

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 DEFINITIONS; PROVIDING FOR APPLICABILITY; PROVIDING FOR OPERATION REGULATIONS; PROVIDING FOR ENFORCEMENT; 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, Section 316.006(2)(a), Florida Statutes, vests municipalities with jurisdiction to control traffic over all streets and highways located within their boundaries, except state roads; and

WHEREAS, Section 316.006(2)(c), Florida Statutes, provides that a municipality may, by interlocal agreement with the County, agree to transfer traffic regulatory authority over areas within the municipality to the County; and

WHEREAS, Section 316.006(3)(a), Florida Statutes, vests the County with traffic control jurisdiction over all streets and highways located within County’s boundaries, except state roads, and the streets and highways specified in Section 316.006(2);

WHEREAS, pursuant to Section 316.006(2)(c), Florida Statutes, and those certain interlocal agreements, certain municipalities within the County transferred traffic regulatory authority to the County over designated roads and signalized intersections; and

WHEREAS, the County has the authority, pursuant to Section 316.2128, Florida Statutes, to adopt an ordinance governing the operation of micromobility devices and motorized scooters on streets, highways, sidewalks, and sidewalk areas under the County’s jurisdiction; and

WHEREAS, pursuant to Section 316.20655, Florida Statutes, as amended, the County is authorized to adopt an ordinance governing the operation of electric bicycles on streets, highways, sidewalks, and sidewalk areas under the County’s jurisdiction; and

WHEREAS, Section 316.008, Florida Statutes, provides for powers of local authorities with respect to streets and highways under their jurisdiction, consistent with Florida Law; and

1  
2           **WHEREAS**, the Board of County Commissioners (BCC) finds that the increasing use of  
3 nonhuman-powered micromobility devices, motorized scooters and electric bicycles on streets and  
4 highways presents safety risks to operators and all other users of the road rights-of-way, sidewalks,  
5 and bicycle paths throughout the County; and

6           **WHEREAS**, the BCC finds it necessary and in the interest of public health, safety, and  
7 welfare to establish regulations governing the operation of nonhuman-powered micromobility  
8 devices, including minimum age, and identification requirements; and

9           **WHEREAS**, the BCC has conducted a duly noticed public hearing to consider this  
10 Ordinance in accordance with Section 125.66, Florida Statutes

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

13 **Section 1. Title**

14 This Ordinance shall be titled the Micromobility Device Ordinance.

15 **Section 2. Definitions**

16 The following words, when used in this Ordinance, shall have the meanings respectively ascribed  
17 to them in this section, except where the context otherwise requires. Where not inconsistent with  
18 the context, words used in the present tense include the future tense, words in the plural number  
19 include the singular number, "any" includes "all," "and" includes "or." The words "shall" and "will"  
20 are mandatory, and "may" is permissive. Words not otherwise defined shall be construed to mean  
21 the common and ordinary meaning.

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

25 (2) "Bicycle Lane" means any portion of a roadway or highway which is designated by pavement  
26 markings and signs for preferential or exclusive use by bicycles.

27 (3) "Bicycle Path" means any road, path, or way that is open to bicycle travel, which road, path,  
28 or way is physically separated from motorized vehicular traffic by an open space or by a barrier  
29 and is located either within the highway right-of-way or within an independent right-of-way.

30 (4) "County" means Palm Beach County, Florida, a political subdivision of the State of Florida.

31 (5) "County Engineer" means the County Engineer of Palm Beach County or his or her designee.

32 (6) "Electric Bicycle" means a bicycle or tricycle equipped with fully operable pedals, a seat or  
33 saddle for the use of the rider, and an electric motor of less than 750 watts which meets the  
34 requirements of one of the following three classifications:

35           (a) "Class 1 electric bicycle" means an electric bicycle equipped with a motor that provides  
36 assistance only when the rider is pedaling and that ceases to provide assistance when the electric  
37 bicycle reaches the speed of 20 miles per hour.

38           (b) "Class 2 electric bicycle" means an electric bicycle equipped with a motor that may be  
39 used exclusively to propel the electric bicycle and that ceases to provide assistance when the  
40 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.

(7) “Electric Personal Assistive Mobility Device (E-PAMD)” means any self-balancing, two-nonrandom-wheeled device, designed to transport only one person, with an electric propulsion system with average power of 750 watts (1 horsepower), the maximum speed of which, on a paved level surface when powered solely by such a propulsion system while being ridden by an operator who weighs 170 pounds, is less than 20 miles per hour. Electric personal assistive mobility devices are not vehicles as defined in Chapter 316, Florida Statutes.

(8) “Jurisdiction” means jurisdiction to control traffic, as provided in Section 316.006 and Section 316.008, Florida Statutes, and jurisdiction over a bicycle path, multiuse path, or trail network, as provided in Section 316.20655, Florida Statutes, as may be amended.

(9) “Micromobility device” means a motorized transportation device designed for individual use which is typically 20 to 36 inches in width and 50 pounds or less in weight and which operates at a speed of typically less than 15 miles per hour but no more than 28 miles per hour. This term includes both a human-powered and nonhuman-powered device such as a bicycle, electric bicycle, motorized scooter, or any other device that is owned by an individual or part of a shared fleet.

(10) “Motorized scooter” 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.

(11) “Nonhuman-Powered Micromobility Device” means a Micromobility device equipped with a motor, regardless of whether the motor is in use by the Operator. The term includes, but is not limited to, an Electric Bicycle and Motorized Scooter. The term does not include a Bicycle.

(12) “Operator” means any person who is in control of a micromobility device, motorized scooter, or electric bicycle while it is being operated on streets, highways, and sidewalks under the County’s traffic control jurisdiction and has all the rights and duties applicable to a bicycle rider under Section 316.2065, Florida Statutes.

(13) “Participating Municipality” means a municipality that has entered into an interlocal agreement with the County pursuant to Section 316.006(2)(c), Florida Statutes, transferring traffic regulatory authority and related duties over areas within the municipality to the County.

(14) “Pedestrian” means any person afoot.

(15) “Person” means any natural person, firm, copartnership, association, or corporation.

(16) “Prohibited Area” means a specifically designated segment of a sidewalk or bicycle-use path where the operation of micromobility devices is prohibited, as determined and designated by the County Engineer based on safety and engineering judgment criteria. Such criteria may include, but are not limited to, pedestrian volume, sight distance limitations, path width, crash history, proximity to schools, and other conditions that present an elevated risk to pedestrian or operator safety. A Prohibited Area shall be identified by posted signage in accordance with Section 4 of this Ordinance.

(17) “Sidewalk” means that portion of a street between the curblane, or the lateral line, of a roadway and the adjacent property lines, intended for use by pedestrians.

(18) “Vehicle” means every device in, upon, or by which any person or property is or may be transported or drawn upon a street or highway, except personal delivery devices, mobile carriers, and devices used exclusively upon stationary rails or tracks.

### **Section 3. Applicability**

(1) Except as provided in subsection (2), this Ordinance shall be applicable where the County has Jurisdiction, including within municipal boundaries of Participating Municipalities.

(a) to the extent a Participating Municipality desires to opt out of this Ordinance and regain traffic control jurisdiction transferred to the County, the Participating Municipality and the County may amend and/or terminate the parties' interlocal agreement pursuant to Section 316.006(2)(c), Florida Statutes.

(2) This Ordinance shall not apply to:

(a) Law enforcement or emergency personnel performing official duties;

(b) 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;

(c) E-PAMDs used by Persons with disabilities as defined by the Americans with Disabilities Act.

(d) Operators in any municipal park, or County Park, as defined in Palm Beach County Code Chapter 21, Article II, Section 21-18.

#### **Section 4. Operation Regulations**

(1) No Person shall operate a Nonhuman-Powered Micromobility Device:

(a) in a manner that interferes with the safe movement of Pedestrians, cyclists, or Vehicles, or that causes or creates a risk of harm to Persons or property;

(b) in a manner that intentionally causes any wheel to lose contact with the ground surface;

(c) on a Sidewalk, Bicycle Lane, Bicycle Path, or any area designated for Pedestrian use at a speed greater than 15 miles per hour (15 mph);

(d) on a Sidewalk, Bicycle Lane, Bicycle Path, or any area designated for Pedestrian use at a speed greater than ten miles per hour (10 mph) if a Pedestrian is within fifty (50) feet of the Micromobility Device;

(e) upon a roadway outside of the Bicycle Lane or Bicycle Path;

(f) on a Sidewalk or Bicycle Path within a Prohibited Area. The County Engineer shall identify the Prohibited Area with posted signage;

(g) who is under the age of fourteen (14) years.

(2) Prior to designating a Prohibited Area within a municipal boundary, the County Engineer shall consult with the municipality.

(3) The Operator shall possess a government-issued photographic identification while operating a Nonhuman-Powered Micromobility Device. An Operator's failure to produce identification shall not constitute an independent basis for a stop or detention but may be enforced as a noncriminal infraction upon a lawful stop for an observed violation of this Ordinance or applicable state law.

#### **Section 5. Enforcement**

(1) This Ordinance shall be enforced by the Palm Beach County Sheriff's Office and other law enforcement agencies, as permitted by law.

(2) A violation of this Ordinance is punishable by a civil citation in an amount commensurate with the penalty for a pedestrian violation as provided in Chapter 318, Florida Statutes and Section 316.2065, Florida Statutes. The procedures provided in Chapter 318, Florida Statutes, apply to the disposition of the civil citation.

(3) After issuing the civil citation, the law enforcement officer shall deposit the original and one copy of the civil citation with the County Court in and for the Fifteenth Judicial Circuit (County Court).

(4) The County Court shall hear the charge of the Ordinance violation pursuant to the issuance of the civil citation. Any person so charged may contest the civil citation in the County Court.

(5) The provisions of this Section are additional and supplemental means of enforcing the Ordinance. Nothing contained in this Ordinance shall prohibit the County from enforcing its codes or ordinances by any other means.

**Section 6. Repeal of Laws in Conflict**

Except as provided in Section 7, all local laws and ordinances in conflict with any provisions of this Ordinance are hereby repealed to the extent of such conflict.

**Section 7. Savings Clause.**

Notwithstanding anything to the contrary, all provisions of Palm Beach County Code Section 21-16 through 21-60, codifying Palm Beach County Ordinance No. 04-022, as amended, are specifically preserved and remain in full force and effect.

**Section 8. 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 9. 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 10. 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 11. 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.

**SHANNON RAMSEY-CHESSMAN,  
CLERK OF THE CIRCUIT COURT &  
COMPTROLLER AD INTERIM**

By: \_\_\_\_\_  
Deputy Clerk

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY**

By: \_\_\_\_\_  
Assistant County Attorney

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

By: \_\_\_\_\_  
Sara Baxter, Mayor

**APPROVED AS TO TERMS AND  
CONDITIONS**

By: \_\_\_\_\_  
CJC Executive Director

1        **EFFECTIVE DATE:** Filed with the Department of State on the \_\_\_\_\_ day of  
2        \_\_\_\_\_, 2026.