

ELECTRIC AND GAS- POWERED BICYCLES AND PARKS

DEFINITIONS, REGULATIONS AND WHAT CAN WE DO



MOTORIZED SCOOTER

CLASSIFICATION

F.S.S. 316.003(23) – **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:

- (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.

316.003(48) – **MOTORIZED SCOOTER.**—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.

316.20655 Electric bicycle regulations.—(1) Except as otherwise provided in this section, an electric bicycle or an operator of an electric bicycle shall be afforded all the rights and privileges, and be subject to all of the duties, of a bicycle or the operator of a bicycle, including s. [316.2065](#). An electric bicycle is a vehicle to the same extent as a bicycle. However, this section may not be construed to prevent a local government, through the exercise of its powers under s. [316.008](#), from adopting an ordinance governing the operation of electric bicycles on streets, highways, sidewalks, and sidewalk areas under the local government’s jurisdiction or to prevent a municipality, county, or agency of the state having jurisdiction over a bicycle path, multiuse path, or trail network from restricting or prohibiting the operation of an electric bicycle on a bicycle path, multiuse path, or trail network.

- (2) An electric bicycle or an operator of an electric bicycle is not subject to the provisions of law relating to financial responsibility, driver or motor vehicle licenses, vehicle registration, title certificates, off-highway motorcycles, or off-highway vehicles.
- (3) Beginning January 1, 2021, manufacturers and distributors of electric bicycles shall apply a label that is permanently affixed in a prominent location to each electric bicycle. The label must contain the classification number, top assisted speed, and motor wattage of the electric bicycle.
- (4) A person may not tamper with or modify an electric bicycle so as to change the motor-powered speed capability or engagement of an electric bicycle, unless the label indicating the classification number required in subsection (3) is replaced after such modification.
- (5) An electric bicycle must comply with the equipment and manufacturing requirements for bicycles adopted by the United States Consumer Product Safety Commission under 16 C.F.R. part 1512.
- (6) An electric bicycle must operate in a manner so that the electric motor is disengaged or ceases to function when the rider stops pedaling or when the brakes are applied.
- (7) An operator may ride an electric bicycle where bicycles are allowed, including, but not limited to, streets, highways, roadways, shoulders, bicycle lanes, and bicycle or multiuse paths.

- **History.**—s. 8, ch. 2020-69.



MOTORIZED SCOOTER REGULATIONS



- 316.2128 **Micromobility devices, motorized scooters, and miniature motorcycles**; requirements.—
- (1) The operator of a motorized scooter or micromobility device has all of the rights and duties applicable to the rider of a bicycle under s. [316.2065](#), except the duties imposed by s. [316.2065](#)(2), (3)(b), and (3)(c), which by their nature do not apply. However, this section may not be construed to prevent a local government, through the exercise of its powers under s. [316.008](#), from adopting an ordinance governing the operation of micromobility devices and motorized scooters on streets, highways, sidewalks, and sidewalk areas under the local government's jurisdiction.
 - (2) A motorized scooter or micromobility device is not required to satisfy the registration and insurance requirements of s. [320.02](#) or the licensing requirements of s. [316.605](#).
 - (3) A person is not required to have a driver license to operate a motorized scooter or micromobility device.
 - (4) A person who offers motorized scooters or micromobility devices for hire is responsible for securing all such devices located in any area of the state where an active tropical storm or hurricane warning has been issued by the National Weather Service.
 - (5) A person who engages in the business of, serves in the capacity of, or acts as a commercial seller of miniature motorcycles in this state must prominently display at his or her place of business a notice that such vehicles are not legal to operate on public roads, may not be registered as motor vehicles, and may not be operated on sidewalks unless authorized by an ordinance enacted pursuant to s. [316.008](#)(7)(a) or s. [316.212](#)(8). The required notice must also appear in all forms of advertising offering miniature motorcycles for sale. The notice and a copy of this section must also be provided to a consumer prior to the consumer's purchasing or becoming obligated to purchase a miniature motorcycle.
 - (6) Any person selling or offering a miniature motorcycle for sale in violation of this section commits an unfair and deceptive trade practice as defined in part II of chapter 501.

•**Rights and Duties:** Electric bicycles are treated the same as regular bicycles, with the same rights, privileges, and responsibilities, including those outlined in s. 316.2065. Local governments can create ordinances regulating e-bike operation on streets, sidewalks, or bike paths within their jurisdiction.

•**Usage:** Operators can ride electric bicycles on roads, bike lanes, and multi-use paths where bicycles are permitted.



Without an Ordinance the possible violations per Florida State Statutes:

316.2065(3)(d) - helmet required if under 16 years of age

316.2065(7) - lights and reflectors required between sunset and sunrise

316.2065(8) - parent/guardian allowing minor to violate bicycle regulations

316.075 - failure to yield - traffic signal

316.123 - failure to yield - yield or stop sign

316.193(1) - DUI - criminal

316.304(1) - wearing headsets, headphones or other devices when driving

What are others doing
ELECTRIC AND GAS-POWERED
BICYCLES AND PARKS



State Parks

State Parks & Board-Managed Trails

State Park e-Bike Policy

Florida State Parks (state-managed) permit e-bikes wherever regular bicycles are allowed:

- On multi-use trails and state park bike routes.
- On paved public access roads within parks.
- *Not* on trails designated exclusively for pedestrians or equestrians.

Legal Implication: *State parks follow the Florida statutory scheme by default. They **cannot ban e-bikes outright** where bicycles are permitted, unless specific exclusions (e.g., trails closed to bicycles) are posted and justified for safety or preservation.*

SIGNAGE & TRESPASS

RESTRICTED SPEEDS

Sign Example Concepts (from public notices)

- “E-Bikes and E-Scooters Allowed Only on Park Roads and in Designated Parking Areas.”
- “No E-Bike or E-Scooter Operation on Trails, Sidewalks, Playfields, or Natural Areas.”
- “Maximum 15 mph Speed Limit Applies to All Powered Devices in Parks.
- Electric Bicycles Allowed Only on Designated Park Roads and Parking Areas.”
- “Please Ride Responsibly — E-Bikes Must Yield to Pedestrians.”

“Observe Posted Speed Limits



ORDINANCES

Municipal & County Park Ordinances (Examples)

Because Florida law *permits* local governments to regulate e-bike operation on paths and trails under their jurisdiction, many cities/counties have adopted or are considering park ordinances that restrict e-bike use in *city or county-managed parks*.

City of Jupiter passed updated park rules restricting e-bikes (and bicycles, scooters, ATVs, etc.) *to park roads only*. They may not be ridden in fields or on unpaved paths.

- This rule is about safety (*speed and conflicts with pedestrians/children*).

City of Weston amended its city code to restrict e-bikes and e-scooters *to roads/parking areas in city parks*, often with a 15 mph cap.

- Exceptions apply for mobility-assistance devices and city-authorized vehicles.

City of Parkland adopted (on first reading) an ordinance limiting e-bikes and similar devices in city parks except on designated roads and parking areas.

Legal Consistency: Again, this is an example of a local government regulating where e-bikes can operate on park property, consistent with the authority preserved in §316.20655.

Coconut Creek (Tentative) A proposed ordinance would *prohibit e-bikes and similar devices in parks except on roads and in parking areas*, though it was tabled for further discussion.

Florida Municipal Ordinance Process (Condensed)

1. Drafting

- Proposed ordinance is **written**, with a clear subject and title in cooperation with NPPD and the City Attorneys office

2. Introduction

- Introduced at a **city council/commission meeting**.
- Must embrace *only one subject* and be clearly titled.

3. Public Notice & Readings

- Notice must be published **at least once in a local newspaper** of general circulation before enactment.
- Ordinance must be **read by title (or in full) on at least two separate days** before final adoption.
- Notice must include date/time/place of hearing, title of ordinance, and inspection info.
- Public encouraged to attend and be heard.

4. Public Hearings (Often)

- Public hearings are typically held so citizens can comment before final vote.

5. Voting

- **Majority of quorum** needed to adopt.
- **Two-thirds** vote required for *emergency ordinances*.
- Every member's vote must be entered into the official record.

6. Adoption & Recording

- Upon passage, the ordinance is **signed by the presiding officer and city clerk** and recorded in the governing body's ordinance book.

7. Effective Date

- Ordinance typically becomes **effective 10 days after passage** unless a different effective date is specified.

8. Uniformity & Compliance

- This process is a **uniform minimum standard** under Florida Statutes and *cannot be reduced* by local governments



QUESTIONS, COMMENTS, RECOMMENDATIONS

