



**Legislation  
11.4.**

City of North Miami Beach  
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**MEMORANDUM**

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<b>TO:</b>	Mayor and City Commission
<b>FROM:</b>	Sponsored by Commissioner Fortuna Smukler
<b>VIA:</b>	Darvin Williams, City Manager
<b>DATE:</b>	May 19, 2026

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**RE:** Ordinance No. 2026-09 (First Reading) Regulating the Ownership and Operation of Motorized Scooters (Sponsored by Commissioner Fortuna Smukler)

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**Description**

**BACKGROUND**

**ANALYSIS:**

**RECOMMENDATION:**

**FISCAL/ BUDGETARY**

**IMPACT:**

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**ATTACHMENTS:**

Description

▣ Ordinance

**ORDINANCE 2026 - \_\_\_\_**

**AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, REGULATING THE OWNERSHIP AND OPERATION OF MOTORIZED SCOOTERS; PROVIDING DEFINITIONS; REQUIRING REGISTRATION; IMPOSING AN APPLICATION FEE AND THE ISSUANCE AND DISPLAY OF A MOTORIZED SCOOTER REGISTRATION DECAL; PROVIDING FOR TRANSFER OF DECALS; ADDRESSING STOLEN, LOST, MUTIATED, DESTROYED OR ILLEGIBLE MOTORIZED SCOOTER REGISTRATION DECALS; PROVIDING REQUIREMENTS AND RESTRICTIONS; PROVIDING FOR PENALTIES AND ENFORCEMENT AND AN EFFECTIVE DATE OF ENFORCEMENT; ESTABLISHING AN AGE RESTRICTION FOR THE OPERATION OF MOTORIZED SCOOTERS; REQUIRING GOVERNMENT-ISSUED PHOTOGRAPHIC IDENTIFICATION FOR THE OPERATION OF MOTORIZED SCOOTERS; PROVIDING FOR CODIFICATION, CONFLICTS, SCRIVENER’S ERRORS, SEVERABILITY, AND AN EFFECTIVE DATE.**

**WHEREAS**, in response to promoting a healthier lifestyle, mitigating traffic, and supporting more environmentally friendly, convenient, and cost-effective ways for residents and visitors to travel, the City of North Miami Beach (the “City”) has become inundated with the use of motorized scooters upon its roadways and sidewalks; and

**WHEREAS**, despite the advantages of using these alternative methods of transportation, unique safety concerns are created by their inherent design and by their use, to both users of such devices and pedestrians; and

**WHEREAS**, in recent years, there has been an increase in the improper use of motorized scooters in the City, which pose a substantial risk of injury or death to users of such devices and pedestrians; and

**WHEREAS**, in 2025 the Florida Legislature enacted Chapter 2025-149, Laws of Florida, amending §316.2128, Florida Statutes, therein authorizing local governments to “adopt an ordinance providing one or more minimum age requirements to operate a motorized scooter or micromobility device” and to “adopt an ordinance requiring a person who operates a motorized scooter or micromobility device to possess a government-issued photographic identification while operating the motorized scooter or micro-mobility device;” and

**WHEREAS**, the City Commission, upon the enactment of Chapter 2025-149, Laws of Florida, requested that City staff conduct research on the potential of implementing scooter regulations authorized by law; and

**WHEREAS**, City staff were given direction by the City Commission to draft a City ordinance, after staff provided an update of the research and community outreach conducted on additional scooter regulations; and

**WHEREAS**, it is the intent of the City Commission, in accordance with §316.2128, Florida Statutes, to establish a minimum age for the operations of motorized scooters within the City, to require government-issued photographic identification while operating motorized scooters, to enhance its penalties and enforcement, and to otherwise regulate the ownership and operation of motorized scooters, which will serve to protect the health and welfare of all city residents and visitors.

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AS FOLLOWS:**

**Section 1. Incorporation of Recitals.**

The foregoing “WHEREAS” clauses are hereby ratified and incorporated herein as the legislative intent of this Ordinance.

**Section 2. Creation of \_\_\_\_\_.**

\_\_\_\_\_, of the Code of Ordinances of the City of North Miami Beach, Florida, entitled “Regulation of Motorized Scooters,” is hereby created to read as follows:

**§ \_\_\_\_ - 1. Definitions.**

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- A. **COASTER** means a board or platform of any type of material mounted on two or more wheels attached to the underside and controlled by an upright steering handle that is self-propelled solely by human power in an upright position.
- B. **DIVIDED SIDEWALK** means a sidewalk divided by visible markings in the center of the sidewalk, with one side of the sidewalk designated for the exclusive use by pedestrians and the opposing side of the sidewalk designated for the exclusive use by motorized scooters, coasters, inline skates, roller blades, skateboards, electric personal assistive mobility devices, and any such other similar wheeled devices.
- C. **ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICE (EPAMD)** means any self-balancing, two-nontandem-wheeled device, designed to transport only one person, with an electric propulsion system with average power of 750 watts (one 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. Electric personal assistive mobility devices are not vehicles as defined in this section.

D. **INLINE SKATE AND ROLLER BLADE** means a manufactured or assembled device consisting of an upper portion that is intended to be secured to a human foot, with a frame or chassis attached along the length of the bottom of such upper portion, with such frame or chassis holding two or more wheels that are longitudinally aligned and used to skate or glide by means of human leg power.

E. **MOTORIZED SCOOTER** means any vehicle 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. The term does not include an electric bicycle.

F. **MOTORIZED SCOOTER REGISTRATION DECAL** means the registration decal issued by the City pursuant to the registration of any motorized scooter as provided herein.

G. **PEDESTRIAN** means any person afoot.

H. **SIDEWALK** means that portion of a street between the curblineline, or the lateral line, of a roadway and the adjacent property lines, intended for use by pedestrians.

I. **SKATEBOARD** means a board made of wood, fiberglass, or other material or combination of materials mounted on two axles, front and rear, with two wheels made of clay, polyurethane, or other material or combination of materials attached to each axle that is propelled by foot or other mechanical means. The term "skateboard" includes motorized skateboards propelled by a motor mounted on the skateboard.

J. **USER or OPERATOR** means an individual who utilizes or operates a motorized scooter, coaster, skateboard, in line or roller skates, roller blades, EPAMD, or any other such similar wheeled device.

K. **OWNER** means any person, corporation, partnership, association, or any other entity, who owns a motorized scooter, validated through a bill of sale, invoice, or other document evidencing transfer of ownership, or pursuant to affidavit. In the case of a minor, OWNER is the parent or legal guardian of the minor.

**§ \_\_\_\_ - 2. Motorized scooter registration required.**

A. It shall be the duty of any person who owns or operates a motorized scooter within the City to register such motorized scooter with the City in accordance with the provisions of this article.

B. The provisions of subsection A above shall not apply to bona fide dealers of new or secondhand motorized scooters when the motorized scooters are kept by the dealers for sale to the public.

**§ \_\_\_\_ - 3. Application; fee; issuance of motorized scooter registration decal.**

A. Application forms for motorized scooters shall be furnished by the city to any residents or non-residents of the city for the registration of a motorized scooter. Said application forms shall request sufficient information to identify any motorized scooter sought to be registered.

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B. Application fees for the processing of a new application for a motorized scooter registration decal shall be established by the City Manager and shall be published in accordance with applicable law. There shall be no registration fee for 90 days after adoption on second reading of this Ordinance.

C. It shall be the duty of the applicant for the registration of a motorized scooter to provide the information required by the application, including satisfactory proof of ownership. Upon the execution of a completed application, the applicant shall be provided with a motorized scooter registration decal by the city. In the event an owner does not have a receipt for purchase of the motorized scooter showing ownership of the motorized scooter, an affidavit declaring ownership may be used.

**§ \_\_\_\_ - 4. Display of motorized scooter registration decal; removal.**

A. A motorized scooter registration decal, when issued by the city, shall be immediately affixed by the applicant to the motorized scooter for which the motorized scooter registration decal was issued, in such a position that the motorized scooter registration decal is clearly visible. The motorized scooter registration decal shall continue to remain attached to the motorized scooter for which the motorized scooter registration decal was issued and shall not be removed from such motorized scooter.

B. It shall be unlawful for any person to remove, change, mutilate, or destroy any motorized scooter registration decal issued pursuant to section \_\_\_\_ - 3 and attached to any motorized scooter.

**§ \_\_\_\_ - 5. Transfer of motorized scooter registration decal.**

No motorized scooter registration decal issued shall be transferable from one motorized scooter to another. However, a decal is transferable from one person to another person when there has been a change in ownership of the motorized scooter and in accordance with a change in the registration of the motorized scooter as provided for in section \_\_\_\_-3.

**§ \_\_\_\_ - 6. Change of registration upon sale and exchange.**

Not later than ten days after the sale or exchange of any motorized scooter previously registered in the city, the purchaser of the motorized scooter shall make application to the city for a change in registration of the motorized scooter, and shall furnish the city with the necessary information required to effect the change of registration. There shall be no charge for a change in registration of any motorized scooter.

**§ \_\_\_\_ - 7. Stolen, lost, mutilated, destroyed, or illegible motorized scooter registration decal.**

A. In the event that any motorized scooter registration decal issued and attached to any motorized scooter is stolen, lost, mutilated, or destroyed, the person owning the motorized scooter shall report the loss to the city and shall be furnished with a new motorized scooter registration decal at no cost to the owner. It shall be unlawful for any person owning any motorized scooter, when the motorized scooter registration decal has been stolen, lost, mutilated, or destroyed, to fail to report the loss of such motorized scooter registration decal to the city within 24 hours after the theft, loss, mutilation, or destruction thereof has been discovered.

B. In the event any registration number on a motorized scooter registration decal shall become obliterated or illegible, it shall be the duty of the person owning the motorized scooter to apply to the city for a duplicate motorized scooter registration decal. It shall be unlawful for any person to ride on any motorized scooter having attached thereto a motorized scooter registration decal the number of which is obliterated or illegible.

**§ \_\_\_\_ - 8. Requirements and restrictions.**

- A. Every person operating a motorized scooter has all the rights and duties applicable to the rider of a bicycle under F.S. § 316.2065, except the duties imposed by F.S. §§ 316.2065(2), 3(b), and 3(c).
- B. No person under the age of 16 years shall operate a motorized scooter upon any public street, sidewalk, park, path, or other right-of-way under the City's jurisdiction.
- C. All persons sixteen (16) years of age or older shall carry on their person, and present upon request, a valid government-issued identification, which identifies the person by name, age, and photograph, while operating a motorized scooter upon any public street, sidewalk, park, path, or other right-of-way under the City's jurisdiction.
- D. Any person operating a motorized scooter upon a divided sidewalk must ride on the portion of the sidewalk designated exclusively for motorized scooters, coasters, inline skates, roller blades, skateboards, EPAMD, and any such other similar wheeled device, excluding strollers, and motorized or non-motorized wheelchairs. At no time may a person operating a motorized scooter or coaster, inline skates, roller blades, skateboard, EPAMD, or any such other similar wheeled device, excluding strollers, and motorized or non-motorized wheelchairs, ride upon a portion of a divided sidewalk designated exclusively for pedestrians.
- E. Any person using a motorized scooter upon and along a sidewalk, or across 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. A motorized scooter shall not be used by more than one person at one time. It is unlawful for a person operating a motorized scooter to carry another person on the motorized scooter.
- G. Persons riding motorized scooters upon a roadway, bicycle lane, sidewalk, or divided sidewalk may not ride more than two abreast and must ride single-file.
- H. Motorized scooters shall not exceed 15 miles per hour on sidewalks, and shall not exceed 20 miles per hour on roadways.
- I. Persons operating a motorized scooter must obey the instructions of official traffic-control signals, signs, and other control devices applicable to vehicles, unless otherwise directed by a police officer.
- J. No person riding upon a motorized scooter, coaster, skateboard, or such other similar wheeled device may attach the same or himself or herself to any vehicle upon a roadway.
- K. Any person riding upon a motorized scooter, coaster, skateboard, or such other similar wheeled device shall not use a cellular phone, wear a headset, headphone or listening device, other than a hearing aid, while riding.
- L. All motorized scooters shall comply with the lighting standards set forth in F.S. § 316.2065(7), 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.
- M. In accordance with F.S. § 316.2065(8), no parent of any minor child and no guardian of any minor ward may authorize or knowingly permit any such minor child or ward to violate any of the provisions of this section.

**§ \_\_\_\_ - 9. Penalties and enforcement.**

- A. A person who commits a first time violation of any provision of this article will be issued a civil violation notice in accordance with Chapter 14 of the City Code of Ordinances, for a fine of no less than \$250.00, and no less than \$500.00 for any subsequent violation. A person who commits a violation may also be subject to a noncriminal traffic infraction or pedestrian violation, as set forth in F.S. § 316.2065, and F.S. ch. 318.
- B. Law Enforcement and Code Enforcement Officers are hereby authorized to impound and confiscate any motorized scooters, coaster, skateboard, EPAMD, or such other similar wheeled devices being operated in violation of this Article. The City shall not be responsible for any damages or loss of equipment which is lawfully confiscated.
- C. The regulations and penalties herein are supplementary to Chapter 30 of the Miami-Dade County Code (entitled "Dade County Traffic Code"), as adopted, and F.S. chs. 316 (entitled "Florida Uniform Traffic Control Law") and 318 ("Florida Uniform Disposition of Traffic Infraction Act"). The regulations and penalties as enumerated therein shall remain in full force and effect.

**§ \_\_\_\_ - 10. Effective date for enforcement.**

Prior to enforcement of this article above, the City will create and implement an educational outreach program, including but not limited to, presentations and/or educational brochures. The program will include educational presentations to children at the \_\_\_\_\_ elementary school, as well as to the community at large, concerning the use of motorized scooters and other similar wheeled devices defined herein within the City. This educational outreach program shall be administered for a minimum period of 30 days after adoption on second reading of this Ordinance.

**Section 3. Codification.**

It is the intention of the Mayor and City Commission that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of North Miami Beach, and that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intention.

**Section 4. Conflicts.**

All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

**Section 5. Severability.**

If any section, subsection, sentence, clause, phrase, or provision of this Ordinance is held invalid or unconstitutional by a court of competent jurisdiction, the remainder shall not be affected.

**Section 6 Effective Date.**

This Ordinance will become effective immediately upon adoption on second reading.

[SIGNATURE PAGE TO FOLLOW]

**APPROVED AND ADOPTED** by the City of North Miami Beach City Commission at the regular meeting assembled this \_\_\_ **day of** \_\_\_\_\_, **2026**.

ATTEST:

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ANDRISE BERNARD, MMC  
CITY CLERK

\_\_\_\_\_  
MICHAEL JOSEPH, ESQ.  
MAYOR

(CITY SEAL)

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE CITY OF NORTH MIAMI BEACH:

GREENSPOON MARDER, LLP  
BY: \_\_\_\_\_  
CITY ATTORNEYS

Sponsored By: \_\_\_\_\_

<b>COMMISSIONERS</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Mayor Michael Joseph				
Vice Mayor Jay R. Chernoff				
Commissioner Phyllis Smith				
Commissioner Daniela Jean				
Commissioner McKenzie Fleurimond				
Commissioner Fortuna Smukler				
Commissioner Lynn Su				

