
MEMORANDUM

TO: Mayor Moore, Vice Mayor Stern, and Members of the Town Commission

FROM: Leonard G. Rubin, Village Attorney

RE: Regulation of E-Bikes and other Micro-Mobility Devices

DATE: June 16, 2026

CC: Marshall Labadie, Town Manager
Craig Hartmann, Police Chief
Lanelda Gaskins, Town Clerk

The Town Commission has discussed the potential regulation of e-bikes within the Town, specifically along the State Road A1A shared use path. Based on such concerns, I drafted a proposed Ordinance regulating the use of e-bikes and similar devices within the Town ("Town Ordinance"). Recently, Palm Beach County circulated a proposed Ordinance regulating e-bikes and other micromobility devices ("County Ordinance"). The County Ordinance would apply within a municipality unless the municipality affirmatively elected to opt out. The purpose of this memorandum is to discuss both proposed Ordinances and seek Town Commission guidance moving forward.

Proposed Town Ordinance

The Town Ordinance prohibits a person from operating or riding a motor vehicle, a motorized scooter, a micromobility device, or an electric bicycle on any sidewalk or multi-use pathway within the Town, including the multi-use pathway within the State Road A1A right-of-way. The definitions for the terms electric bicycle and motorized scooter are derived from Florida Statute. A micromobility device is defined as a motorized transportation devices not otherwise defined as an electric bicycle or motorized scooter. A motor vehicle includes any self-propelled vehicle not operated on rails or a guideway, excluding an electric bicycle, motorized scooter, or micromobility device.

The Town Ordinance's restrictions would not apply to: (1) law enforcement officers, emergency responders, or public safety personnel acting within the scope of their official duties; (2) motorized wheelchairs or other mobility devices operated by persons with a disability; (3) the temporary crossing of a sidewalk or multi-use pathway by a motor vehicle entering or existing a driveway; and (4) any prohibited device being walked or carried, rather than operating under power. The Ordinance would be enforced by the Town through the issuance of code enforcement citations.

While now authorized by statute, the Town Ordinance does not impose minimum age requirements for electric bicycles, nor does it require the operator of an electric bicycle to possess a government-issued photographic identification.

The primary downside of the Town Ordinance is its application within the State Road A1A right-of-way. While the regulations would be enforceable within rights-of-way owned by the Town, the Town could not enforce the Ordinance or erect any signage warning operators of the prohibition without the approval and consent of FDOT. Because the multi-use pathway is part of a continuous corridor connecting to adjacent municipalities to the north (Delray Beach) and the south (Boca Raton), FDOT would likely be reluctant to allow the Town to enforce such regulations unless the adjacent municipalities also wished to adopt similar regulations.

Proposed County Ordinance

The County Ordinance applies to all micromobility devices, including electric bicycles as defined by Florida Statutes and other electric bicycles that exceed the statutory speed or motor power limitations. Like the Town Ordinance, the County Ordinance excludes devices used by persons with disabilities.

The County Ordinance establishes the following operation and safety standards for micromobility devices:

- Requires operation with due care and prudence, having regard for pedestrian activity, traffic conditions, visibility, and other attendant circumstances, in a manner that does not endanger the safety of persons or property.
- Allows operation “where permitted or in similar environments by law.”
- Prohibits operation on sidewalks and share-use paths “within designated commercial or high pedestrian areas, except where specifically authorized.”
- Allows the designation of zones where certain micromobility devices are prohibited, limited, or subject to reduced speeds for safety, including sidewalks in high pedestrian areas.
- Requires operators and passengers under the age of sixteen to wear a properly fitted and fastened helmet.

The County Ordinance also contains specific “youth safety requirements” that prohibit a person under the age of sixteen from operating any micromobility device capable of speeds exceeding twenty miles per hour. It further prohibits a parent or legal guardian from knowingly providing, supplying, or permitting a minor to operate a micromobility device that does not meet the statutory definitions or operational limits. A bicycle may not carry more persons at a time than the number for which it is designed or equipped,

and operators of all micromobility devices are required to carry a government-issued photographic identification.

The County Ordinance may be enforced within a municipality by a municipal law enforcement agency in any manner authorized by law. Additionally, as stated above, any municipality may opt out of the County Ordinance by providing the County with a copy of a duly adopted ordinance or resolution expressly stating the municipality's intent.

The County Ordinance is somewhat vague and defines a number of terms (such as "unclassified electric bicycle" and "County Facilities") that are not referenced in the specific regulations. It does not contain a blanket prohibition against the use of electric bicycles on sidewalks and share-use paths, and it is unclear whether the County or the municipality, when applied within the municipality's corporate limits, would designate the commercial or high pedestrian areas where operation of sidewalks or share-use paths is prohibited. Finally, like the Town Ordinance, the County Ordinance could not be enforced on sidewalks or paths within state rights-of-way without the consent and cooperation of FDOT.

Conclusion

The Town Commission could adopt the proposed Town Ordinance (with or without modification) or allow the County Ordinance, once adopted, to be enforced within the Town's corporate limits. However, given that the Commission's primary concern appears to be operation of motorized devices on the State Road A1A multi-use pathway and its impact on pedestrian safety, the Town should initiate discussions with FDOT regarding potential enforcement of any restrictions within the State Road A1A right-of-way before making a final determination. The Town cannot independently control or regulate state right-of-way without FDOT's involvement and cooperation.

Should you have any additional questions, please do not hesitate to contact me.