDA ITEM REPORT**

June 1, 2026

**ITEM NUMBER: 1.**

**ITEM:** Discussion regarding the recent micromobility state legislation and enforcement of the Town's current ordinance. Sponsored by Mayor Isaac Salver.

**DESCRIPTION:**

**RECOMMENDED ACTION:**

---

---

**FINANCIAL ANALYSIS:**

**BUDGET IMPACT:**

---

Submitted By: Mayor Isaac Salver

**ATTACHMENTS**

1.	Ordinance No. 1100 - Regulation of Bicycles, Motorized Vehicles
2.	Sec. 18 10. Regulation of bicycles motorized non motorized and other similar dev
3.	State Bill - SB 382-Micromobility

**ORDINANCE NO. 1100**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, AMENDING THE TOWN'S CODE OF ORDINANCES RELATED TO THE REGULATION OF BICYCLES, MOTORIZED AND OTHER SIMILAR DEVICES; AMENDING CHAPTER 18, ARTICLE I, SECTION 18-9 "PROHIBITION OF THE RIDING OF BICYCLES AND MOTORIZED DEVICES", SECTION 18-11 "BICYCLES AND MOTORIZED DEVICES PARKING"; RETITLING FROM RESERVED TO SECTION 18-10 "REGULATION OF BICYCLES AND MOTORIZED DEVICES (EXCLUDING BRIDGES)", SECTION 18-12 "REQUIREMENT FOR OPERATORS UNDER SIXTEEN (16) YEARS OLD", SECTION 18-13 "ENFORCEMENT", SECTION 18-14 "SCHEDULE OF CIVIL PENALTIES", AND SECTION 18-15 "APPEALS"; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Bay Harbor Islands originally adopted bicycle parking on April 16, 2018 to restrict interference with the flow of pedestrian and vehicular traffic and to ensure the safety of all persons traversing sidewalks, streets, rights-of-way, and public property in the town; and

**WHEREAS**, the Town Council of the Town of Bay Harbor Islands is charged with protecting and preserving the public health, safety and welfare of the residents and those coming into the Town of Bay Harbor Islands; and

**WHEREAS**, Section 316.2128, Florida Statutes, gives motorized scooters and micromobility devices all of the rights and duties applicable to the rider of a bicycle; and

**WHEREAS**, Section 316.2128, Florida Statutes, allows for local governments to regulate by ordinances the operation of micromobility and motorized scooters on streets, highways, sidewalks, and sidewalk areas within the local government's jurisdiction; and

**WHEREAS**, the Town Council of the Town of Bay Harbor Islands, wish to establish Sections 18-10, "Regulation of bicycles, motorized, and other similar devices (excluding bridges)", 18-12, "Requirement for Operators Under Sixteen (16) Years Old", 18-13 "Enforcement", 18-14, "Schedule of civil penalties", and 18-15 "Appeals" in Chapter 18 Streets and Sidewalks, to improve the safety for both residential and tourist micromobility users, protect pedestrians and cyclists, ensure vehicle access, regulate micromobility providers, and reduce the risk of micromobility vehicles becoming a nuisance within the Town; and

**WHEREAS**, the Town Council of the Town of Bay Harbor Islands, periodically reviews the Town's Code of Ordinances to ensure that the Code meet the needs of the Town;

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA:**

**Section 1:** The foregoing recitals are adopted and hereby incorporated as if fully set forth herein.

**Section 2:** That Chapter 18 of the Town Code entitled Streets and Sidewalks is hereby amended, Article I, Section 18-9 “Prohibition of the riding of bicycles and motorized devices on town sidewalks located on bridges”, Section 18-10 “Regulation of bicycles, motorized, and other similar devices (excluding bridges)”, and Section 18-11 “- Bicycle and Motorized devices parking”; addition retitled reserved to Section 18-12 “Requirement for Operators Under Sixteen (16) Years Old”, Section 18-13 “Enforcement”, 18-14 “Schedule of civil penalties “, and Section 18-15 “Appeals” to modify the provision related to bicycles, motorized and non-motorized fully set forth in the attached Exhibit “A”, and by reference are made a part hereof.

**Section 3:** That if any section, paragraph, sentence or word of this Ordinance or the application thereof to any person or circumstance is held invalid, that the invalidity shall not affect the other sections, paragraphs, sentences, words or application of this Ordinance.

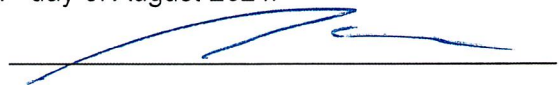
**Section 4:** That it is the intention of the Town Council of the Town of Bay Harbor Islands, and it is therefore ordained, that the provisions of the Ordinance shall become and be made a part of the Town of Bay Harbor Islands’ Code of Ordinances, that sections of this Ordinance may be re-numbered or re-lettered to accomplish such intentions, and that the word “Ordinance” shall be changed to “Section” or other appropriate word.

**Section 5:** That all Ordinances, parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith be and the same are hereby repealed to the extent of such conflict.

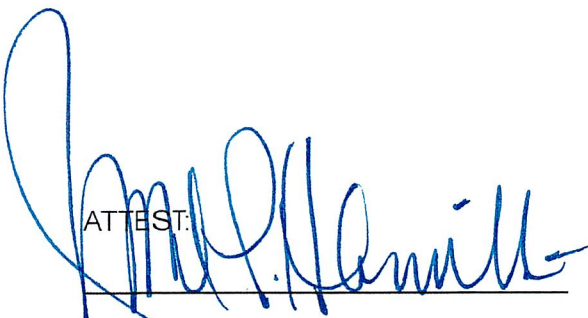
**Section 6:** That this Ordinance shall be in full force and take effect immediately upon its passage and adoption.

PASSED on First Reading this 18<sup>th</sup> day of June 2024.

PASSED on Second Reading this 14<sup>th</sup> day of August 2024.



JOSHUA D. FULLER, MAYOR

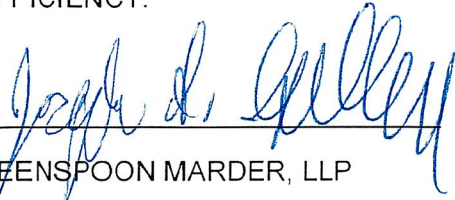


ATTEST:

YVONNE P. HAMILTON, CMC

TOWN CLERK

APPROVED AS TO FORM AND LEGAL  
SUFFICIENCY:



---

GREENSPOON MARDER, LLP  
TOWN ATTORNEYS

BY: JOSEPH S. GELLER, ESQ.

## EXHIBIT A

### Chapter 18 - STREETS AND SIDEWALKS

#### ARTICLE I. - IN GENERAL

**Sec. 18-9. - Prohibition of the riding of bicycles, skateboards, scooters, and other similar devices (motorized or non-motorized) on town sidewalks located on bridges.**

The riding of bicycles, electric bicycles, hover boards, electric scooters, scooters, shared mobility devices, and similar modes of transportation (motorized or non-motorized) on town sidewalks located on bridges shall be prohibited and unlawful with the exception of law enforcement officers in performance of their duties. Riders or operators of motorized or non-motorized devices must dismount and walk across all sidewalks situated on the bridges. However, this term does not include "wheelchairs" or "other power-driven mobility devices" as defined under the ADA, 28 CFR s. 35.104, as may be amended.

**Sec. 18-10. – ~~Reserved~~ Regulation of bicycles, motorized, non-motorized and other similar devices.**

This section aims to grant the Town of Bay Harbor Islands the authority to regulate the use of micromobility devices, bicycles, electric bicycles, skateboards, hover boards, scooters, electric scooters, shared mobility devices, and similar modes of transportation (motorized or non-motorized) on Town roads as well as sidewalks.

1. Definitions.

- a. Bicycle: Every vehicle propelled solely by human power, having two tandem wheels, and including any device generally recognized as a bicycle though equipped with two front or two rear wheels. The term does not include a scooter or similar device.
- b. Bicycle Lane: Any portion of a roadway or highway which is designated by pavement markings and signs for preferential or exclusive use by bicycles.
- c. Electric Bicycle: A bicycle or tricycle equipped with fully operable pedals, a seat or saddle for the use of the rider, and an electric motor of less than 750 watts which meets the requirements of one of the following three classifications:
  - i. "Class 1 electric bicycle" means an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the electric bicycle reaches the speed of 20 miles per hour.
  - ii. "Class 2 electric bicycle" means an electric bicycle equipped with a motor that may be used exclusively to propel the electric bicycle

- and that ceases to provide assistance when the electric bicycle reaches the speed of 20 miles per hour.
- iii. “Class 3 electric bicycle” means an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the electric bicycle reaches the speed of 28 miles per hour.
  - iv. However, this term does not include “wheelchairs” or “other power-driven mobility devices” as defined under the ADA, 28 CFR s. 35.104, as may be amended.
- d. Moped: Any vehicle with pedals to permit propulsion by human power, having a seat or saddle for the use of the rider and designed to travel on not more than three wheels, with a motor rated not in excess of 2 brake horsepower and not capable of propelling the vehicle at a speed greater than 30 miles per hour on level ground and with a power-drive system that functions directly or automatically without clutching or shifting gears by the operator after the drive system is engaged. If an internal combustion engine is used, the displacement may not exceed 50 cubic centimeters. The term does not include an electric bicycle.
  - e. Motorized scooter or scooters: Any vehicle or micromobility device that is powered by a motor with or without a seat or saddle for the use of the rider, which is designed to travel on not more than three wheels, and which is not capable of propelling the vehicle at a speed greater than 20 miles per hour on level ground. The term does not include an electric bicycle.
  - f. Motorized devices: Those powered by a motor or engine, such as electric scooters, hover boards, electric bicycles, electric skateboards, and other similar devices.
  - g. Micromobility device: Motorized scooters and electric bicycles as defined herein and shall include any motorized transportation device which is incapable of traveling at speeds greater than 20 miles per hour on level ground. This term shall also include those devices defined in section 316.003(41), Florida Statutes, as may be amended. However, this term does not include “wheelchairs” or “other power-driven mobility devices” as defined under the ADA, 28 CFR § 35.104, as may be amended.
  - h. Non-motorized devices: Rely on human propulsion for movement, like bicycles, skateboards, scooters, or other similar devices.
  - i. Pedestrian: Any person on foot.
  - j. Public right-of-way or right-of-way: any public street, highway, sideway, parkway, alley, or public parking lot.

- k. Rider or operator: A person riding, driving, or otherwise operating a motorized or non-motorized device.
  - l. Roadway: That portion of a highway improved, designed, or ordinarily used for vehicular travel, exclusive of the berm or shoulder. If a highway includes two or more separate roadways, the term "roadway" refers to any such roadway separately, but not to all such roadways collectively.
2. Rules and regulations for motorized and/or non-motorized devices (excluding bridges).

This section supplements the general traffic laws of the State of Florida, with the aim of governing the operation of bicycles, electric bicycles, skateboards, hover boards, scooters, electric scooters, shared mobility devices, and similar modes of transportation (motorized or non-motorized). It emphasizes safety and well-being for all users of public rights-of-way. This section shall not be construed to regulate "wheelchairs" or "other power-driven mobility devices" as defined under the Americans with Disabilities Act (ADA), 28 CFR § 35.104, as may be amended.

- a. Riders of motorized and non-motorized devices shall comply with all applicable state, County and Town traffic laws, rules, and regulations as may be applicable to such devices.
- b. Riders of motorized and non-motorized devices may be ticketed for traffic violations, as applicable, in the same manner as motor vehicles.
- c. The operation of motorized and non-motorized devices on public sidewalks or walkways must yield the right-of-way to all pedestrians. All motorized and non-motorized devices within the town are limited to a maximum speed of 15 miles per hour on the public sidewalks. Devices capable of exceeding this speed limit are prohibited from being used on sidewalks.
- d. Motorized and non-motorized devices are allowed to operate within bike lanes, if available, on shared use paths, designated by the town, upon streets or other areas as authorized by the town manager. All devices are required to go with the flow of traffic.
- e. Ridership of more than one (1) person on any bicycle and motorized device is prohibited, unless such micromobility device is specifically designed to carry more than one person.
- f. It is prohibited for a rider or riders to sit where feet are supposed to be placed, unless such micromobility device is specifically designed with a seat.
- g. All bicycle and motorized devices must comply with the lighting standards set forth in section 316.2065(7), Florida Statutes, as may be amended,

which requires a reflective front white light visible from a distance of at least 500 feet and a reflective rear red light visible from a distance of at least 600 feet.

- h. In addition to town code, bicycles and motorized devices are subject to all state laws pertaining to micromobility devices, motorized scooters, or electric bicycles, as applicable, and as may be amended.

**Sec. 18-11. – Bicycle, Motorized and Non-Motorized devices parking.**

- a) Purpose. The purpose of this section is to restrict interference with the flow of pedestrian and vehicular traffic and to ensure the safety of all persons traversing sidewalks, streets, rights-of-way, and public property in the town. Motorized devices are those powered by a motor or engine, such as electric scooters, hover board electric bicycles, electric skateboards, and other similar devices.
- b) Bicycle Motorized and/or non-motorized devices parking. All bicycles, skateboards, scooters, and other similar devices (motorized and/or non-motorized) when parked within the town, shall be parked in areas or zones designated and marked by the town for such purpose or otherwise by agreement between the town and the bicycle device owner, unless parked within private property by the property owner or with the consent of the property owner.
  - 1) Motorized or non-motorized devices shall not be parked upon any public right-of-way (street, alley and/or sidewalk), except in a location designated for such parking.
  - 2) Motorized or non-motorized devices shall not be parked in a manner that obstructs the ingress or egress from any park or parking location.
  - 3) Motorized or non-motorized devices shall not be parked in a manner that prevents any right-of-way from maintaining at least 3 feet of walkway clearance.
- c) Removal of bicycles, motorized or non-motorized devices improperly parked. Law enforcement officers or public service aids are hereby authorized to remove bicycles improperly parked and bring them to an impoundment area, such other place of safety, or to an area designated or maintained by the town for bicycles. Abandoned and lost bicycles shall be administered pursuant to Chapter 705, Florida Statutes.
- d) Charges to be paid before property released from impoundment. No property retained in an impoundment area as herein provided shall be released therefrom until the charges for notice, transportation of such property into an impoundment area, and storage charges have been paid. Such charges shall be fixed by resolution based upon a computation of all actual expenses entered into the notice, removal, and storage of the same. Such charge or charges shall be

available for public inspection in the office of the town clerk Bay Harbor Islands Police department.

**Sec. 18-12- Reserved Requirement for Operators Under Sixteen (16) Years Old.**

Any person under the age of sixteen (16) years old shall operate a motorized and/or non-motorized device must wear a helmet that is properly fitted and is fastened securely upon the operator's head by a strap and that meets the federal safety standard for bicycle helmets, final rule, 16 C.F.R. part 1203 as provided in section 316.2065, Florida Statutes. It is unlawful for the parents, legal guardian, or custodian of a minor child to knowingly permit the child to violate any provision of this section.

- a) The offense maybe be issued to the parents, legal guardian, or custodian of a minor child. All devices will be impounded and will require a pickup from the parents, legal guardian, or custodian of a minor child to claim the device.

**Sec. 18-13- Reserved Enforcement.**

A violation of this section shall be a traffic infraction and is punishable by any allowable fine or action applicable under Florida law. The police department will enforce all violations related to the use of bicycles, skateboards, scooters, and similar devices (whether motorized or non-motorized).

- a) Bay Harbor Police department and public service aids may issue a bicycle, motorized, and non-motorized device safety brochure and a verbal warning to a bicycle or motorized rider or passenger who violates this subsection.
- b) Any person violating a provision of this chapter shall be subject to the penalties and remedies provided.
- c) Each violation, and each day, or portion thereof, that a violation of this section exists shall constitute a separate offense.

**Sec. 18-14- Reserved Schedule of civil penalties.**

The following table shows the sections of this Code, as they may be amended from time to time, which may be enforced pursuant to the provisions of this chapter; and the dollar amount of civil penalty for the violation of these sections as they may be amended.

- a) Penalties

<u>Code section</u>	<u>Description of violation</u>	<u>Civil penalty</u>
<u>Sec. 18-9</u>	<u>The riding of bicycles and motorized devices in a prohibited area.</u> <ul style="list-style-type: none"><li>• <u>Town bridges sidewalk</u></li></ul>	<u>First offense: \$50.00</u> <u>Second offense: \$100.00</u>

	<ul style="list-style-type: none"> <li>• <u>Construction site</u></li> <li>• <u>Riding into oncoming traffic</u></li> </ul>	<u>Third or subsequent offense: \$250.00, plus impound fee.</u>
	<u>The riding of a motorized or non-motorized device, vehicle or bicycle which results in a strike, hit, or collision involving or which injures, a pedestrian.</u>	<u>First offense: \$500.00</u>  <u>Second or subsequent offense: \$1,000.00 plus impound fee.</u>  <u>Sec. 316.027, Florida Statutes: The fee will be determined by Law enforcements</u>
Sec. 18-10(2)(e)	<u>Ridership of more than one (1) person on any bicycle and motorized device.</u>	<u>First offense: \$50.00</u>  <u>Second or subsequent offense: \$100.00</u>
Sec. 18-12	<u>Any person under the age of sixteen (16) years old operating a motorized and/or non-motorized device without a helmet.</u>	<u>First offense: \$50.00</u>  <u>Second or subsequent offense: \$100.00, plus impound fee</u>
Sec. 18-10(2)(g)	<u>Operating a bicycle and motorized device without lighting standards.</u>	<u>First offense: A warning citation</u>  <u>Second or subsequent offense: \$50.00, plus impound fee</u>
Sec. 18-12(a)	<u>Impound of motorized and/or motorized per devices.</u>	<u>First offense: \$25.00</u>  <u>Second or subsequent offense: \$50.00 plus \$10.00 per day</u>

**Sec. 18-15- Reserved Appeals.**

1. A violator who has been served with a notice shall elect either to:
  - a. Pay the civil penalty in the manner and within the time indicated on the notice; or

- b. Request an administrative hearing before the special magistrate to appeal the decision of the Law enforcement officer which resulted in the issuance of the fine.
2. An appeal of the notice shall be accomplished by filing a request in writing to the address indicated on the notice, not later than forty-five (45) calendar days after the date of service of the notice.
3. If the named violator, after notice, fails to pay the civil penalty or to timely request an administrative hearing before the special magistrate, the special magistrate shall be informed of such failure by report from the law enforcement officer in the form of an affidavit. Failure of the violator to appeal the decision of the law enforcement officer within the prescribed time period shall constitute a waiver of the violator's right to administrative hearing before the special magistrate. A waiver of the right to administrative hearing shall be treated as an admission of the violation, and penalties may be assessed accordingly.

**Secs. 18-126 —18-20. - Reserved.**

---

## Sec. 18-10. Regulation of bicycles, motorized, non-motorized and other similar devices.

This section aims to grant the Town of Bay Harbor Islands the authority to regulate the use of micromobility devices, bicycles, electric bicycles, skateboards, hover boards, scooters, electric scooters, shared mobility devices, and similar modes of transportation (motorized or non-motorized) on town roads as well as sidewalks.

(1) *Definitions.*

*Bicycle* means every vehicle propelled solely by human power, having two tandem wheels, and including any device generally recognized as a bicycle though equipped with two front or two rear wheels. The term does not include a scooter or similar device.

*Bicycle lane* means any portion of a roadway or highway which is designated by pavement markings and signs for preferential or exclusive use by bicycles.

*Electric bicycle* means a bicycle or tricycle equipped with fully operable pedals, a seat or saddle for the use of the rider, and an electric motor of less than 750 watts which meets the requirements of one of the following three classifications:

- a. *Class 1 electric bicycle* means an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the electric bicycle reaches the speed of 20 miles per hour.
- b. *Class 2 electric bicycle* means an electric bicycle equipped with a motor that may be used exclusively to propel the electric bicycle and that ceases to provide assistance when the electric bicycle reaches the speed of 20 miles per hour.
- c. *Class 3 electric bicycle* means an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the electric bicycle reaches the speed of 28 miles per hour.
- d. However, this term does not include "wheelchairs" or "other power-driven mobility devices" as defined under the ADA, 28 CFR § 35.104, as may be amended.

*Micromobility device* means motorized scooters and electric bicycles as defined herein and shall include any motorized transportation device which is incapable of traveling at speeds greater than 20 miles per hour on level ground. This term shall also include those devices defined in F.S. § 316.003(41), as may be amended. However, this term does not include "wheelchairs" or "other power-driven mobility devices" as defined under the ADA, 28 CFR § 35.104, as may be amended.

*Moped* means any vehicle with pedals to permit propulsion by human power, having a seat or saddle for the use of the rider and designed to travel on not more than three wheels, with a motor rated not in excess of two-brake horsepower and not capable of propelling the vehicle at a speed greater than 30 miles per hour on level ground and with a power-drive system that functions directly or automatically without clutching or shifting gears by the operator after the drive system is engaged. If an internal combustion engine is used, the displacement may not exceed 50 cubic centimeters. The term does not include an electric bicycle.

*Motorized devices* means those powered by a motor or engine, such as electric scooters, hover boards, electric bicycles, electric skateboards, and other similar devices.

*Motorized scooter or scooters* means any vehicle or micromobility device that is powered by a motor with or without a seat or saddle for the use of the rider, which is designed to travel on not more than three wheels, and which is not capable of propelling the vehicle at a speed greater than 20 miles per hour on level ground. The term does not include an electric bicycle.

---

*Non-motorized devices* rely on human propulsion for movement, like bicycles, skateboards, scooters, or other similar devices.

*Pedestrian* means any person on foot.

*Public right-of-way* or *right-of-way* means any public street, highway, sideway, parkway, alley, or public parking lot.

*Rider* or *operator* means a person riding, driving, or otherwise operating a motorized or non-motorized device.

*Roadway* means that portion of a highway improved, designed, or ordinarily used for vehicular travel, exclusive of the berm or shoulder. If a highway includes two or more separate roadways, the term "roadway" refers to any such roadway separately, but not to all such roadways collectively.

- (2) *Rules and regulations for motorized and/or non-motorized devices (excluding bridges)*. This section supplements the general traffic laws of the State of Florida, with the aim of governing the operation of bicycles, electric bicycles, skateboards, hover boards, scooters, electric scooters, shared mobility devices, and similar modes of transportation (motorized or non-motorized). It emphasizes safety and well-being for all users of public rights-of-way. This section shall not be construed to regulate "wheelchairs" or "other power-driven mobility devices" as defined under the Americans with Disabilities Act (ADA), 28 CFR § 35.104, as may be amended.
- a. Riders of motorized and non-motorized devices shall comply with all applicable state, county and town traffic laws, rules, and regulations as may be applicable to such devices.
  - b. Riders of motorized and non-motorized devices may be ticketed for traffic violations, as applicable, in the same manner as motor vehicles.
  - c. The operation of motorized and non-motorized devices on public sidewalks or walkways must yield the right-of-way to all pedestrians. All motorized and non-motorized devices within the town are limited to a maximum speed of 15 miles per hour on the public sidewalks. Devices capable of exceeding this speed limit are prohibited from being used on sidewalks.
  - d. Motorized and non-motorized devices are allowed to operate within bike lanes, if available, on shared use paths, designated by the town, upon streets or other areas as authorized by the town manager. All devices are required to go with the flow of traffic.
  - e. Ridership of more than one person on any bicycle and motorized device is prohibited, unless such micromobility device is specifically designed to carry more than one person.
  - f. It is prohibited for a rider or riders to sit where feet are supposed to be placed, unless such micromobility device is specifically designed with a seat.
  - g. All bicycle and motorized devices must comply with the lighting standards set forth in F.S. § 316.2065(7), as may be amended, which requires a reflective front white light visible from a distance of at least 500 feet and a reflective rear red light visible from a distance of at least 600 feet.
  - h. In addition to Town Code, bicycles and motorized devices are subject to all state laws pertaining to micromobility devices, motorized scooters, or electric bicycles, as applicable, and as may be amended.

(Ord. No. 1100, § 2(Exh. A), 8-14-2024)

2026382er

1  
2 An act relating to micromobility devices; amending s.  
3 316.20655, F.S.; providing requirements for the  
4 operation of electric bicycles; prohibiting the  
5 operation of an electric bicycle above a certain speed  
6 under certain circumstances; providing penalties;  
7 creating the Micromobility Device Safety Task Force  
8 adjunct to the Department of Highway Safety and Motor  
9 Vehicles; requiring the department to provide  
10 administrative and staff support services to the task  
11 force; providing the purpose of the task force;  
12 providing the composition of the task force; requiring  
13 the appointment of task force members within a  
14 specified timeframe; providing the manner in which  
15 task force vacancies must be filled; requiring that  
16 the task force convene within a certain timeframe;  
17 requiring the task force to meet at least monthly;  
18 providing requirements for the time and place of the  
19 task force meetings; providing that members of the  
20 task force are entitled to reimbursement for per diem  
21 and travel expenses; requiring the task force to  
22 develop and submit a certain report to the Governor  
23 and Legislature by a specified date; providing for the  
24 expiration of the task force; requiring the Florida  
25 Highway Patrol and each police department and  
26 sheriff's office to maintain a certain list, beginning  
27 on a certain date; providing requirements for the  
28 list; requiring each police department and sheriff's  
29 office to submit a certain report to the department by

2026382er

30 a specified date; requiring the department to provide  
31 a certain report to the Governor and Legislature by a  
32 specified date; providing effective dates.

33  
34 Be It Enacted by the Legislature of the State of Florida:

35  
36 Section 1. Effective July 1, 2026, subsection (10) is added  
37 to section 316.20655, Florida Statutes, to read:

38 316.20655 Electric bicycle regulations.—

39 (10) (a) A person operating an electric bicycle on a shared  
40 pathway that is not located adjacent to a roadway, including a  
41 shared pathway located in a park or recreational area, shall  
42 yield to pedestrians and shall give an audible signal before  
43 overtaking and passing a pedestrian.

44 (b) A person operating an electric bicycle on a sidewalk or  
45 any other area designated for pedestrian use may not operate the  
46 electric bicycle at a speed greater than 10 miles per hour if a  
47 pedestrian is within 50 feet of the electric bicycle.

48 (c) A person who fails to comply with this subsection  
49 commits a noncriminal traffic infraction, punishable as a  
50 nonmoving violation as provided in chapter 318.

51 Section 2. Micromobility Device Safety Task Force.—

52 (1) CREATION.—The Micromobility Device Safety Task Force, a  
53 task force as defined in s. 20.03(5), Florida Statutes, is  
54 created adjunct to the Department of Highway Safety and Motor  
55 Vehicles. The department shall provide administrative and staff  
56 support services related to the functions of the task force.

57 (2) PURPOSE.—The purpose of the task force is to examine  
58 and recommend improvements to state law and the regulatory

2026382er

59 framework governing micromobility devices as defined in s.  
60 316.003, Florida Statutes, in order to encourage the safe  
61 operation of micromobility devices and to prevent traffic  
62 incidents, injuries, and fatalities involving such devices.

63 (3) MEMBERSHIP; MEETINGS.—

64 (a) The task force shall be composed of the executive  
65 director of the Department of Highway Safety and Motor Vehicles,  
66 or his or her designee; the Secretary of Transportation, or his  
67 or her designee; and the following members, who shall be  
68 appointed by the executive director of the Department of Highway  
69 Safety and Motor Vehicles:

70 1. A representative from the Florida Sheriffs Association.

71 2. A representative from the Florida Police Chiefs  
72 Association.

73 3. A representative from the micromobility device industry.

74 4. A representative from the Florida League of Cities.

75 5. A representative from the Florida Association of  
76 Counties.

77 6. A representative from the medical field with experience  
78 in treating bicyclist and pedestrian injuries.

79 7. A representative from an organization involved in  
80 efforts to prevent injuries and fatalities involving  
81 micromobility devices, including electric bicycles and motorized  
82 scooters.

83 (b) Appointments to the task force must be made within 15  
84 days after this act becomes a law.

85 (c) The executive director of the Department of Highway  
86 Safety and Motor Vehicles, or his or her designee, shall chair  
87 the task force. Any vacancy on the task force must be filled in

2026382er

88 the same manner as the original appointment.

89 (d) The task force shall convene no later than 30 days  
90 after this act becomes a law. The task force shall meet at least  
91 monthly, but may meet more frequently at the call of the chair.  
92 At least one meeting of the task force must occur in each of the  
93 following regions of the state: North Florida, Central Florida,  
94 and South Florida. All meetings shall be held at the time and  
95 place designated by the chair.

96 (e) Members of the task force shall serve without  
97 compensation but are entitled to receive reimbursement for per  
98 diem and travel expenses pursuant to s. 112.061, Florida  
99 Statutes.

100 (4) REPORT.—The task force shall prepare a report that  
101 includes legislative recommendations for improvements to state  
102 law and the regulatory framework governing micromobility  
103 devices. The report must take into account methods to improve  
104 traffic safety for micromobility device operators and riders,  
105 pedestrians, and other vehicle operators through reasonable  
106 measures designed to reduce traffic incidents, injuries, and  
107 fatalities. Before October 1, 2026, the task force shall submit  
108 the report to the Governor, the President of the Senate, and the  
109 Speaker of the House of Representatives. Upon submission of the  
110 report, the task force shall expire.

111 Section 3. (1) Beginning 30 days after this act becomes a  
112 law, the Florida Highway Patrol and each police department and  
113 sheriff's office shall maintain a list of all traffic crashes  
114 that the respective agency investigates which involve a  
115 micromobility device. Each micromobility device crash must be  
116 included in the list, regardless of whether the crash is

2026382er

117 reported on a Florida Traffic Crash Report, Long Form; short-  
118 form crash report; or driver exchange-of-information form. The  
119 list must contain the following information for each traffic  
120 crash involving a micromobility device:

121 (a) Date and time of the crash.

122 (b) If applicable, the class of electric bicycle involved  
123 in the crash.

124 (c) Age of the micromobility device operator involved in  
125 the crash.

126 (d) If known, whether the micromobility device operator  
127 possessed a valid Florida learner's driver license or driver  
128 license at the time of the crash.

129 (2) By October 15, 2026, each police department and  
130 sheriff's office shall submit a report to the Department of  
131 Highway Safety and Motor Vehicles which contains a list of all  
132 micromobility device crashes investigated by the respective  
133 police department or sheriff's office from the beginning of the  
134 reporting period through September 30, 2026. The report must be  
135 submitted in a form and manner determined by the department.

136 (3) By October 31, 2026, the Department of Highway Safety  
137 and Motor Vehicles shall submit to the Governor, the President  
138 of the Senate, and the Speaker of the House of Representatives a  
139 report summarizing the reports submitted to the department  
140 pursuant to subsection (2) and include in the report the list  
141 maintained by the Florida Highway Patrol pursuant to subsection  
142 (1). The report must separate the micromobility device crash  
143 data by device type and county and list the reporting law  
144 enforcement agencies within each county.

145 Section 4. Except as otherwise expressly provided in this

2026382er

146 act, this act shall take effect upon becoming a law.