



Florida's Pedestrian & Bicycle Safety Coalition

Model Language

Definition of the Micromobility Language

Existing Florida Statute

316.003 Definitions. –

(41) MICROMOBILITY DEVICE.—Any motorized transportation device made available for private use by reservation 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 bicycles as defined in this chapter.

Limitations of Existing Florida Statute

Florida's existing definition for micromobility devices is restricted to shared fleets and is neither comprehensive nor consistent with recent developments in vehicle technology and availability. This limited definition prevents other types of common, small, personal mobility devices from being properly regulated, reported on, and designed for.

Proposed Model Legislative Language

Note: New language is underlined and deleted language is shown by a ~~strikethrough~~.

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(41) MICROMOBILITY DEVICE. – An individual-use, lightweight device (commonly 20" to 36" wide and 50 pounds or less), typically operating at speeds below 15 miles per hour, and no greater than 28 miles per hour. Micromobility devices include both human-powered and/or non-human-powered devices such as bicycles, electric bicycles, motorized scooters, or other devices that may be owned by an individual or be part of a shared fleet.

Additional Statutes That Refer to Micromobility

316.003 Definitions. –

(48) **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.

316.2128 Micromobility devices, motorized scooters, and miniature motorcycles; requirements.—

(1) The operator of a motorized scooter or micromobility device has all of the rights and duties applicable to the rider of a bicycle under s. 316.2065, except the duties imposed by s. 316.2065(2), (3)(b), and (3)(c), which by their nature do not apply. However, this section may not be construed to prevent a local government, through the exercise of its powers under s. 316.008, from adopting an ordinance governing the operation of micromobility devices and motorized scooters on streets, highways, sidewalks, and sidewalk areas under the local government's jurisdiction.

(2) A motorized scooter or micromobility device is not required to satisfy the registration and insurance requirements of s. 320.02 or the licensing requirements of s. 316.605.

(3) A person is not required to have a driver license to operate a motorized scooter or micromobility device.

(4) A person who offers motorized scooters or micromobility devices for hire is responsible for securing all such devices located in any area of the state where an active tropical storm or hurricane warning has been issued by the National Weather Service.

(5) A person who engages in the business of, serves in the capacity of, or acts as a commercial seller of miniature motorcycles in this state must prominently display at his or her place of business a notice that such vehicles are not legal to operate on public roads, may not be registered as motor vehicles, and may not be operated on sidewalks unless authorized by an ordinance enacted pursuant to s. 316.008(7)(a) or s. 316.212(8). The required notice must also appear in all forms of advertising offering miniature motorcycles for sale. The notice and a copy of this section must also be provided to a consumer prior to the consumer's purchasing or becoming obligated to purchase a miniature motorcycle.

(6) Any person selling or offering a miniature motorcycle for sale in violation of this section commits an unfair and deceptive trade practice as defined in part II of chapter 501.

Rationale for Model Language Adjustment

The proposed definition expands and refines the existing definition in regard to vehicle type, design, operation, and ownership. The new language is consistent with Federal Highway Administration (FHWA) and Governors Highway Safety Association (GHSA) definitions, which approach micromobility as an umbrella term for both human-powered and motorized lightweight, low-speed vehicles. Like the existing definition, the proposed definition includes some vehicles already defined in statute. By updating or further defining typical micromobility device weight, width, and maximum capable speed, the proposed definition will help with the identification, enforcement, regulation, and safety analysis of micromobility devices. The draft definition does not reference specific vehicle types or brands so it is adaptable and can apply to micromobility vehicles that have yet to emerge in this quickly expanding field. By removing the reference to “use by reservation,” the proposed definition encompasses the large share of micromobility devices that are privately owned. The proposed definition can also be used to educate the public on the proper use of micromobility devices, to enable the design of better facilities for micromobility users, and to track the safety of micromobility devices more accurately through crash and emergency medical reporting.

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