

ORDINANCE 2026-06

AN ORDINANCE OF THE CITY ST. AUGUSTINE BEACH, FLORIDA, AMENDING CHAPTER 19, TRAFFIC, ARTICLE I, IN GENERAL, AMENDING SECTION 19-66 OF THE CODE OF ORDINANCES OF THE CITY OF ST. AUGUSTINE BEACH; TO REGULATE THE USE AND OPERATION OF BICYCLES, ELECTRIC BICYCLES, MOTORIZED SCOOTERS, MICROMOBILITY DEVICES, OFF-ROAD ELECTRIC MOTOR-DRIVEN CYCLES AND CERTAIN OTHER DEVICES ON RIGHTS-OF-WAYS IN THE CITY OF SAINT AUGUSTINE BEACH; AND PROVIDE FOR SEVERABILITY, CODIFICATION, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, the City of St. Augustine Beach is granted authority, under §2(b) Article VIII, of the State Constitution, to exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, the City Commission desires to adopt an ordinance controlling and regulating the operation of Bicycles, Electric Bicycles, Off-Road Electric Motor-Driven Cycles, and certain other modes of transportation as those terms are defined herein, within the City of St. Augustine Beach; and

WHEREAS, Section 316.008, Florida Statutes, Powers of local authorities, permits local authorities to regulate and exercise police powers with respect to streets and highways within their jurisdictions; and

WHEREAS, Section 316.20655, Florida Statutes, Electric bicycle regulations, permits a local government to adopt an ordinance governing the operation of electric bicycles on streets, highways, sidewalks, sidewalk areas, including bike paths, multiuse paths, and trail networks under the local government's jurisdiction, and to establish minimum age requirements for electric bike operators; and

WHEREAS, the City of St. Augustine Beach finds adopting an Ordinance will aid in establishing an efficient and safe environment for the public use of city pathways, streets, sidewalks paths and trails; and

WHEREAS, the City Commission of the City of St. Augustine Beach, Florida, hereby finds this Ordinance to be in the best interest of the public health, safety, and welfare of its citizens.

WHEREAS, words with underlined type shall constitute additions to the original text and strike through shall constitute deletions to the original text, and asterisks (***) indicate that text shall remain unchanged from the language existing prior to adoption of this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF ST. AUGUSTINE BEACH THAT:

SECTION 1. LEGISLATIVE AND ADMINISTRATIVE FINDINGS.

The above recitals (whereas clauses) are hereby adopted as the legislative and administrative findings of the City Commission. Further, it is the intent of this section to, under certain circumstances, authorize municipal regulation of the operation of electric bicycles, off-road electric motor-driven cycles within the City's jurisdiction. Adoption of this section shall not be relied upon as a determination the operation of electric bicycles, electric powered cycles and/or any other vehicle or device on roads is safe or advisable. All persons operating the devices described herein do so at their own risk, and must be observant of, and attentive to, the safety of themselves and other motorists, cyclists and pedestrians.

SECTION 2. AMENDMENT TO CHAPTER 19 OF THE CITY OF ST. AUGUSTINE BEACH ORDINANCES

SECTION 19-66: REGULATION OF BICYCLES AND CERTAIN MOTORIZED AND NONMOTORIZED VEHICLES ~~Use of ON~~ **CERTAIN OTHER RIGHTS-OF-WAY.**

(a) Definitions. In this section:

1. BICYCLE means a vehicle propelled solely by human power, having two tandem wheels, and including any device generally recognized as a bicycle though equipped with two front or two rear wheels. The term does not include a scooter or similar device.
2. BICYCLE LANE means any portion of a roadway or highway which is designated by pavement markings and signs for preferential or exclusive use by bicycles.
3. BICYCLE PATH means any road, path, or way open to bicycle travel, which road, path, or way is physically separated from motorized vehicular traffic by an open space or by a barrier and is located either within the highway right-of-way or within an independent right-of-way.
4. CITY OWNED means
 - a. Property in which the City has a property interest, such as fee simple ownership or an easement, and
 - b. Property in which the City maintains regardless of ownership, such as rights-of-way which are in incorporated areas but are maintained by the City.
5. CROSSWALK means:

- a. Part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway, measured from the curbs or, in the absence of curbs, from the edges of the traversable roadway.
 - b. Any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.
6. DAYTIME means the period from a half hour before sunrise to a half hour after sunset. The term NIGHTTIME means at any other hour.
 7. ELECTRIC BIKE or E-BIKE- means a bicycle or tricycle equipped with fully operable pedals, a seat or saddle for the use of the rider, and an electric motor of 750 watts or less. This term includes devices defined as electric bicycles pursuant to §316.003(23), Fla Stat., as may be amended.

Any and all E-bikes shall not have any throttle-assistance above 20 miles per hour.

All E-bikes shall have a permanently affixed label that contains the classification number, top assisted speed, and motor wattage pursuant to §316.20655(3), Fla Stat.

8. MOTORIZED SCOOTER.—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.
9. MICROMOBILITY DEVICE.—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 a 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. OFF-ROAD ELECTRIC MOTOR-DRIVEN CYCLE means 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. This vehicle has no pedals, no operable pedals, or has a motor that exceeds 750 watts or is powered by an electric motor which may exceed speeds of 28 miles per hour. These vehicles are best understood as off-highway motorcycles (Dirt bikes) as defined by §317.0003(5), Fla. Stat. and powered by an electric engine, which was not designed for and are not authorized to operate on roadways.

11. RIDER OR OPERATOR means a person riding, driving, or otherwise operating a Bike, E-Bike, or Electric Cycle or any other device as defined in this Section.
12. RIGHT OF WAY means land devoted to or required for use as a roadway, sidewalk, or other associated feature, and includes, without limitation, (i) all existing or dedicated road rights-of-way and (ii) all proposed dedications of road rights-of-way set forth on official grading and drainage plans approved pursuant to plats.
13. ROAD means a road, street, or highway or designated segment thereof in the incorporated area of the City, pursuant to F.S. ch. 316.
14. SHARED MOBILITY DEVICE. Any vehicle, including but not limited to: golf carts, mopeds, electric bicycles, segways, electric skateboards, and motorized scooters, not registered with the State of Florida, designed to transport persons, and which are propelled by power other than muscular power, which are part of a shared mobility device program.
15. SHARED MOBILITY DEVICE PROGRAM. A program, generally, in which a shared mobility device is made available for use to individuals on a short term basis for a fee.
16. SIDEWALK means the portion of a right-of-way between the curblin, or the lateral line, of a roadway and the adjacent property lines, intended for use by pedestrians and other certain allowable uses.

(b) Proper usage and Prohibitions

1. Regulation of Use of E-Bikes, Bicycles, Micromobility Devices, and Other Forms of Transportation, Generally
 - a. All public courtyards, designated pedestrian-only pathways, arcades, promenades, seawalls, and boardwalks shall be only available for use by pedestrians or non-motorized or non-electric bicycles, except for the following:
 - a. Those areas under the control of the federal government or the state of Florida. Department of Transportation (FDOT), in which cases, those regulations shall apply;
 - b. Shared use paths, as designated by the city manager, and marked by signage, shall be open to all restricted vehicles or devices; and
 - b. Prohibited vehicles or devices shall include:
 - a. Shared mobility devices, unless operating on motor vehicle traffic lanes where allowed by the Florida Uniform Traffic Control Law;

- c. If any restricted vehicle or device is specifically permitted to be used on rights-of-way controlled by the state or federal government and allowed by the Florida Uniform Traffic Control Law (FUTCL), it shall not be a violation of this chapter to do so, notwithstanding any other provision of this Section. Individuals utilizing mobility devices pursuant to the Americans with Disabilities Act (ADA) may operate those devices on any city street, sidewalk, or walkway. For the purposes of this paragraph, restricted vehicles shall include:
 - a. Electronic personal assistive mobility devices, regulated pursuant to F.S. § 316.2068, colloquially known as Segways.
 - b. Bicycles, including, but not limited to, electric bicycles or motorized bicycles;
 - c. Push scooters, roller skates, rollerblades, inline skates, skateboards, and other similar devices without any motorized parts; and
 - d. Electronic or motorized scooters (hereinafter referred to as e-scooters), as defined by the Florida Uniform Traffic Control Law.
- d. Any restricted vehicles or devices, as defined in Paragraph C left unattended on public property, including in parks and rights-of-way of the FDOT or the City of St. Augustine Beach may be impounded by the chief of police or his or her designee. A restricted vehicle or device is not considered unattended if it is secured in a designated bicycle parking area or another location or device intended for the purpose of securing such devices.

2. Bicycles

- a. Bicycles shall be operated consistent with §316.2065, Bicycle regulations, except as otherwise provided in this section. Bicycles may be operated on bicycle lanes, bicycle paths, roadways, and sidewalks consistent with this ordinance. When operating on roadways, bicycle operators shall comply with all traffic regulations.
- b. Every bicycle operated at nighttime shall be equipped with a lamp on the front exhibiting a white light visible from a distance of at least 500 feet to the front and a lamp and reflector on the rear, each exhibiting a red light visible from a distance of 600 feet to the rear. All safety lights shall be on and operational when used at nighttime.

3. Micromobility Devices

- a. E-Bikes shall be operated consistent with §316.2065, Bicycle regulations, and §316.20655, Electric Bicycle regulations. Micromobility Devices, subject to

those restrictions in Section 19-4, may be operated on bicycles lanes, bicycles paths, sidewalks, and roadways consistent with this ordinance. When operating on roadways, Micromobility Device operators shall comply with all traffic regulations. When operating on bike paths, Micromobility Device operators shall comply with all pedestrian traffic signs and intersection signalization.

- b. It is unlawful to operate Micromobility Device in a bicycle lane, bicycles path, sidewalk, right-of-way, and roadways in an unsafe and reckless manner to include but not limited to failure to yield, failure to slow when passing pedestrians, failure to give an audible signal when passing, failure to operate with due care, and excessive speed. The operation of an E-Bike that produces more than 750 watts of power as provided in paragraph (a)10 is prohibited on the roadways, sidewalks, right-of-ways, bicycles paths, and bicycles lanes within the jurisdiction of the City of St. Augustine Beach.
- c. Removal of pedals from E-Bikes and/or modification to the propulsion system either physically or via software prohibits the use of an E-bike within the jurisdiction of the City of St. Augustine Beach. The E-bike shall display the manufacturer's class label consistent with §316.20655(3), Fla Stat. Tampering that alters class characteristics without relabeling is prohibited pursuant to §316.20655(3), Fla Stat.
- d. E-Bikes and Motorized Scooters operated at nighttime shall be equipped with a lamp on the front exhibiting a white light visible from a distance of at least 500 feet to the front and a lamp and reflector on the rear each exhibiting a red light visible from a distance of 600 feet to the rear. All safety lights shall be on and operational when used at nighttime.
- e. A person operating a Micromobility device a roadway upon and along a crosswalk, shall yield the right-of-way to any pedestrian and shall give an audible signal before overtaking and passing such pedestrian.
- f. No person under 12 years of age may operate an E-Bike on any road, right-of-way, bicycle lane, bicycle path, sidewalk, or other City-owned property. Nothing herein prohibits a minor under the minimum age from riding as a passenger on an Electric Bicycle designed and equipped for a passenger in compliance with §316.2065, Fla. Stat.
- g. Passengers are prohibited on electric bicycles unless the bicycle is specifically equipped with a designated passenger seat and meets all applicable safety standards under Florida Statutes §316.2065 and §316.20655.
- h. Within posted school zones when flashing, and within 50 feet of any marked crosswalk or intersection corner, a Micromobility Device operator shall slow to pedestrian speed and yield to pedestrians. Pedestrian speed is considered a

speed not exceeding 5 miles per hour or slow enough for the operator to yield to pedestrians and stop within a short distance to avoid conflict.

4. Helmet Requirements

- a. An operator or passenger under 16 years of age on a Bicycle or Electric Bicycle must wear a properly fitted, securely fastened bicycle helmet upon the operator's or passenger's head that meets the federal safety standard for bicycle helmets, final rule, 16 C.F.R. part 1203. A parent or legal guardian may not knowingly permit a child under 16 years of age to violate this subsection.

5. Off-Road Electric Motor-Driven Cycles

It shall be unlawful for any person to operate an Off-Road Electric Motor-Driven Cycle on:

- a. On any Bike Lane within the City;
- b. On any Bike Path within the City;
- c. On any City owned or controlled property including parks;
- d. On any City owned or maintained right of way;
- e. In any public space or pathway within the City;
- f. On any roads or crosswalk within the City;
- g. On any sidewalk or public pathway within the City.

Such devices may operate only on private property with owner consent.

(c) **Penalties** The following civil and criminal penalties may be assessed by administrative or judicial process.

1. Bicycle and E-Bike. In addition to other penalties authorized herein or by statute, a person who violates this Section may be administratively or judicially assessed a civil penalty as follows:
 - a. For the first offense, a civil penalty \$100.00 or a written warning,
 - b. For the second offense, a civil penalty of \$150.00, and
 - c. For the third and each subsequent offense, a civil penalty of \$200.00
2. Off-Road Electric Motor-Driven Cycle. In addition to other penalties authorized herein or by statute, a person who violates this Section may be administratively or judicially assessed a civil penalty as follows:
 - a. For the first offense, a civil penalty \$100.00 or a written warning,
 - b. For the second offense, a civil penalty of \$150.00, and
 - c. For the third and each subsequent offense, a civil penalty of \$200.00

3. Further, Law enforcement officers are authorized to remove and impound a vehicle found in violation of this Section. No vehicle impounded as provided in this section shall be released therefrom until:

- a. The charges for towing such vehicles to the impound lot, storage, and administrative fees have been paid;
- b. Proper proof of ownership has been exhibited; and
- c. Any hold which has been placed upon the vehicle by law enforcement has been removed by law enforcement.

(d) **Enforcement.** This Article shall apply to and be enforced within the City of St. Augustine Beach. The Chief of Police shall be responsible for enforcement of the provisions of this Article. It is a violation of this Article for any person to resist, obstruct, hinder, or interfere with the Chief of Police or his/her designee in the enforcement of this Article. Any person who willfully refuses to sign and to accept a warning notice of violation or a written citation issued by a law enforcement officer shall be guilty of a misdemeanor of the second degree.

~~(a) All public Sidewalks pedestrian pathways, courtyards, arcades, promenades, seawalls, and boardwalks shall be only available for use by pedestrians or non-motorized or non-electric bicycles, except for the following:~~

~~(1) Those areas under the control of the federal government or the state of Florida Department of Transportation (FDOT), in which cases, those regulations shall apply;~~

~~(2) Shared use paths, as designated by the city manager, and marked by signage, shall be open to all restricted vehicles or devices; and~~

~~(b) Restricted vehicles or devices shall include:~~

~~(1) Electronic personal assistive mobility devices, regulated pursuant to F.S. § 316.2068, colloquially known as Segways.~~

~~(2) Bicycles, including, but not limited to, electric bicycles or motorized bicycles;~~

~~(3) Push scooters, roller skates, rollerblades, inline skates, skateboards, and other similar devices without any motorized parts; and~~

~~(4) Electronic or motorized scooters (hereinafter referred to as e-scooters), as defined by the Florida Uniform Traffic Control Law.~~

~~(c) Prohibited vehicles or devices shall include:~~

~~(1) Shared mobility devices, unless operating on motor vehicle traffic lanes where allowed by the Florida Uniform Traffic Control Law;~~

~~(d) If any restricted vehicle or device is specifically permitted to be used on sidewalks or other rights-of-way controlled by the state or federal government and allowed by the Florida Uniform Traffic Control Law (FUTCL), it shall not be a violation of this chapter to do so, notwithstanding the above provisions. Individuals utilizing mobility devices pursuant to the Americans with Disabilities Act (ADA) may operate those devices on any city street, sidewalk, or walkway.~~

~~(e) Any restricted vehicles or devices left unattended on public property, including in parks and rights-of-way of the FDOT or the City of St. Augustine Beach may be impounded by the chief of police or his or her designee. A restricted vehicle or device is not considered unattended if it is secured in a designated bicycle parking area or another location or device intended for the purpose of securing such devices.~~

SECTION 3. SEVERABILITY.

It is hereby declared to be the intention of the City Commission the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable and if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Ordinance.

SECTION 4. CODIFICATION.

It is the intention of the City Commission of the City of St. Augustine Beach, Florida, and it is hereby ordained the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of St. Augustine Beach, Florida; the Sections of this Ordinance may be renumbered or re-lettered to accomplish such intention; and the word "Ordinance" may be changed to "Section," "Article" or other appropriate word. The Code codifier is granted liberal authority to codify the provisions of this Ordinance.

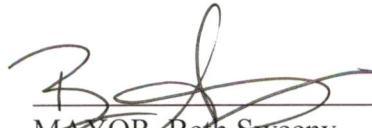
SECTION 5. CONFLICTS.

All prior ordinances and resolutions or parts thereof in conflict with this Ordinance are hereby repealed to the extent of such conflict.

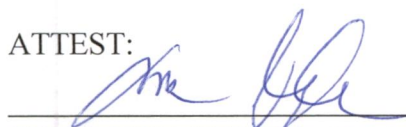
SECTION 6. EFFECTIVE DATE.

This Ordinance shall become effective immediately upon its passage and adoption.

PASSED by the City Commission of the City of St. Augustine Beach, Florida, this day of 8th day of September 2026.


MAYOR, Beth Sweeny

ATTEST:


CITY MANAGER, Max Royle