

**ORDINANCE NO. 2026-\_\_\_\_\_**

**AN ORDINANCE OF THE VILLAGE OF PINECREST, FLORIDA, CREATING SECTION 36-5 ESTABLISHING REGULATIONS FOR THE OPERATION OF MICROMOBILITY DEVICES WITHIN THE VILLAGE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Village of Pinecrest (the “Village”) roadways, including sidewalks and shared use paths, have been increasingly traversed by micromobility devices; and

**WHEREAS**, the Village Council desires to establish procedures and regulations for the safe operation of micromobility devices within its jurisdiction consistent with the provisions provided in Chapter 316, Florida Statutes; and

**WHEREAS**, the Village Council finds it to be in the best interest of the public, health, safety, and welfare of the citizens to adopt this Ordinance amending the Village’s Code.

**NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF PINECREST, FLORIDA, AS FOLLOWS:**<sup>1</sup>

**Section 1.**     **Recitals.** That the above stated recitals are hereby adopted and confirmed.

**Section 2.**     **Village Code Amended.** The Code of Ordinances, Village of Pinecrest, Florida, is hereby amended as set forth in Exhibit “A” attached hereto and incorporated herein.

**Section 3.**     **Severability.** The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

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<sup>1</sup> Coding: ~~Strikethrough~~ words are deletions to the existing words. Underlined words are additions to the existing words. Changes between first and second reading are indicated with **yellow highlight** and ~~double-strikethrough~~ or double underline.

**Section 4.**     **Conflict.** All Sections or parts of Sections of the Code of Ordinances, all ordinances or parts of ordinances, and all Resolutions, or parts of Resolutions, in conflict with this Ordinance are repealed to the extent of such conflict.

**Section 5.**     **Codification.** It is the intention of the Village Council, and it is hereby ordained that the provisions of this Ordinance shall become and made a part of the Code of the Village of Pinecrest; that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intention; and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

**Section 6.**     **Effective Date.** This Ordinance shall be effective immediately upon adoption on second reading.

PASSED on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

PASSED AND ADOPTED on second reading this \_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
Joseph M. Corradino, Mayor

Attest:

\_\_\_\_\_  
Priscilla Torres, MMC  
Village Clerk

Approved as to Form and Legal Sufficiency:

\_\_\_\_\_  
Mitchell Bierman  
Village Attorney

Motion on Second Reading by:  
Second on Second Reading by:

Vote:

## EXHIBIT A

### CHAPTER 36 - TRAFFIC

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#### ARTICLE I. – IN GENERAL

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##### Sec. 36-5. – Micromobility Devices.

###### (a). - Definitions.

For purposes of this section, the following terms, phrases, words and their derivations shall have the meanings given. Where not inconsistent with the context, words used in the present tense include the future tense, words in the plural number include the singular number, and words in the singular number include the plural number. The words "shall" and "will" are mandatory, and "may" is permissive. Words not otherwise defined shall be construed to mean the common and ordinary meaning.

*Bicycle.*—As defined in F.S. § 316.003(4), as amended, a Bicycle is 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.

*Electric Bicycle.* As defined in F.S. § 316.003(23), as amended, an Electric Bicycle is 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 which meets the requirements of one of the following three classifications:

1. *Class 1 Electric Bicycle* means an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the electric bicycle reaches the speed of 20 miles per hour.
2. *Class 2 Electric Bicycle* means an electric bicycle equipped with a motor that may be used exclusively to propel the electric bicycle and that ceases to provide assistance when the electric bicycle reaches the speed of 20 miles per hour.
3. *Class 3 Electric Bicycle* means an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the electric bicycle reaches the speed of 28 miles per hour.

This term does not include motorized scooters.

*Micromobility Device.* As defined in Section 316.003(41), Florida Statutes, as amended, a Micromobility Device is a motorized transportation device designed for individual use which is typically 20 to 36 inches in width and 50 pounds or less in weight and which operates at a speed of typically less than 15 miles per hour but no more than 28 miles per hour. This term includes

both a human-powered and a nonhuman-powered device such as a bicycle, electric bicycle, motorized scooter, or any other device that is owned by an individual or part of a shared fleet. This definition shall not include golf carts or a motorized wheelchair or similar mobility device used for mobility purposes by persons with disabilities as defined under the ADA, 28 CFR s. 35.104, as may be amended.

*Motorized Scooters.* As defined in F.S. § 316.003(48), as amended, a Motorized Scooter is 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. This term does not include an electric bicycle. This definition shall not include a motorized wheelchair or similar mobility device used for mobility purposes by persons with disabilities as defined under the ADA, 28 CFR s. 35.104, as may be amended.

*Shared Use Path* means a path physically separated from motor vehicle traffic and constructed with asphalt, concrete, or another hard surface used by bicyclists, pedestrians, and micromobility devices as provide for in this section.

*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.

(b) Operation on Sidewalks and Shared Use Paths. Micromobility devices are permitted on Village sidewalks and shared use paths.

(c) Speed limit. Micromobility devices that are operating on Village sidewalks or shared use Paths shall not exceed the following speed limits:

1. Ten (10) miles per hour upon sidewalks; and
2. Fifteen (15) miles per hour upon shared use paths.

(d) Class 2 Electric Bicycle Training. The Village Manager or designee shall provide training on the safe operation of Class 2 Electric Bicycles and compliance with the traffic laws of this state as provided for in this section.

1. An operator of a class 2 electric bicycle, who is under the age of sixteen (16) years old, shall be required to attend this training prior to operating such a bicycle on Village roadways, shared use paths, and sidewalks.
2. The parent or legal guardian of an operator of a class 2 electric bicycle who is under the age of sixteen (16) years old shall attend the training required by this section along with the minor.

3. The parent or legal guardian shall be required, on a form provided by the Village, to sign an acknowledgment of the risks associated with the operation of class 2 electric bicycles.
  4. The training required by section shall be renewed every two (2) years.
- (e) Exempt roadways. The following Miami-Dade County roadways, including sidewalks and shared use paths, are exempt from these regulations:
1. S.W. 57<sup>th</sup> Avenue, from S.W. 88 Street to Old Cutler Road;
  2. Old Cutler Road within the boundaries of the Village, including that portion of Old Cutler Road that intersects with S.W. 136<sup>th</sup> Street;
  3. S.W. 88 Street (North Kendall Drive) from U.S. 1 to S.W. 67<sup>th</sup> Avenue (Ludlam); and
  4. S.W. 136<sup>th</sup> Street from that portion that intersects with Old Cutler Road, westward to U.S. 1.
- (f) Application. The provisions of this section shall not apply to:
1. Governmental personnel on official business, emergency vehicles, or the use of special mobile equipment for repair or maintenance of public property.
  2. A person with a disability who uses a motorized wheelchair or similar mobility device for mobility purposes.
- (g) Enforcement and Penalties.
1. Any Village police officer, community service aide, or code compliance officer shall have the authority to enforce the provisions of this section.
  2. Any person who violates the provisions of this section shall be subject to a fine of \$250 for the first violation and \$500 for any repeat violations.