

1                   A bill to be entitled  
2           An act relating to electric bicycles, scooters, and  
3           motorcycles; amending s. 316.003, F.S.; defining the  
4           term "electric motorcycle"; revising the definition of  
5           the term "motorcycle"; amending ss. 316.066 and  
6           316.068, F.S.; requiring certain crash reports to  
7           include specified information; amending s. 316.069,  
8           F.S.; requiring the state to maintain certain  
9           statistics; amending s. 316.20655, F.S.; providing  
10          penalties for knowingly modifying an electric bicycle;  
11          prohibiting a person from operating a class 3 electric  
12          bicycle without a certain license; providing  
13          requirements for such operation; providing penalties;  
14          amending s. 316.2085, F.S.; prohibiting certain  
15          persons from operating certain motorcycles; amending  
16          ss. 320.01 and 322.01, F.S.; revising the definition  
17          of the term "motorcycle"; amending s. 322.1615, F.S.;  
18          revising requirements for a certain learner's driver  
19          license education course; amending s. 322.12, F.S.;  
20          requiring a minimum number of questions in the test  
21          bank for a Class E driver license to cover safe  
22          electric bicycle and motorized scooter operation;  
23          amending ss. 316.306 and 655.960, F.S.; correcting  
24          cross-references; providing an effective date.  
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26 Be It Enacted by the Legislature of the State of Florida:

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**Section 1. Subsections (24) through (112) of section 316.003, Florida Statutes, are renumbered as subsections (25) through (113), respectively, present subsections (47) and (65) are amended, and a new subsection (24) is added to that section, to read:**

316.003 Definitions.—The following words and phrases, when used in this chapter, shall have the meanings respectively ascribed to them in this section, except where the context otherwise requires:

(24) ELECTRIC MOTORCYCLE.—Any motorcycle powered by an electric motor of 750 watts or more that is capable of a speed greater than 28 miles per hour.

~~(48)(47)~~ MOTORCYCLE.—Any motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground. The term includes an electric motorcycle and an auticycle, but does not include a tractor, a moped, an electric bicycle, or any vehicle in which the operator is enclosed by a cabin unless it meets the requirements set forth by the National Highway Traffic Safety Administration for a motorcycle.

~~(66)(65)~~ PRIVATE ROAD OR DRIVEWAY.—Except as otherwise provided in paragraph (91)(b) ~~(90)(b)~~, any privately owned way or place used for vehicular travel by the owner and those having

51 | express or implied permission from the owner, but not by other  
 52 | persons.

53 | **Section 2. Paragraphs (b) and (c) of subsection (1) of**  
 54 | **section 316.066, Florida Statutes, are amended to read:**

55 | 316.066 Written reports of crashes.—

56 | (1)

57 | (b) The Florida Traffic Crash Report, Long Form must  
 58 | include:

59 | 1. The date, time, and location of the crash.

60 | 2. A description of the vehicles involved, including  
 61 | whether the crash involved a motorized scooter, an electric  
 62 | bicycle, or an electric motorcycle.

63 | 3. The names and addresses of the parties involved,  
 64 | including all drivers and passengers, and the identification of  
 65 | the vehicle in which each was a driver or a passenger.

66 | 4. The names and addresses of witnesses.

67 | 5. The name, badge number, and law enforcement agency of  
 68 | the officer investigating the crash.

69 | 6. The names of the insurance companies for the respective  
 70 | parties involved in the crash.

71 | (c) In any crash for which a Florida Traffic Crash Report,  
 72 | Long Form is not required by this section and which occurs on  
 73 | the public roadways of this state, the law enforcement officer  
 74 | shall complete a short-form crash report or provide a driver  
 75 | exchange-of-information form, to be completed by all drivers and

76 passengers involved in the crash, which requires the  
 77 identification of each vehicle that the drivers and passengers  
 78 were in. The short-form report must include:

79 1. The date, time, and location of the crash.

80 2. A description of the vehicles involved, including  
 81 whether the crash involved a motorized scooter, an electric  
 82 bicycle, or an electric motorcycle.

83 3. The names and addresses of the parties involved,  
 84 including all drivers and passengers, and the identification of  
 85 the vehicle in which each was a driver or a passenger.

86 4. The names and addresses of witnesses.

87 5. The name, badge number, and law enforcement agency of  
 88 the officer investigating the crash.

89 6. The names of the insurance companies for the respective  
 90 parties involved in the crash.

91 **Section 3. Paragraph (b) of subsection (2) of section**  
 92 **316.068, Florida Statutes, is amended to read:**

93 316.068 Crash report forms.—

94 (2) Every crash report required to be made in writing must  
 95 be made on the appropriate form approved by the department and  
 96 must contain all the information required therein, including:

97 (b) A description of the vehicles involved, including  
 98 whether the crash involved a motorized scooter, an electric  
 99 bicycle, or an electric motorcycle;

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101 unless not available. A member of a railroad train crew or a  
102 passenger on a railroad train is not a passenger for purposes of  
103 this section. In the event of a crash involving a railroad  
104 train, a member of the railroad train crew must furnish the  
105 information in paragraphs (a), (b), (c), and (e) and, upon  
106 request of the law enforcement officer having jurisdiction to  
107 investigate the crash, the railroad train engineer's or  
108 conductor's federal certification pursuant to 49 C.F.R. part 240  
109 or part 242. The absence of information in such written crash  
110 reports regarding the existence of passengers in the motor  
111 vehicles involved in the crash constitutes a rebuttable  
112 presumption that no such passengers were involved in the  
113 reported crash. Notwithstanding any other provisions of this  
114 section, a crash report produced electronically by a law  
115 enforcement officer must, at a minimum, contain the same  
116 information as is called for on those forms approved by the  
117 department.

118 **Section 4. Section 316.069, Florida Statutes, is amended**  
119 **to read:**

120 316.069 State to tabulate and analyze crash reports.—The  
121 state shall tabulate and may analyze all crash reports and shall  
122 publish, annually, or at more frequent intervals, statistical  
123 information based thereon as to the number and circumstances of  
124 traffic crashes. The state shall maintain separate statistics on  
125 the number and location of crashes involving tandem trailer

126 trucks, motorized scooters, electric bicycles, and electric  
 127 motorcycles.

128 **Section 5. Subsections (3) and (4) of section 316.20655,**  
 129 **Florida Statutes, are amended, and subsections (10) and (11) are**  
 130 **added to that section, to read:**

131 316.20655 Electric bicycle regulations.—

132 (3) ~~Beginning January 1, 2021,~~ Manufacturers and  
 133 distributors of electric bicycles shall apply a label that is  
 134 permanently affixed in a prominent location to each electric  
 135 bicycle. The label must contain the classification number, top  
 136 assisted speed, and motor wattage of the electric bicycle.

137 (4) A person may not tamper with or modify an electric  
 138 bicycle ~~so as~~ to change the motor-powered speed capability or  
 139 engagement of an electric bicycle. Any person who knowingly  
 140 modifies an electric bicycle as provided in this subsection  
 141 commits a noncriminal traffic infraction, punishable by a fine  
 142 of \$100. Any person who commits a second or subsequent violation  
 143 of this subsection within 3 years after a previous violation  
 144 commits a noncriminal traffic infraction, punishable by a fine  
 145 of \$250, unless the label indicating the classification number  
 146 required in subsection (3) is replaced after such modification.

147 (10) (a) A person may not operate or rent a class 3  
 148 electric bicycle unless he or she possesses a valid learner's  
 149 driver license or driver license. An operator of a class 3  
 150 electric bicycle must have his or her learner's driver license

151 or driver license on his or her immediate possession at all  
 152 times when operating a class 3 electric bicycle and must present  
 153 or submit the same upon demand of a law enforcement officer or  
 154 an authorized representative of the department.

155 (b) A person who fails to comply with paragraph (a) must  
 156 first receive a verbal warning. Following the verbal warning, a  
 157 person who fails to comply with paragraph (a) commits a  
 158 noncriminal traffic infraction, punishable as a nonmoving  
 159 violation as provided in chapter 318.

160 (11) A person operating an electric bicycle on a shared  
 161 pathway that is not located adjacent to a roadway, including a  
 162 shared pathway located in a park or recreational area, must  
 163 yield to pedestrians and must give an audible signal before  
 164 overtaking and passing a pedestrian.

165 **Section 6. Paragraph (a) of subsection (6) of section**  
 166 **316.2085, Florida Statutes, is amended to read:**

167 316.2085 Riding on motorcycles or mopeds.—

168 (6) A person under 16 years of age may not:

169 (a) Operate a motorcycle that has a motor with more than  
 170 150 cubic centimeters displacement or an electric motor of 750  
 171 watts or more.

172 **Section 7. Subsection (26) of section 320.01, Florida**  
 173 **Statutes, is amended to read:**

174 320.01 Definitions, general.—As used in the Florida  
 175 Statutes, except as otherwise provided, the term:

176 (26) "Motorcycle" means any motor vehicle having a seat or  
 177 saddle for the use of the rider and designed to travel on not  
 178 more than three wheels in contact with the ground. The term  
 179 includes an electric motorcycle and an autocycle, as those terms  
 180 are defined in s. 316.003, but excludes a tractor, a moped, or  
 181 any vehicle in which the operator is enclosed by a cabin unless  
 182 it meets the requirements set forth by the National Highway  
 183 Traffic Safety Administration for a motorcycle.

184 **Section 8. Subsection (28) of section 322.01, Florida**  
 185 **Statutes, is amended to read:**

186 322.01 Definitions.—As used in this chapter:

187 (28) "Motorcycle" means a motor vehicle powered by a motor  
 188 with a displacement of more than 50 cubic centimeters, having a  
 189 seat or saddle for the use of the rider, and designed to travel  
 190 on not more than three wheels in contact with the ground, but  
 191 excluding a tractor, tri-vehicle, or moped. The term includes an  
 192 electric motorcycle as defined in s. 316.003.

193 **Section 9. Paragraph (c) of subsection (1) of section**  
 194 **322.1615, Florida Statutes, is amended to read:**

195 322.1615 Learner's driver license.—

196 (1) The department may issue a learner's driver license to  
 197 a person who is at least 15 years of age and who:

198 (c) Has satisfactorily completed a driver education course  
 199 approved by the department which meets or exceeds the Department  
 200 of Education Driver Education/Traffic Safety-Classroom 1900300

201 course version description and which includes content on sharing  
202 the road with bicycles, including electric bicycles, motorized  
203 scooters, and other vulnerable road users; and

204 **Section 10. Paragraph (c) of subsection (3) of section**  
205 **322.12, Florida Statutes, is amended to read:**

206 322.12 Examination of applicants.—

207 (3) For an applicant for a Class E driver license, such  
208 examination shall include all of the following:

209 (c) A test of the applicant's ability to read and  
210 understand highway signs regulating, warning, and directing  
211 traffic; his or her knowledge of the traffic laws of this state,  
212 including laws regulating driving under the influence of alcohol  
213 or controlled substances, driving with an unlawful blood-alcohol  
214 level, and driving while intoxicated; and his or her knowledge  
215 of the effects of alcohol and controlled substances upon persons  
216 and the dangers of driving a motor vehicle while under the  
217 influence of alcohol or controlled substances. At least 25  
218 questions within the bank of test questions must address bicycle  
219 and pedestrian safety. At least five of the 25 questions  
220 addressing bicycle and pedestrian safety must specifically cover  
221 safe electric bicycle and motorized scooter operation for all  
222 road users.

223 **Section 11. Paragraph (a) of subsection (3) of section**  
224 **316.306, Florida Statutes, is amended to read:**

225 316.306 School and work zones; prohibition on the use of a

226 wireless communications device in a handheld manner.—

227 (3) (a) 1. A person may not operate a motor vehicle while  
 228 using a wireless communications device in a handheld manner in a  
 229 designated school crossing, school zone, or work zone area as  
 230 defined in s. 316.003 ~~s. 316.003(112)~~. This subparagraph applies  
 231 ~~shall only be applicable~~ to work zone areas if construction  
 232 personnel are present or are operating equipment on the road or  
 233 immediately adjacent to the work zone area. For the purposes of  
 234 this paragraph, a motor vehicle that is stationary is not being  
 235 operated and is not subject to the prohibition in this  
 236 paragraph.

237 2. ~~Effective January 1, 2020,~~ A law enforcement officer  
 238 may stop motor vehicles and issue citations to persons who are  
 239 driving while using a wireless communications device in a  
 240 handheld manner in violation of subparagraph 1.

241 **Section 12. Subsection (1) of section 655.960, Florida**  
 242 **Statutes, is amended to read:**

243 655.960 Definitions; ss. 655.960-655.965.—As used in this  
 244 section and ss. 655.961-655.965, unless the context otherwise  
 245 requires:

246 (1) "Access area" means any paved walkway or sidewalk  
 247 which is within 50 feet of any automated teller machine. The  
 248 term does not include any street or highway open to the use of  
 249 the public, as defined in s. 316.003(91) (a) or (b) ~~s.~~  
 250 ~~316.003(90) (a) or (b)~~, including any adjacent sidewalk, as

251 | defined in s. 316.003.

252 |       **Section 13.** This act shall take effect July 1, 2027.