

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Transportation

BILL: CS/SB 382

INTRODUCER: Transportation Committee and Senator Truenow

SUBJECT: Electric Bicycles

DATE: January 21, 2026

REVISED: \_\_\_\_\_

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Shutes	Vickers	TR	<u>Fav/CS</u>
2.		ATD	
3.		FP	

**Please see Section IX. for Additional Information:**

COMMITTEE SUBSTITUTE - Substantial Changes

## **I. Summary:**

CS/SB 382 provides that a person operating an electric bicycle on certain shared pathways must adhere to certain protocols. It also provides that a person operating an electric bicycle on a sidewalk or other area designated for pedestrians may not operate the electric bicycle at a speed greater than 10 miles per hour if a pedestrian is within 50 foot of the electric bicycle.

The bill creates the Electric Bicycle Safety Task Force, adjunct to the Department of Highway Safety and Motor Vehicles (Department) and provides certain requirements for membership and administrative requirements related to data collection and reporting.

The bill will have an indeterminate fiscal impact on private and governmental sectors. See Section V., Fiscal Impact Statement for details.

The bill shall take effect upon becoming a law.

## **II. Present Situation:**

### **Electric Bicycle Regulations**

An electric bicycle is defined as a bicycle or tricycle equipped with fully operable pedals, a seat or saddle for the use of the rider, and an electric motor of less than 750 watts which meets the requirements of one of the following three classifications:

- “Class 1 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 20 miles per hour.
- “Class 2 electric bicycle” means an electric bicycle equipped with a motor that may be used exclusively to propel the electric bicycle and that ceases to provide assistance when the electric bicycle reaches the speed of 20 miles per hour.
- “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.<sup>1</sup>

Florida law provides that an electric bicycle or an operator of an electric bicycle shall be afforded all the rights and privileges, and be subject to all of the duties, of a bicycle or the operator of a bicycle, including those of traditional bicycle regulations.<sup>2</sup> An electric bicycle is a vehicle to the same extent as a bicycle.<sup>3</sup> Florida law allows local governments to adopt ordinances governing the operation of electric bicycles on streets, highways, sidewalks, and sidewalk areas under or within the local government’s jurisdiction.<sup>4</sup> It prevents a municipality, county, or agency of the state having jurisdiction over a bicycle path, multiuse path, or trail network from restricting or prohibiting the operation of an electric bicycle on a bicycle path, multiuse path, or trail network.<sup>5</sup> It also prevents a municipality, county, or agency of the state having jurisdiction over a beach or dune, from restricting or prohibiting the operation of an electric bicycle on such beach or dune.<sup>6</sup>

An electric bicycle, or an operator of an electric bicycle, is not subject to the provisions of law relating to financial responsibility, driver or motor vehicle licenses, vehicle registration, title certificates, off-highway motorcycles, or off-highway vehicles.<sup>7</sup>

Beginning in January 2021, manufacturers and distributors of electric bicycles were mandated to apply a label to be permanently affixed in a prominent location to each electric bicycle. The label contains the classification number, top assisted speed, and motor wattage of the electric bicycle.<sup>8</sup> A person is prohibited from tampering with or modifying an electric bicycle so as to change the motor-powered speed capability or engagement of an electric bicycle, unless the label indicating the classification number is replaced under certain requirements.<sup>9</sup>

Under Federal Law, an electric bicycle must comply with the equipment and manufacturing requirements for bicycles adopted by the United States Consumer Product Safety Commission under 16 C.F.R. part 1512.

An electric bicycle must operate in the following manner:

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<sup>1</sup> Section 316.003(23), F.S.

<sup>2</sup> Section 316.20655(1), F.S.

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> *Id.*

<sup>7</sup> Section 316.20655(2), F.S.

<sup>8</sup> Section 316.20655(3), F.S.

<sup>9</sup> Section 316.20655(4), F.S.

- The electric motor is disengaged or ceases to function when the rider stops pedaling or when the brakes are applied;
- Operators may ride an electric bicycle where bicycles are allowed, including, but not limited to, streets, highways, roadways, shoulders, bicycle lanes, and bicycle or multiuse paths.<sup>10</sup>

A local government may adopt an ordinance providing one or more minimum age requirements to operate an electric bicycle and may adopt an ordinance requiring an operator of an electric bicycle to possess a government-issued photographic identification while operating the electric bicycle.<sup>11</sup> Also, a local government may provide training on the safe operation of electric bicycles and compliance with the traffic laws of this state that apply to electric bicycles.<sup>12</sup>

### **Written Reports of Crashes and Crash Report Forms**

Section 316.066, F.S., provides that a Florida Traffic Crash Report, Long Form must be completed and submitted to the Department within 10 days after an investigation is completed by the law enforcement officer. The Florida Crash Report Long Form must include the following information:

- The date, time, and location of the crash;
- A description of the vehicles involved;
- The names and addresses of the parties involved, including all drivers and passengers, and the identification of the vehicle in which each was a driver or a passenger;
- The names and addresses of witnesses;
- The name, badge number, and law enforcement agency of the officer investigating the crash; and
- The names of the insurance companies for the respective parties involved in the crash.<sup>13</sup>

In any crash for which a Florida Traffic Crash Report, Long Form is not required and which occurs on the public roadways of this state, the law enforcement officer must complete a short-form crash report or provide a driver exchange-of-information form, to be completed by all drivers and passengers involved in the crash, which requires the identification of each vehicle that the drivers and passengers were in.<sup>14</sup> The short-form crash report contains the same information as listed above in the long-form.

Every crash report required to be made in writing must be made on the appropriate form approved by DHSMV and must contain all the information from the long and short forms.<sup>15</sup>

### **III. Effect of Proposed Changes:**

The bill amends section 316.20655, F.S., to provide that a person operating an electric bicycle that is not located adjacent to a roadway, including a shared pathway located in a park or recreational area, shall yield to pedestrians and shall give an audible signal before overtaking and

<sup>10</sup> Section 316.20655(6) and (7), F.S.

<sup>11</sup> Section 316.20655(8), F.S.

<sup>12</sup> Section 316.20655(9), F.S.

<sup>13</sup> Section 316.066, F.S.

<sup>14</sup> Section 316.066(c), F.S.

<sup>15</sup> Section 316.068, F.S.

passing a pedestrian. Any person operating an electric bicycle on a sidewalk or any other area designated for pedestrian use may not operate the electric bicycle at a speed greater than 10 miles per hour if a pedestrian is within 50 feet of the electric bicycle. A person who fails to comply commits a non-criminal traffic infraction, punishable as a nonmoving violation as provided in chapter 318, F.S.

The bill requires that an Electric Bicycle Safety Task Force be created, adjunct to the Department and shall provide administrative and staff support services related to functions of the task force.

The purpose of this task force is to examine and recommend improvements to state law enforcement and regulatory framework governing electric bicycles in order to encourage the safe operation of electric bicycles and to prevent traffic incidents, injuries, and fatalities involving such bicycles.

The task force shall be composed of the executive director of the Department, his or her designee; the secretary of the Department of Transportation (DOT), or his or her designee; and the following members who shall be appointed by the executive director of the Department:

- A representative from the Florida Sheriff's Association.
- A representative from the Florida Police Chiefs Association.
- A representative from the Florida League of Cities.
- A representative from the Florida Association on Counties.
- A representative from the medical field with experience relating to treating bicycle and pedestrian injuries.
- A representative from an organization involved in efforts to prevent bicycle, including electric bicycle, injuries and fatalities.

Appointments for this task force must be made within 15 days after the effective date of this act.

The executive director of the Department, or his or her designee, must chair the task force. Any vacancy on the task force must be filled in the same manner as the original appointment.

The task force shall convene no later than 30 days after the effective date of this act. The task force shall meet at least monthly but may meet more frequently at the call of the chair. At least one meeting of the task force must occur in each of the following regions of the state: North Florida, Central Florida, and South Florida. All meetings shall be held at the time and place designated by the chair.

Members of the task force shall serve without compensation but are entitled to receive reimbursement for per diem and travel expenses pursuant to section 112.061, F.S.

The task force shall develop a report that includes legislative recommendations for improvements to state law and the regulatory framework governing electric bicycles. The report must consider methods to improve traffic safety for electric bicycle operators and riders, pedestrians, and other vehicle operators through reasonable measures designed to reduce traffic incidents, injuries, and fatalities. Before October 1, 2026, the task force shall submit the report to the Governor, the President of the Senate, and the Speaker of the House of Representatives. Upon submission of the report, the task force is dissolved. This section expires October 1, 2026.

Beginning 30 days after the effective date of this act, the Florida Highway Patrol and each police department and sheriff's office shall maintain a list of all traffic crashes that the respective agency investigates which involve an electric bicycle. Any such traffic crash must be included in the list, regardless of whether the crash is reported on a Florida Traffic Crash Report, Long Form; short-form crash report; or driver exchange-of-information form. The list must contain the following information for each traffic crash:

- Date and time of the crash.
- Class of electric bicycle involved in the crash.
- Age of the electric bicycle operator involved in the crash.
- If known, whether the electric bicycle operator possessed a valid Florida learner's driver license or driver license at the time of the crash.

By October 31, 2026, the Department shall submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives a report summarizing the reports submitted to the Department, and including the list created by the Florida Highway Patrol. The report must separate the traffic crash data by county and list the reporting law enforcement agencies within each county.

The bill takes effect upon becoming a law.

#### **IV. Constitutional Issues:**

##### **A. Municipality/County Mandates Restrictions:**

None.

##### **B. Public Records/Open Meetings Issues:**

None.

##### **C. Trust Funds Restrictions:**

None.

##### **D. State Tax or Fee Increases:**

None.

##### **E. Other Constitutional Issues:**

None identified.

#### **V. Fiscal Impact Statement:**

##### **A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

A person operating an electric bike on a shared pathway, sidewalk, or other area designated for pedestrian use in violation of the provisions of the bill would be subject to a noncriminal traffic infraction, punishable as a nonmoving violation.

**C. Government Sector Impact:**

The Department may incur indeterminate costs associated with providing administrative staffing and support to the newly created Electric Bicycle Safety Task Force.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends section 316.20655 of the Florida Statutes.

**IX. Additional Information:****A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

**CS by Transportation on January 20, 2026:**

The committee substitute removes various provisions in the bill relating to equipment and operational requirements governing electric bicycles, scooters and motorcycles. The committee substitute provides that a person operating an electric bicycle on certain shared pathways must adhere to certain protocols. It also provides that a person operating an electric bicycle on a sidewalk or other area designated for pedestrians may not operate the electric bicycle at a speed greater than 10 miles per hour if a pedestrian is within 50 foot of the electric bicycle. It creates the Electric Bicycle Safety Task Force, adjunct to the Department of Highway Safety and Motor Vehicles and provides certain requirements for membership and administrative requirements related to data collection and reporting.

**B. Amendments:**

None.