1 A bill to be entitled 2 An act relating to the operation of electric bicycles 3 and motorized scooters; amending s. 316.1995, F.S.; 4 authorizing a violation relating to the operation of 5 certain electric bicycles or motorized scooters to be 6 punishable as provided in a local government 7 ordinance; limiting the amount of a fine authorized 8 for such violation; amending s. 316.20655, F.S.; 9 authorizing a local government to adopt an ordinance relating to the operation of certain electric bicycles 10 11 in order to protect the public; requiring the local 12 government to provide certain notice of the adoption 13 and enforcement of such ordinance; amending s. 14 316.2128, F.S.; authorizing a local government to 15 adopt an ordinance relating to the operation of 16 certain motorized scooters in order to protect the 17 public; requiring the local government to provide 18 certain notice of the adoption and enforcement of such 19 ordinance; providing an effective date. 20 21 Be It Enacted by the Legislature of the State of Florida: 22 23 Section 1. Section 316.1995, Florida Statutes, is amended 24 to read: 25 316.1995 Driving upon sidewalk or bicycle path.-

Page 1 of 4

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26 Except as provided in s. 316.008, s. 316.20655, s. (1)27 316.212(8), or s. 316.2128, a person may not drive any vehicle 28 other than by human power upon a bicycle path, sidewalk, or 29 sidewalk area, except upon a permanent or duly authorized 30 temporary driveway. A violation of this section is a noncriminal traffic 31 (2) 32 infraction, punishable: 33 (a) As a moving violation as provided in chapter 318; or 34 (b) As provided in a local government ordinance relating 35 to the operation and equipment of personal electric bicycles or personal motorized scooters that are not for rent or hire. A 36 37 fine imposed by such an ordinance for a violation of this section may not exceed the fine for a moving violation as 38 39 provided in chapter 318. This section does not apply to motorized wheelchairs. 40 (3) Section 2. Subsection (1) of section 316.20655, Florida 41 Statutes, is amended to read: 42 43 316.20655 Electric bicycle regulations.-Except as otherwise provided in this section, an 44 (1)45 electric bicycle or an operator of an electric bicycle shall be afforded all the rights and privileges, and be subject to all of 46 47 the duties, of a bicycle or the operator of a bicycle, including 48 s. 316.2065. An electric bicycle is a vehicle to the same extent 49 as a bicycle. However, this section does may not: 50 (a) be construed to Prevent a local government, through

## Page 2 of 4

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51 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 located within under the local government's jurisdictional boundaries. A local government may also adopt an ordinance relating to the operation and equipment of personal electric bicycles that are not for rent or hire in order to preserve and protect the safety and welfare of the public. Upon adoption of such ordinance, the local government shall post appropriate signs or otherwise inform residents that such an ordinance has been adopted and will be enforced within the local government's jurisdictional boundaries jurisdiction; to

(b) Prevent a municipality, county, or agency of the state 63 64 having jurisdiction over a bicycle path, multiuse path, or trail 65 network from restricting or prohibiting the operation of an 66 electric bicycle on a bicycle path, multiuse path, or trail network; or to 67

68 (c) Prevent a municipality, county, or agency of the state 69 having jurisdiction over a beach as defined in s. 161.54(3) or a 70 dune as defined in s. 161.54(4) from restricting or prohibiting 71 the operation of an electric bicycle on such beach or dune.

72 Section 3. Subsection (1) of section 316.2128, Florida 73 Statutes, is amended to read:

74 316.2128 Micromobility devices, motorized scooters, and 75 miniature motorcycles; requirements.-

## Page 3 of 4

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76 The operator of a motorized scooter or micromobility (1)77 device has all of the rights and duties applicable to the rider 78 of a bicycle under s. 316.2065, except the duties imposed by s. 79 316.2065(2), (3)(b), and (3)(c), which by their nature do not 80 apply. However, this section does may not be construed to prevent a local government, through the exercise of its powers 81 82 under s. 316.008, from adopting an ordinance governing the 83 operation of micromobility devices and motorized scooters on 84 streets, highways, sidewalks, and sidewalk areas located within 85 under the local government's jurisdictional boundaries jurisdiction. A local government may also adopt an ordinance 86 87 relating to the operation and equipment of personal motorized scooters that are not for rent or hire in order to preserve and 88 89 protect the safety and welfare of the public. Upon adoption of 90 such ordinance, the local government shall post appropriate 91 signs or otherwise inform residents that such an ordinance has 92 been adopted and will be enforced within the local government's 93 jurisdictional boundaries.

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Section 4. This act shall take effect July 1, 2023.

Page 4 of 4

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