

26 (1) Except as provided in s. 316.008, s. 316.20655, s.
 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.

31 (2) A violation of this section is a noncriminal traffic
 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
 36 personal motorized scooters that are not for rent or hire. A
 37 fine imposed by such an ordinance for a violation of this
 38 section may not exceed the fine for a moving violation as
 39 provided in chapter 318.

40 (3) This section does not apply to motorized wheelchairs.

41 Section 2. Subsection (1) of section 316.20655, Florida
 42 Statutes, is amended to read:

43 316.20655 Electric bicycle regulations.—

44 (1) Except as otherwise provided in this section, an
 45 electric bicycle or an operator of an electric bicycle shall be
 46 afforded all the rights and privileges, and be subject to all of
 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

51 | the exercise of its powers under s. 316.008, from adopting an
 52 | ordinance governing the operation of electric bicycles on
 53 | streets, highways, sidewalks, and sidewalk areas located within
 54 | ~~under~~ the local government's jurisdictional boundaries. A local
 55 | government may also adopt an ordinance relating to the operation
 56 | and equipment of personal electric bicycles that are not for
 57 | rent or hire in order to preserve and protect the safety and
 58 | welfare of the public. Upon adoption of such ordinance, the
 59 | local government shall post appropriate signs or otherwise
 60 | inform residents that such an ordinance has been adopted and
 61 | will be enforced within the local government's jurisdictional
 62 | boundaries ~~jurisdiction; to~~

63 | (b) Prevent a municipality, county, or agency of the state
 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
 67 | network; or ~~to~~

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.-

76 (1) The operator of a motorized scooter or micromobility
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~~
81 prevent a local government, through the exercise of its powers
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
86 jurisdiction. A local government may also adopt an ordinance
87 relating to the operation and equipment of personal motorized
88 scooters that are not for rent or hire in order to preserve and
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.

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