



Staff Report

CITY COUNCIL MEETING DATE: December 8, 2025

TYPE OF AGENDA ITEM: 1st reading no PDB

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Barry Henderson, Development Services Director
DATE: 12/04/2025
SUBJECT: Ordinance 2009, Electric Bikes on Downtown Sidewalks

BACKGROUND:

Recently, there has been an increase in use of electric micromobility devices (electric bikes, electric scooters, etc.) across the country, as well as in Okaloosa County and the City of Crestview.

DISCUSSION:

Staff from the County and many of the municipalities within the county participated in two workshops to iron out the regulatory language contained in this ordinance. A primary goal of these workshops was to ensure that the regulations across the county would be the same, to limit confusion regarding what rules applied each jurisdiction. As a result, Section 3 of the attached ordinance provides for a new Article IV in Chapter 74, which provides the same regulations that are being proposed within the other jurisdictions in the county.

Section 4 of the proposed ordinance is unique to the template developed by the working group, but serves to specify that the use of scooters, in addition to the previously listed micromobility devices (skateboards, roller blades and skates) is prohibited on both streets and sidewalks in the downtown area. It also adds a prohibition on e-bikes, e-scooters, and other micromobility devices not specifically listed, on the sidewalks in the downtown area. This will prevent physical and visual deterioration of the recently completed main street streetscape project, and help reduce public safety issues related to the use of such devices on sidewalks intended for pedestrian travel.

GOALS & OBJECTIVES

This item is consistent with the goals in A New View Strategic Plan 2020 as follows;

Foundational- these are the areas of focus that make up the necessary foundation of a successful local government.

Financial Sustainability- Achieve long term financial sustainability

Organizational Capacity, Effectiveness & Efficiency- To efficiently & effectively provide the highest quality of public services

Infrastructure- Satisfy current and future infrastructure needs

Communication- To engage, inform and educate public and staff

Quality of Life- these areas focus on the overall experience when provided by the city.

Community Character- Promote desirable growth with a hometown atmosphere

Safety- Ensure the continuous safety of citizens and visitors

Mobility- Provide safe, efficient and accessible means for mobility

Opportunity- Promote an environment that encourages economic and educational opportunity

Play- Expand recreational and entertainment activities within the City

Community Culture- Develop a specific identity for Crestview

FINANCIAL IMPACT

There is no financial impact anticipated by the passage of this ordinance.

RECOMMENDED ACTION

Staff respectfully requests a motion to approve Ordinance 2009 on first reading, and send to second reading for adoption.

Attachments

1. Ordinance 2009 - E-Bikes, Etc

ORDINANCE 2009

AN ORDINANCE OF THE CITY OF CRESTVIEW, FLORIDA; CREATING CHAPTER 74, ARTICLE IV - ELECTRIC BICYCLES, MOTORIZED SCOOTERS, AND MICROMOBILITY DEVICES; AMENDING SECTION 74-6 – SKATEBOARDS, ROLLER BLADES AND SKATES PROHIBITED ON DOWNTOWN STREETS AND SIDEWALKS; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR SEVERABILITY; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR LIBERAL INTERPRETATION; PROVIDING FOR REPEAL OF CONFLICTING CODES AND ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the public has a growing interest in using personal micromobility devices, including electric bicycles and motorized scooters for transportation and recreational purposes; and

WHEREAS, the City of Crestview City Council supports the safe use of low-cost, energy-efficient micromobility devices on City roads and rights-of-way; and

WHEREAS, Florida Statute 316.2128(1) grants micromobility device and motorized scooter operators, "all of the rights and duties applicable to the rider of a bicycle," including the right to operate motorized scooters on sidewalks, streets, and trails; and

WHEREAS, Sections 316.2128 and 316.20655, Florida Statutes, regulate micromobility devices and authorize the City, under certain circumstances, to adopt an ordinance governing the operation of micromobility devices on streets, highways, sidewalks, and sidewalk areas under the City's jurisdiction; and

WHEREAS, Florida Statute 316.2128(1), further allows local governments to adopt ordinances governing the operation of micromobility devices and motorized scooters on streets, highways, sidewalks, and sidewalk areas under the local government's jurisdiction; and

WHEREAS, The City Council of the City of Crestview on December 8, 2025, held an advertised public hearing for the first reading of this proposed Ordinance, which provided for comments and public participation in process in accordance with the requirements of state law; and

WHEREAS, The City Council has considered the creation of Chapter 74, Article IV and amendment of Section 74-6 of the Code of Ordinances of the City of Crestview Florida and received public comment at an advertised public hearing for the final reading of the proposed Ordinance on January 12, 2026.

NOW, THEREFORE, be it ordained by the City Council of the City of Crestview, Florida as follows:

SECTION 1 - AUTHORITY. The authority for enactment of this Ordinance is Section 166.021, Florida Statutes, and the City Charter.

SECTION 2 - RECITALS. The foregoing recitals are hereby ratified and confirmed as being true and correct and are hereby made a part of this Ordinance.

SECTION 3 - CREATING CHAPTER 74, ARTICLE VI. Chapter 74, Article IV of The Code of Ordinances of the City of Crestview is hereby created to read as follows:

Sec. 74-80. – Electric bicycles, motorized scooters, and micromobility devices.

The following definitions shall apply throughout Chapter 74:

Bicycle: Every 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. (F.S. § 316.003 (4))

Bicycle Lane: shall mean a portion of a roadway designated for the preferential or exclusive use of bicycles and designated by a bicycle symbol pavement marking and signage in accordance with Florida Department of Transportation and standards and the Manual of Uniform Traffic Control Devices. (F.S. § 316.003 (5))

Bicycle Path: shall mean any road, path, or way that is 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 a public or publicly accessible right-of-way or within an independent right-of-way. (F.S. § 316.003(6))

Electric Bicycle 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 less than 750 watts. This term includes devices defined as electric bicycles pursuant to section 316.003(23), Florida Statutes, as may be amended. However, this term does not include “wheelchairs” or “other power-driven mobility devices” as defined under the ADA, 28 CFR s. 35.104, as may be amended.

Micromobility Device: means motorized scooters and electric bicycles as defined herein and shall include any motorized transportation device which is incapable of traveling at speeds greater than twenty (20) miles per hour on level ground. This term shall also include those devices defined in section 316.003(41), Florida Statutes, as may be amended. However, this term does not include “wheelchairs” or “other power-driven mobility devices” as defined under the ADA, 28 CFR § 35.104, as may be amended.

Motorized Scooter or E-Scooters: means any vehicle or micromobility device, other than an electric bicycle, 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. This term includes those devices defined as motorized scooters pursuant to section 316.003(48), Florida Statutes, as may be amended. However, this term does not include “wheelchairs” or “other power-driven mobility devices” as defined under the ADA, 28 CFR s. 35.104, as may be amended.

Operator: Any person riding, driving, or otherwise in actual physical control of a micromobility device.

Pedestrian: Any person afoot. (F.S. § 316.003(57))

Right-Of-Way: means land devoted to or required for use as a roadway, sidewalk, or other associated feature, and includes, without limitation,

- (1) all existing or dedicated road rights-of-way and
- (2) all proposed dedications of road rights-of-way set forth on official grading and drainage plans approved pursuant to tentative plats.

Sidewalk: means that portion of a right-of-way between the curbline, or the lateral line, of a roadway and the adjacent property lines, intended for use by pedestrians. (F.S. § 316.003(82))

Sec. 74-81. – Operations.

(a) Operators of micromobility devices shall comply with all applicable State, County, and City laws, rules, and regulations as may be applicable to such devices.

(b) Operators of an E-Bike, E-Scooter, or other micromobility device must wear a bicycle helmet that is properly fitted and is fastened securely upon the operator’s head by a strap and that meets the federal safety standards for bicycle helmets, final rule, 16 C.F.R. part 1203.

(c) It shall be unlawful for any person to operate any E-Bike, E-Scooter, or other micromobility device in a careless manner. Careless operations of an E-Bike, E-Scooter, or other micromobility device shall include, but is not limited to:

- (1) Operation of an E-Bike, E-Scooter, or other micromobility device with more than one person on the micromobility device, unless such micromobility device is specifically designed to carry more than one person; or
- (2) Operation of an E-Bike, E-Scooter, or other micromobility device while simultaneously using a cellphone; or
- (3) Operation of an E-Bike, E-Scooter, or other micromobility device at a speed greater than is reasonable and prudent under the conditions, having regard to the actual and potential hazards then existing including, but not limited to:

- (i) the safety of the operator or any other person or property;
 - (ii) Failing to yield to pedestrians;
 - (iii) Weaving in and out of pedestrian or vehicular traffic;
 - (iv) Any occurrence where inadvertence to the safe and normal operational procedures of the E-Bike, E-Scooter, or other micromobility device causes or is likely to cause damage to any person or property;
- (d) An operator of an E-Bike, E-Scooter, or other micromobility device shall yield the right-of-way to pedestrians and shall deliver an audible signal before overtaking and passing a pedestrian.
- (e) An operator of an E-Bike, E-Scooter, or other micromobility device shall take such precautions as may be necessary to avoid an accident or collision with a person or property.
- (f) E-Bikes, E-Scooters, and other micromobility devices are permitted to operate on public sidewalks, walkways, paths, or trails. The maximum speed of a micromobility device on a public sidewalk, walkway, path, or trail shall not exceed a speed that is reasonably prudent for the current conditions or environment.
- (g) Micromobility devices may be operated within designated bike lanes of a roadway, if available; or if no bike lane is available, on the roadway, as close as practicable to the right-hand curb or edge of the roadway except under any of the following situations:
 - (1) When overtaking and passing another bicycle or vehicle proceeding in the same direction.
 - (2) When preparing for a left turn at an intersection or into a private road or driveway.
 - (3) When reasonably necessary to avoid any condition or potential conflict, including, but not limited to, a fixed or moving object, parked or moving vehicle, bicycle, pedestrian, animal, surface hazard, turn lane, or substandard-width lane, which makes it unsafe to continue along the right-hand curb or edge or within a bicycle lane.
- (h) When operating an E-bike, E-scooters, or other micromobility device on a roadway or sidewalk, operators shall travel in the same direction as the flow of vehicular traffic. E-bikes, E-Scooters, or other micromobility devices shall not be operated against the flow of vehicular traffic.
- (i) An operator of an E-bike, E-Scooter, or other micromobility device must adhere to the same right-of-way laws and regulations as bicycles. come to a complete stop

before crossing an intersection and must yield the right-of-way if a vehicle is already in the intersection.

(j) At a signalized intersection, an operator of an E-bike, E-scooter, or other micromobility device on a sidewalk must obey the instructions of any applicable pedestrian control signal. If no pedestrian signal is provided, the operator may proceed in accordance with the signal indications for the parallel roadway traffic flow.

(k) All E-Bike, E-Scooter, or other micromobility devices shall comply with the lighting standards set forth in F.S. § 316.2065(7), as may be amended, which requires a reflective front white light visible from a distance of at least 500 feet, and a reflective rear red light visible from a distance of at least 600 feet.

(l) E-Bike motors shall not be modified to allow for higher speed than the E-Bike is designed to attain. (F.S. § 316.20655(4))

Sec. 74-82. - Parking.

(a) E-Bike, E-Scooter, or other micromobility devices shall be equipped with a kickstand and always parked upright.

(b) A person shall not park an E-Bike, E-Scooter, or other micromobility device:

(1) in a manner that obstructs any ingress or egress from any building or parking area, or in a manner that prevents any sidewalk, walkway, path, or trail from maintaining at least three feet of walkway clearance; or

(2) in a manner that obstructs or interferes with pedestrian or vehicular traffic; or on an accessibility ramp for persons with disabilities, or any part thereof, or in any manner that would restrict the movement for persons with disabilities; or

(3) within a motor vehicle parking space not designated for micromobility device use; or

(4) within fifteen (15) feet of any fire hydrant or in a manner that blocks any other emergency facility; or

(5) on any public property, except in areas designated for micromobility device parking; or

(6) on any private property without the permission of the property owner.

(c) A person may not attach, secure, store, or park an E-Bike, E-Scooter, or other micromobility device to or upon public property in a manner that may cause injury or damage to any person or thing or in a manner that renders the public property unusable or impassable. E-Bikes, E-Scooters, or other micromobility devices may only be secured to facilities designed to secure and store these devices.

(d) Except as expressly allowed by the City Manager or his or her designee, any E-Bike, E-Scooter, or other micromobility device left unattended on public property, including in parks or rights-of-way, for one week or more shall be deemed abandoned and subject to the provisions of Chapter 705, Florida Statutes.

Sec. 74-83. - Penalties.

A violation of any Section of this Article shall be deemed a non-criminal infraction, subject to a maximum civil penalty of \$500.00.

- (1) Upon a first offense, the person liable for the violation shall be issued a written warning advising such person of the violation; provided, however, no civil penalty shall be assessed for a first offense.
- (2) Upon a second offense, a civil penalty of \$150.00
- (3) Upon a third offense, a civil penalty of \$350.00
- (4) Upon a fourth or subsequent offense, a civil penalty of \$500.00

SECTION 4 - AMENDING SECTION 74-6. Section 74-6 of The Code of Ordinances of the City of Crestview is amended as follows:

Sec. 74-6. - ~~Skateboards, roller blades and skates prohibited~~Micromobility device prohibitions on downtown streets and sidewalks.

- a. The use of skateboards, scooters, roller blades and skates on public streets and sidewalks in the downtown area of the city is prohibited.
- b. The use of e-bikes, e-scooters and other micromobility devices on sidewalks in the downtown area of the city is prohibited.
- c. Anyone violating this section shall be punished as provided in section 1-11.

SECTION 5 – SEVERABILITY. If any word, phrase, sentence, paragraph or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this ordinance are declared severable.

SECTION 6 – SCRIVENER’S ERRORS. The correction of typographical errors which do not affect the intent of this Ordinance may be authorized by the City Manager or the City Manager’s designee, without public hearing, by filing a corrected or re-codified copy with the City Clerk.

SECTION 7 – ORDINANCE TO BE LIBERALLY CONSTRUED. This Ordinance shall be liberally construed in order to effectively carry out the purposes hereof which are deemed not to adversely affect public health, safety, or welfare.

SECTION 8 – REPEAL OF CONFLICTING ORDINANCES. Ordinances, or parts of ordinances or portions thereof of the City of Crestview, in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 9 – EFFECTIVE DATE. This Ordinance shall take effect immediately upon its adoption.

Passed and adopted by the City Council of Crestview, Florida on the 12th day of January, 2026.

J.B. Whitten, Mayor

ATTEST

Natasha Peacock, Interim City Clerk