

316.003 - Definitions for Scooters, Segways, Mopeds, and Electric Bicycles:

(2) **BICYCLE**.--Every vehicle propelled solely by human power, and every motorized bicycle propelled by a combination of human power and an **electric** helper motor capable of propelling the vehicle at a speed of not more than 20 miles per hour on level ground upon which any person may ride, 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 such a vehicle with a seat height of no more than 25 inches from the ground when the seat is adjusted to its highest position or a scooter or similar device. No person under the age of 16 may operate or ride upon a motorized bicycle.

(77) **MOPED**.--Any vehicle with pedals to permit propulsion by human power, having a seat or saddle for the use of the rider and designed to travel on not more than three wheels; with a motor rated not in excess of **2 brake horsepower** and not capable of propelling the vehicle at a speed greater than **30 miles per hour** on level ground; and with a power-drive system that functions directly or automatically without clutching or shifting gears by the operator after the drive system is engaged. If an internal combustion engine is used, the displacement may not exceed **50 cubic centimeters**. (No helmet is required for mopeds if operator is 16 years of age or older **316.211(3)(a)**)

(82) **MOTORIZED SCOOTER**.--Any vehicle **not** having a seat or saddle for the use of the rider, designed to travel on not more than three wheels, **and** not capable of propelling the vehicle at a speed greater than 30 miles per hour on level ground.

According to Florida law, motorized scooters, go-peds, and pocket bikes are considered motor vehicles. However, because motorized scooters, go-peds, and pocket bikes are not manufactured to meet the required federal Motor Vehicle Safety Act, they cannot be registered for operation on public roadways, even if the operator has a valid driver's license. Mopeds can be registered for operation on public roadways, but an operator must have a valid driver's license to operate one. Operators of motorized bicycles do not need a valid driver's license and are not required to register them in order to operate them on public roadways.

Regulations for electric personal assistive mobility devices (Segways)

(Section 316.003(83) and 316.2068, F.S.)

- ▶ An electric personal assistive personal mobility device is any self-balancing, two-nontandem-wheeled device, designed to transport only one person, with an electric propulsion system with average power of 750 watts (1 horsepower), the maximum speed of which, on a paved level surface when powered solely by such a propulsion system while being ridden by an operator who weighs 170 pounds, is less than 20 miles per hour.
- ▶ An electric personal assistive mobility device may be operated on a marked bicycle path, on any street or road where bicycles are permitted, and on a sidewalk, if the person operating the device yields the right-of-way to pedestrians and give an audible signal before overtaking and passing a pedestrian.
- ▶ A county or municipality may prohibit the operation of electric personal assistive mobility devices on any road, street or bicycle path under its jurisdiction if the governing body of the county or municipality determines that such a prohibition is necessary in the interest of safety.
- ▶ The Department of Transportation may prohibit the operation of electric personal assistive mobility devices on any road under its jurisdiction if it determines that such operation is necessary in the interest of safety.

Comment: At this time, the only electric personal assistive mobility device is the Segway ♦ Human Transporter. Since bicycles are permitted on almost all streets, so are EPAMDs, except on those where operation has been prohibited by managing jurisdictions. Guidance for use of bicycle lanes is provided above.