
Sec. 66-130. Definitions.

The following words, terms and phrases when used in this article shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Micromobility device means any motorized transportation device made available for private use by reservation in store or through an online application, website, or software for point-to-point trips and which is not capable of traveling at a speed greater than 20 miles per hour on level ground. This term includes motorized scooters and motorized bicycles as defined by Florida Statute § 316.03. Devices required by handicapped are exempt.

Micromobility parking is approved parking for micromobility devices.

Micromobility provider means any person or entity which has micromobility devices that are available to the public for rental. This does not include personal motorized scooters or motorized bicycles used for private transportation by its owner.

Motorized bicycles are electric bicycles or tricycles equipped with fully operable pedals, a seat or saddle for the use of the rider, and an electric motor of less than 750 watts.

Motorized scooters is 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 as defined in Florida Statute § 316.003.

(Ord. No. 2021-07, § 1, 5-12-21)

Sec. 66-131. General provisions.

- (a) All motorized scooters, motorized bicycles, and micromobility devices are subject to all the rules and regulations below:
 - (1) The riding of motorized scooters, motorized bicycles, and micromobility devices shall be prohibited upon any sidewalk, shared use path, or on the beach within the city or any area as designated by the city where notice is posted.
 - (2) Operation of a micromobility device or privately owned motorized scooter or motorized bicycle upon a public sidewalk or walkway is prohibited except for the purposes of parking the device in an acceptable location. Micromobility devices, motorized scooters, and motorized bicycle shall only operate within bike lanes, if available, or upon streets with a posted speed limit of 30 mph or less.
 - (3) Micromobility devices and motorized scooters are prohibited from the following locations: John's Pass Boardwalk, public beaches within the City of Madeira Beach, Bicentennial Park, Madeira Beach Fundamental K-8 School, Madeira Beach Elementary School, Madeira Beach Causeway Park, and Madeira Beach R.O.C. Park, and Pinellas County Madeira Beach Access.
 - (4) The city manager has the authority to further restrict the use of motorized scooters, motorized bicycles, and micromobility devices in cases where a roadway may be closed due to an event.
- (b) In addition to city code, micromobility devices are subject to any and all state law pertaining to micromobility devices, motorized scooters, or motorized bicycles, as applicable, and as may be amended.
- (c) No person under the age of 16 years old shall operate a micromobility device within the city. It is unlawful for the parent, legal guardian or custodian of a minor child to knowingly permit the child to violate any provision of this article.

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- (d) Ridership of more than one person on any micromobility device or motorized scooter shall be prohibited. The ridership of more than one person on any motorized bicycle shall be prohibited unless the motorized bicycle is specifically designed to carry more than one person.
 - (e) All micromobility devices, motorized scooters, and motorized bicycles within the city shall be limited to a maximum speed of 15 mph.
 - (f) Motorized scooters and motorized bicycles, regardless of ownership, shall not be parked in a manner that obstructs any ingress or egress from any building or parking area, or in a manner that prevents any sidewalk or walkway from maintaining at least five feet of walkway clearance.

(Ord. No. 2021-07, § 1, 5-12-21)

Sec. 66-132. Micromobility provider agreement.

- (a) No micromobility provider shall display, offer, or make available for rent any mobility device within the City of Madeira Beach, unless the provider has a valid fully executed agreement with the City of Madeira Beach or has obtained approval from the City of Madeira Beach through an established process.
- (b) Agreements with micromobility providers shall first come before the by the city manager prior to execution.
- (c) Micromobility providers shall provide proof of insurance to the City of Madeira Beach at the following minimum limits:
 - (1) Commercial general liability insurance coverage with a limit of at least \$1,000,000.00 per occurrence and with a \$5,000,000.00 aggregate limit.
 - (2) Commercial automobile liability insurance coverage with a combined single limit of \$1,000,000.00 covering all owned, hired, and non-owned vehicles.
 - (3) Workers' compensation insurance as required by Florida law and employers' liability insurance in an amount of at least \$100,000.00 each accident, \$100,000.00 per employee, and \$500,000.00 for all diseases.
 - (4) All insurance policies, except workers' compensation, shall name the City of Madeira Beach as an additional insured. All insurance required shall be on a primary and noncontributory basis and shall waive subrogation rights of its insurance carriers in favor of the City of Madeira Beach.
- (d) Upon the cancellation or lapse of any policy of insurance as required by this section, the license issued pursuant to this section shall be immediately revoked unless, before the expiration date of the policy of insurance, another policy of insurance containing all the requirements of the original policy of insurance is obtained.

(Ord. No. 2021-07, § 1, 5-12-21)

Sec. 66-133. Requirements for micromobility providers.

- (a) All motorized bicycles utilized in a micromobility program shall conform with the standards set forth in Title 16, Code of Federal Regulations, Chapter II, Subchapter C, Part 1512—Requirements for Bicycles, the safety standards outlined in ISO 43.150—Cycles, subsection 4210, and Florida Statute § 316.2065, as may be amended or revised.
- (b) All micromobility devices shall comply with the lighting standards set forth in Florida Statute § 316.2065(7), as may be amended or revised, which requires a reflective front white light visible from a distance of at least 500 feet and a reflective rear red light visible from a distance of at least 600 feet.

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- (c) All micromobility devices utilized shall include easily accessible and identifiable language that clearly directs users to customer support mechanisms, including, not limited to, a customer service phone number, websites, and applications. Every micromobility devices must have a unique device number and have the name of provider visible on the vehicle.
 - (d) A micromobility provider shall only place or stage, or allow to be placed or staged, micromobility devices in an upright position within or upon designated micromobility parking stations. These parking locations shall not be located on city right-of-way, unless approval was granted by the city manager in writing. All users of micromobility devices shall return the device to a designated parking station at the end of each trip. The city manager may approve a micromobility provider to establish a micromobility parking station on city right-of-way, if it determined the parking station will help improve access to and from a transit stop and the location has adequate space to not negatively impact pedestrian mobility, ADA accessibility, or access to property. Penalties for violating this section are included in section 66-134.
 - (e) Micromobility devices that are inoperable/damaged or do not comply with other subsections of this Code must be removed within two hours upon receipt of the complaint between the hours of 7:00 a.m. and 7:00 p.m., seven days per week and within 12 hours upon receipt of the complaint on holidays. An inoperable or damaged micromobility devices, motorized bicycle, or motorized scooter is one that has non-functioning features (i.e., gear selectors, pedals, bell, lights, etc.) or is missing components (i.e., fenders, grips, chain guards, etc.) as applicable to that vehicle. Penalties for violating this section are included in section 66-134.
 - (f) Operators must detail a plan to relocate the micromobility devices to a safe, indoor facility within 24 hours in the result of a declared tropical weather event (tropical storm or hurricane watch or warning, whichever comes first). The plan must detail the amount of time it will take to remove all micromobility units from circulation once a storm watch or warning has been established. Penalties for violating this section are included in section 66-134.
 - (g) The micromobility provider's smartphone application and website must inform users of how to safely and legally ride a micromobility device per this Code and as defined by Florida Statute ch. 316.
 - (h) Micromobility providers must provide the City of Madeira Beach an accurate list of their micromobility devices fleet with the following information:
 - (1) The number of micromobility devices that are currently in their fleet located in the City of Madeira Beach.
 - (2) The unique device numbers.
 - (3) Type of micromobility device.
 - (4) When the micromobility device was put into service.
 - (5) A list of active parking spots for micromobility devices that will be updated if any parking spots are added or removed.
 - (i) If a micromobility provider make changes to their micromobility devices fleet, they are required to provide and updated list of the changes to the City of Madeira Beach.
 - (j) The City of Madeira Beach can restrict the number of micromobility devices based on protecting the health, safety, and welfare of persons within the city.
 - (k) The city manager or his designee may request micromobility providers to provide to the city monthly data, which may consist of:
 - (1) Number of daily, weekly, and monthly riders.
 - (2) Total number of miles traveled by users (daily, monthly, quarterly, annually) broken down by device type.

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- (3) Average time each unit spends available (not in use);
 - (4) Number of rides per user per day.
 - (5) Number of rides per device type.
 - (6) Duration of rides per rider per day.
 - (7) Monthly summary of micromobility devices distribution and GPS-based natural movement in heat map format.
 - (8) Micromobility providers shall distribute a six month and one-year customer satisfaction survey, the summary and raw results of which shall be provided to the City of Madeira Beach.

(Ord. No. 2021-07, § 1, 5-12-21)

Sec. 66-134. Penalties.

- (a) Unauthorized micromobility providers are prohibited from operating within the City of Madeira Beach.
- (b) If a micromobility provider without a valid agreement with the City of Madeira Beach is found deploying micromobility devices within the City of Madeira Beach, it will be presumed that the provider is in violation of this section. A violation of this section shall be considered a code enforcement violation and is punishable by a fine of \$500.00 per instance.
- (c) A micromobility device that is displayed, offered, made available for rent by a micromobility provider without a valid agreement within the city, or abandoned on the city rights-of-way, [a] city park, or [a] city public building, is subject to impoundment. All seized unauthorized micromobility devices will be stored at a location provided upon the notice and shall be store for a period of 30 days, after which the devices may be disposed of by the City of Madeira Beach. A fee of \$100.00 per unit seized will be charged to the unauthorized micromobility provider to recover the seized devices.
- (d) The City of Madeira Beach may charge a fine of \$25.00 per micromobility device left in a manner which violates section 66-133(d).
- (e) If a micromobility device that is inoperable/damaged or does not comply with other subsections of this Code is not removed within the limit set forth in section 66-133(e) a fine of \$50.00 per device will be charged to the micromobility provider.
- (f) Micromobility providers who fail to comply or relocate devices as outlined in section 66-133(f) will be charged a fine of \$500.00 per instance.

(Ord. No. 2021-07, § 1, 5-12-21)