

CITY OF BONITA SPRINGS, FLORIDA

ORDINANCE NO. 26 – 07

AN ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA AMENDING CHAPTER 40 OF THE BONITA SPRINGS CODE; CREATING A NEW ARTICLE V - REGULATING THE OPERATION OF ELECTRIC BICYCLES, MOTORCYCLES, AND PERSONAL ELECTRIC POWERED DEVICES ON STREETS, SIDEWALKS, AND SIDEWALK AREAS; PROVIDING DEFINITIONS FOR THE TERM "ELECTRIC BICYCLE," "MOTORCYCLE," "MICROMOBILITY DEVICE," AND OFF HIGHWAY VEHICLES AND MOTORCYCLES; PROHIBITING THE OPERATION OF ELECTRIC POWERED DEVICES ON TRAILS, GREENWAYS, GREENBELTS, AND EASEMENTS IN THE CITY OF BONITA SPRINGS; PROVIDING A PENALTY FOR VIOLATION OF THIS SECTION; PROVIDING FOR CODIFICATION AND SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS OF LAW; PROVIDING FOR SEVERABILITY; PROVIDING FOR MODIFICATIONS THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Bonita Springs, Florida is the governing body of Bonita Springs; and

WHEREAS, pursuant to Chapter 316, Florida Statutes, otherwise known as the "Florida Uniform Traffic Control Law," and specifically Section 316.006, municipalities have original jurisdiction to exercise traffic control over streets and highways within their boundaries; and

WHEREAS, Section 316.2065, 316.20655, and 316.2068, Florida Statutes, allows the municipalities, through the exercise of its powers under Section 316.008, Florida Statutes, to adopt an ordinance governing the operation of bicycles, electric bicycles, and electric mobility devices on streets, highways, sidewalks, and sidewalk areas and regulating the operation of an electric bicycle on a bicycle path, multiuse path, greenways, or trail networks; and

WHEREAS, City of Bonita Springs has a significant government interest in pedestrian and bicyclist safety, and this ordinance regulates conduct for the purpose of promoting pedestrian and bicyclist safety; and

WHEREAS, there has been a noticeable increase in the operation of electric bicycles, electric motorcycles, and similar personal electric powered machines on public sidewalks and upon public right of ways in City, which presents enhanced opportunities for crashes and injuries with other pedestrian and persons with standard and electric mobility devices upon those sidewalks, due in part to the steady accelerated speed with which electric bicycles and motorcycles can maintain as compared to manually operated

bicycles; and

WHEREAS, the City maintains sufficient jurisdiction and authority pursuant to Sections 316.006 and 316.008, Florida Statutes, other relevant state and federal laws, and the Bonita Springs Code (the “Code”) to regulate the activities subject to this ordinance; and

WHEREAS, pursuant to Article VIII of the Florida Constitution, the City of Bonita Charter and Section 166.021, Florida Statutes, the City Council is authorized to adopt ordinances necessary for the exercise of its powers in for health, safety, and general welfare; and

WHEREAS, the Board finds that amending Chapter 40 of the Code as provided below is narrowly tailored to impose specific regulations to protect the health, safety, and welfare of City’s residents, guests, and visitors by reducing the likelihood of serious bodily injury or death that results from conflicts between vehicular traffic, bicyclists, and pedestrians progressing on the sidewalks, crosswalks, intersections, bicycle paths, multiuse paths, greenways, and trail networks in the incorporated areas of the City.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Bonita Springs, Florida:

Section 1. **Recitals Adopted.**

That each of the above stated recitals is hereby adopted as legislative findings of the City Council and confirmed as being true, and the same are hereby incorporated as a part of this Ordinance.

Section 2. **Amending the City of Bonita Code**

The Bonita Springs City Code is hereby amending the pertinent provisions of Chapter 40, with deletions depicted with ~~strikethroughs~~ and underlined language as additions, as provided and further depicted in Exhibit A, attached hereto and incorporated herein by reference.

Section 3. **Severability**

The provisions of this Ordinance are severable, and it is the intention to confer the whole or any part of the powers herein provided for. If any part of this Ordinance is found to be invalid, preempted, or otherwise superseded, the remainder shall nevertheless be given full force and effect to the extent permitted by the severance of such invalid, preempted, or superseded part as if adopted with such part had not been included herein.

Section 4. Conflicts of Law

This Ordinance shall supersede any ordinances in conflict herewith to the extent that such conflict exists. Whenever the requirements or provisions of this Ordinance are in conflict with the requirements or provisions of the requirements of state or federal law, the more restrictive shall apply. Moreover, nothing in this Article shall be construed to authorize operation of vehicles contrary to Chapters 261, 316, or 320, Florida Statutes, or to supersede any safety, certification, supervision, or equipment requirements applicable under state law.

Section 5. Codification and Scrivener's Errors

It is the intention of the City Council that the provisions of this Ordinance shall become and be made part of the Bonita Springs Code; that sections of this Ordinance may be renumbered or re-lettered and that the word "ordinance" may be changed to "section", "article", or such other appropriate word or phrase in order to accomplish such intention; and that any typographical errors which do not affect the intent may be authorized by the City Manager without need of public hearing, by filing a corrected copy with the City Clerk. It is further the intent of the City Council that the provisions of this Ordinance may be modified as a result of consideration that may arise during public hearing(s) and that such modifications shall be incorporated into the final version.

DULY PASSED AND ADOPTED BY THE CITY COUNCIL of the City of Bonita Springs, Florida this 3rd day of June, 2026.

Attest:

CITY OF BONITA SPRINGS, FLORIDA

By: 
City Clerk

By: 
Mayor

Reviewed for legal sufficiency:

By: 
City Attorney

Vote:

- | | |
|--------------------|-------------|
| Gibson aye | Corrie aye |
| Purdon not present | Fullick aye |
| Fitzpatrick aye | Bogacz aye |
| Carr aye | |

Date filed with City Clerk: 6/5/26

EXHIBIT "A"

**ARTICLE V. REGULATING THE OPERATION OF ELECTRIC BICYCLES,
MOTORCYCLES, AND PERSONAL ELECTRIC POWERED DEVICES ON STREETS,
SIDEWALKS, AND SIDEWALK AREAS**

Sec. 40-65. Operation of electric bicycles, electric motorcycles, and other electric-powered devices in the City.

(a) Applicability. This Article applies to lands in the incorporated boundaries of the City of Bonita Springs, Florida.

(b) Definitions. For purposes of this section, the following words and phrases shall have the meanings ascribed to them:

Electric Bicycle (all classes) shall mean the term "electric bicycle" as defined in Section 316.003, Florida Statutes, as amended from time to time.

"Electric Mobility Device" means any electric bicycle, electric personal assistive mobility device, micromobility device, motorized scooter, or other electrically powered transportation device regulated under this Article, but excluding registered motor vehicles unless expressly stated otherwise.

Electric Personal Assistive Mobility Device shall have the same meaning as defined in Section 316.003, Florida Statutes, as amended from time to time.

Micromobility Device shall have the same meaning as defined in Section 316.003, Florida Statutes, as amended from time to time.

Motorcycle shall mean the term "motorcycle" as defined in Section 316.003, Florida Statutes, as amended from time to time, and shall include all motor vehicles, pocket bikes or similar devices, that are manufactured without pedals and have not been modified to have pedals, therein defined notwithstanding the means of propulsion of such vehicle, including but not limited to the use of gasoline, electricity, battery, or other fuels or systems as a means of propulsion.

Motorized Scooter shall have the same meaning as defined in Section 316.003, Florida Statutes, as amended from time to time.

Off-Highway Vehicle or Motorcycle shall have the same meaning as defined in Section 261.03, Florida Statutes, as amended from time to time.

Bicycle Lane, Bicycle Path, Crosswalk, Intersection, Median, and Sidewalk shall have the same meaning as defined in Section 316.003, Florida Statutes, as amended from time to time.

Multi-Use Path shall mean a physically separated, hard-surfaced or shell or rock trail or path for non-motorized traffic which is wider than a sidewalk and are designed for the use of bicyclists and pedestrians at the same time and may provide access to destinations with limited exposure to motor vehicles.

Greenway, Trail or Trail Network shall have the same meaning as defined in Section 260.013, Florida Statutes, as amended from time to time.

(c) Operation on Public Sidewalks, Crosswalks, Intersections, and Multi-Use Pathways.

- (1) Authorization: Bicycles, electric bicycles, electric motorcycles, electric personal assistive mobility devices, micromobility devices, motorized scooters, or similar electric mobility device are allowed pursuant to law upon the public sidewalks, crosswalks, intersections, multi-use pathways, and designated bicycle paths within the incorporated areas of City of Bonita Springs over which the City has traffic control jurisdiction. Electric motorcycles registered as motorcycles under Chapter 320, Florida Statutes, are prohibited from operating on public sidewalks, crosswalks, or multi-use pathways within the City.
- (2) Speed: All bicycles, electric bicycles, electric motorcycles, electronic personal assistive mobility devices, micromobility devices, motorized scooters, or similar electric mobility devices shall, unless otherwise posted, travel no more than 15 miles per hour on any public sidewalk, crosswalk, intersection, multi-use path, and designated bicycle paths.
- (3) Safety Equipment: A rider or passenger of any of the electric mobility devices regulated under this section who is under 16 years of age must wear at least a helmet that is properly fitted and is fastened securely upon the passenger's head by a strap and that meets the federal safety standard for helmets pursuant to law. As used in this subsection, the term "passenger" includes a child who is riding in a trailer or semitrailer attached to an electric mobility device.
- (4) Lighting: Any of the above defined electric mobility device shall, between dusk and dawn, 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. An electric mobility device or its rider may be equipped with lights or reflectors in addition to those required by this section.
- (5) Yielding Right of Way: A person operating an electric mobility device, as defined in this section, upon and along a sidewalk, or across a roadway upon and along a crosswalk or intersection, shall yield the right-of-way to any pedestrian, slow to a reasonably safe passing speed, and shall give an audible signal before overtaking and passing such pedestrian.

- (6) Applicable Laws: Any person operating an electric mobility device as defined in this section upon and along any public sidewalk, crosswalk, intersection, and designated bicycle path shall abide by all applicable laws with respect to pedestrian and bicycle regulations as defined in Chapter 316, Florida Statutes.

(d) Operation on Public Roadways and Bicycle Lanes.

- (1) Authorization: Bicycles, electric bicycles, electric motorcycles, electric personal assistive mobility devices, micromobility devices, motorized scooters, or similar electric devices are allowed pursuant to law upon the public roadways and bicycle lanes within the incorporated areas of City of Bonita Springs over which the City has traffic control jurisdiction.
- (2) Speed: All bicycles, electric bicycles, electric motorcycles not registered under Chapter 320, Florida Statutes, electronic personal assistive mobility devices, micromobility devices, motorized scooters, or similar electric mobility devices shall travel no more than the posted speed limit or statutory speed limit on any public roadway or bicycle lane.
- (3) Safety Equipment: A rider or passenger of any of the electric mobility devices listed in subsection (1) above, who is under 16 years of age, must wear at least a helmet that is properly fitted and is fastened securely upon the passenger's head by a strap and that meets the federal safety standard for helmets and otherwise required pursuant to law. As used in this subsection, the term "passenger" includes a child who is riding in a trailer or semitrailer attached to an electronic vehicle/device.
- (4) Lighting: Any electric mobility device listed in subsection (1) above shall, between dusk and dawn, 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. An electric mobility device or its rider may be equipped with lights or reflectors in addition to those required by this section.

(e) Operation on Trails, Greenways, and Greenbelts Prohibited. Motor vehicles, bicycles, electric bicycles, motorcycles or electric motorcycles, off-highway vehicles or motorcycles, electric personal assistive mobility devices, micromobility devices, motorized scooters, or similar electric mobility devices are not allowed upon the trails, greenways, and greenbelts within the incorporated areas of the City of Bonita Springs over which the City has jurisdiction, unless otherwise posted by the City.

(f) Official use of motorcycles, electric bicycles, or electric mobility devices by duly licensed law enforcement officers performing authorized duties are exempt from prohibitions described in this section. Utility company workers or their authorized contractors are exempt from section (e) when they are performing authorized duties.

(g) Signage authorized. The City may install such signage as is necessary and appropriate to designate or prohibit operation in areas as described in this section.

(h) Enforcement. The Sheriff of Lee County and any certified Law Enforcement Officer of the State of Florida has the authority to enforce this section.

(i) Penalties. Any person violating any of the provisions of this section is subject to at least a non-moving penalty as defined in Florida Statute 318. Nothing in this section prohibits law enforcement from effecting an arrest, towing of the violating vehicle, or any other appropriate action as defined in Chapters 316, 318, 320 and 322, Florida Statutes, as amended from time to time.