

ORDINANCE NO. _____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, ESTABLISHING THE “MICROMOBILITY DEVICE ORDINANCE”; PROVIDING FOR A TITLE; PROVIDING FOR APPLICABILITY;; PROVIDING FOR DEFINITIONS; PROVIDING FOR OPERATION STANDARDS; PROVIDING FOR PEDESTRIAN SAFETY REQUIREMENTS; PROVIDING FOR SCHOOL ZONE RESTRICTIONS; PROVIDING FOR YOUTH SAFETY REQUIREMENTS; PROVIDING FOR ENFORCEMENT; PROVIDING FOR PENALTY; PROVIDING FOR EXEMPTIONS; PROVIDING FOR A MUNICIPAL OPT-OUT PROVISION; PROVIDING FOR A DATA COLLECTION AND REPORTING FRAMEWORK; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; PROVIDING FOR CAPTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Palm Beach County, Florida (“County”) is a charter county duly organized and existing under the laws of the State of Florida, having authority to adopt ordinances pursuant to Article VIII, Section 1 of the Florida Constitution and Chapter 125, Florida Statutes; and

WHEREAS, the County has the authority, pursuant to Florida Senate Bill 382 (2026) and sections 316.20655 and 316.2128, Florida Statutes, to adopt an ordinance governing the operation of micromobility devices, including electric bicycles, on streets, highways, sidewalks, and sidewalk areas within its jurisdiction; and

WHEREAS, the Board of County Commissioners finds that the increasing use of micromobility devices, including electric bicycles, on public streets, bicycle lanes, shared-use paths, and sidewalks presents safety risks to operators, pedestrians, bicyclists, and motorists throughout unincorporated Palm Beach County; and Countywide

WHEREAS, the Board of County Commissioners finds it necessary and in the interest of public health, safety, and welfare to establish regulations governing the operation of micromobility devices, including minimum age and identification requirements, pedestrian safety standards, school zone restrictions, and youth safety requirements; and

WHEREAS, the Board of County Commissioners further finds that coordinated data collection on incidents involving micromobility devices, including electric bicycles, compiled and analyzed by the Criminal Justice Commission in coordination with the Law Enforcement Planning Council, will support evidence-based public safety policy and enforcement strategies countywide;

1 **WHEREAS**, this Ordinance is not intended to conflict with state law but to supplement it
2 with reasonable local regulations consistent with and permitted by Chapter 316, Florida Statutes,
3 and applicable provisions of Florida Senate Bill 382 (2026);

4 **WHEREAS**, the Board of County Commissioners has conducted a duly noticed public
5 hearing to consider this Ordinance in accordance with section 125.66, Florida Statutes

6 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY**
7 **COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, THAT:**

8 **Section 1. Title**

9 This Ordinance shall be titled the Micromobility Device Ordinance.

10 **Section 2. Applicability**

11 This Ordinance shall be applicable Countywide.

12 **Section 3. Definitions**

13 The following words, when used in this Ordinance, shall have the meanings respectively
14 ascribed to them in this section, except where the context otherwise requires:

15 (1) "Unclassified Electric Bicycle" (Alt. Overpowered Electric Bicycle") shall include a
16 bicycle-style device equipped with an electric motor that exceeds the speed or motor-power
17 limitations applicable to Class 3 electric bicycles as defined in Section 316.003, Florida
18 Statutes, or that does not otherwise comply with the equipment requirements governing
19 electric bicycles under Section 316.20655, Florida Statutes..

20 (2) "Electric bicycle or "E-Bike" shall have the same meaning as provided in section
21 316.003, Florida Statutes, and shall include Class 1, Class 2, and Class 3 electric bicycles.

22 (3) "Share-Use Path" means a facility physically separated from motorized vehicular traffic
23 by an open space or barrier, which may be within the highway right-of-way or within an
24 independent right-of-way, and which is intended for use by pedestrians, bicyclists, and
25 other non-motorized users; this includes County-maintained multiuse paths and trails.

26 (4) "County Facilities" means property, sidewalks, parks, trails, shared-use paths,
27 recreational areas, and other facilities owned, controlled, or maintained by the County.

28 (5) "Operator" means a person who rides or controls a micromobility device, including
29 electric bicycle.

30 (6) "Personal Assistive Mobility Device (PAMD)" includes devices used by persons with
31 disabilities pursuant to the Americans with Disability Act (ADA); PAMDs are not regulated
32 by this Ordinance.

33 **Section 4. Operation and Safety Standards**

34 (1) A micromobility device shall be operated with due care and prudence, having regard
35 for pedestrian activity, traffic conditions, visibility, and other attendant circumstances, in a
36 manner that does not endanger the safety of persons or property.

37 (2) Micromobility devices, including electric bicycles, may be operated where permitted
38 or in similar environments by law.

39 (3) Micromobility devices, including electric bicycles, shall not be operated on sidewalks
40 and share-use paths within designated commercial or high pedestrian areas, except where
41 specifically authorized.

(4) The County may designate zones where certain micromobility devices, including electric bicycles, are prohibited, limited, or subject to reduced speeds for safety, including sidewalks in high-pedestrian areas.

(5) Helmet Requirement.

- All operators and passengers under the age of sixteen (16) years shall wear a properly fitted and fastened helmet that meets federal safety standards when operating or riding a micromobility device or electric bicycle within Palm Beach County.
- This requirement is adopted to promote public safety and reduce the risk of head injuries associated with micromobility device use.
- This section shall be enforced and interpreted in a manner consistent with sections 316.2065 and 316.2128, Florida Statutes, and other applicable state laws.

Section 7. Youth Safety Requirements

(1) No person under the age of sixteen (16) years shall operate a micromobility device, including an electric bicycle, capable of speeds exceeding twenty (20) miles per hour.

(1)(a) A parent or legal guardian shall not knowingly provide, supply, or permit a minor to operate a micromobility device that does not meet the definition or operational limits applicable under Florida Statutes for lawful operation as a bicycle, electric bicycle, or micromobility device.

(2) A bicycle may not carry more persons at one time than the number for which it is designed or equipped.

(3) Operators of micromobility devices, including electric bicycles, shall carry valid government-issued photographic identification, including but not limited to a state-issued driver's license or identification card, United States passport, or United States military identification card.

Section 8. Enforcement

In addition to other remedies available at law or equity, this Ordinance shall be enforced by the Palm Beach County Sheriff's Office, municipal law enforcement agencies, and School District Police within their respective jurisdictions as permitted by law. This Ordinance is enforceable by all means provided by law, including but not limited to suit in a court of competent jurisdiction or other appropriate proceedings or actions.

Section 9. Penalty

Any violation of any portion of this Ordinance shall be punishable as provided by law.

Section 10. Exemptions

This Ordinance shall not apply to:

- (1) Law enforcement or emergency personnel performing official duties;
- (2) Authorized government operations, meaning the official use of micromobility devices by employees or contractors of a federal, state, or local government agency while performing duties within the scope of their employment or contract, including but not limited to code enforcement, parks maintenance, public works inspection, and law enforcement patrol;
- (3) PAMDs used by persons with disabilities

Section 11. Municipal Opt-Out Provision

(1) Any municipality within the County may elect to opt out of the provisions of this Ordinance by adopting an ordinance or resolution expressly stating its intent not to be governed by this Ordinance.

(2) Upon adoption of such ordinance or resolution, the municipality shall provide written notice to the County.

(3) In the event a municipality elects to opt out, the provisions of this Ordinance shall not apply within the municipal boundaries of that municipality.

(4) Nothing herein shall prohibit a municipality from adopting its own regulations governing micromobility devices, provided such regulations are consistent with applicable state law.

Section 12. Data Collection and Reporting Framework

(1) Law enforcement agencies operating within the County are encouraged to track and maintain data related to incidents involving micromobility devices, including electric bicycles. Such data should include:

- Date and time of crash
- Type of micromobility device
- Class of electric bicycle, if applicable
- Age of operator

(2) The Criminal Justice Commission (CJC), in coordination with the Law Enforcement Planning Council (LEPC), may:

- Compile and analyze countywide data trends involving micromobility devices, including electric bicycles
- Provide periodic reports to the Board of County Commissioners
- Use findings to inform policy, enforcement strategies, and public safety initiatives

Section 13. Repeal of Laws in Conflict

All local laws and ordinances in conflict with any provisions of this Ordinance are hereby repealed to the extent of such conflict.

Section 14. Severability

If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by a Court of competent jurisdiction to be unconstitutional, inoperative, or void, such holding shall not affect the remainder of this Ordinance.

Section 15. Inclusion in the Code of Laws and Ordinances

The provisions of this Ordinance shall become and be made a part of the Palm Beach County Code of Ordinances. The sections of this Ordinance may be renumbered or re-lettered to accomplish such, and the word Ordinance may be changed to section, article, or other appropriate word.

Section 16. Captions

The captions, section headings, and section designations used in this Ordinance are for convenience only and shall have no effect on the interpretation of the provisions of this Ordinance.

Section 17. Effective Date

The provisions of this Ordinance shall become effective upon filing with the Department of State.

APPROVED AND ADOPTED by the Board of County Commissioners of Palm Beach County, Florida, on this _____ day of _____, 2026.

**MICHAEL A. CARUSO, CLERK OF THE
CIRCUIT COURT & COMPTROLLER**

**PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS**

By: _____
Deputy Clerk

By: _____
Sara Baxter, Mayor

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY**

**APPROVED AS TO TERMS AND
CONDITIONS**

By: _____
Assistant County Attorney

By: _____
CJC Executive Director

EFFECTIVE DATE: Filed with the Department of State on the _____ day of _____, 2026.