



## Fort Myers Beach Management & Planning Session

Town Hall Council Chambers  
6231 Estero Boulevard  
Fort Myers Beach, FL 33931

Agenda

Thursday, June 4, 2026

9:00 AM

### ORDER OF BUSINESS

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE
- III. ITEMS FOR DISCUSSION
  - A. Review of Ordinance 25-03  
**One Year Review of Ordinance 25-03 (Bicycle Safety) requested by Town Council**
- IV. AGENDA MANAGEMENT
  - A. June 2026
- V. ADJOURNMENT

**NOTE: THIS MEETING IS STREAMED LIVE ON [YOUTUBE](#).**

**IF A PERSON DECIDES TO APPEAL A DECISION MADE BY THE COUNCIL IN ANY MATTER CONSIDERED AT THIS MEETING/HEARING, SUCH PERSONS MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, TO INCLUDE THE TESTIMONY AND EVIDENCE UPON WHICH ANY SUCH APPEAL IS TO BE BASED.**



**For special accommodation, please notify the Town Clerk's Office at least 72 hours in advance. (239) 765-0202**

In accordance with the Americans with Disabilities Act (ADA), persons needing a special accommodation to participate in the Board's proceedings should contact the Town Clerk's Office not later than three days prior to the proceedings.

1. **Request:**

**Meeting Date: June 4, 2026**

One Year Review of Ordinance 25-03 (Bicycle Safety) requested by Town Council

**Why the action is necessary:**

**What the action accomplishes:**

2. **Agenda:**

ITEMS FOR DISCUSSION

3. **Requirement/Purpose:**

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5. **Background:**

At the time of adoption in June 2025, Council directed that the ordinance be brought back for evaluation after one year. This item is presented to facilitate that review and receive Council direction. In December 2025, Town Council asked to expand the discussion to include e-bikes. A copy of recent legislation regarding regulation of e-bikes is attached to this agenda item.

**Attachments:**

1. ARTICLE\_III.\_\_\_\_BEACH\_BICYCLE\_AND\_VEHICLE\_SAFETY
2. SB 382 Micromobility Device
3. SB 382 Full Text

**Financial Impact:**

6. **Alternative Action**

7. **Staff Recommendations:**

8. **Recommended Approval:**

\_\_\_\_\_  
nancy stuparich, Town Attorney

Date: May 18, 2026

\_\_\_\_\_  
Amy Baker, Town Clerk

Date: May 28, 2026

\_\_\_\_\_  
William McKannay, Town Manager

Date:

### **ARTICLE III. BEACH BICYCLE AND VEHICLE SAFETY**

#### **Sec. 28-81. Equipment requirements.**

All bicycles, as defined in F.S. § 316.003(4), and all electric bicycles, as defined in F.S. § 316.003(22), operated within the public rights-of-way or sidewalks must meet the following requirements:

- (1) No bicycle shall be used to carry more persons than the number for which it is designed and equipped.
- (2) A bicycle carrying any passenger who is a child under four years of age, or who weighs 40 pounds or less, must be provided with a seat or carrier that is designed to carry a child of that age or size and that secures and protects the child from the moving parts of the bicycle.
- (3) A bicycle rider or passenger who is under 16 years of age must be provided with and must wear a bicycle helmet that is properly fitted and is fastened securely upon the rider's or passenger's head by a strap and that meets the federal safety standard for bicycle helmet, final rule 16 C.F.R. part 1203. As used in this section the term "passenger" includes a child who is riding in a trailer or semitrailer attached to a bicycle.
- (4) Every bicycle shall be equipped with a functioning lamp on the front exhibiting a white light visible from a distance of at least 500 feet to the front and a functioning lamp on the rear exhibiting a red light visible from a distance of 500 feet to the rear. Said front and rear lamps shall be illuminated at all times the bicycle is being ridden, used or operated by any person.
- (5) Every bicycle shall be equipped with a brake or brakes which will enable its rider to stop the bicycle within 25 feet from a speed of ten miles per hour on dry, level, clean pavement.
- (6) Every bicycle shall be equipped with a horn or audible device when operated within a public right-of-way in good working order and capable of emitting sound audible under normal conditions from a distance of not less than 50 feet. No horn or other warning device shall emit an unreasonably loud or harsh sound or a whistle.

(Ord. No. 18-02, § 2, 3-5-2018; Ord. No. 22-03, § 2, 2-7-2022; Ord. No. 25-03, § 2, 6-2-2025)

#### **Sec. 28-82. Headsets.**

No person shall operate a bicycle or electric bicycle while wearing a headset, headphone, or other listening device other than a hearing aid or instrument for the improvement of defective human hearing.

(Ord. No. 18-02, § 2, 3-5-2018; Ord. No. 25-03, § 2, 6-2-2025)

#### **Sec. 28-83. Public sidewalks and paths, generally.**

- (a) *Vehicles prohibited.* No person shall drive any vehicle, including one-wheeled vehicles hoverboards, or any type of electronic skateboards, other than by human power upon any public sidewalk or path except for authorized government personnel, emergency vehicles, and special mobile equipment for repair or maintenance of the sidewalk areas. This section does not apply to motorized wheelchairs having three or more wheels. Motorized micro-mobility devices, including but not limited to, electric scooters, electric skateboards, one-wheeled devices, and hoverboards are prohibited.

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(b) *Bicycles upon public sidewalks and paths.*

- (1) Except as otherwise provided in this article, any person may ride a bicycle upon a sidewalk instead of public streets where available, provided that such use does not endanger the safety of pedestrians.
- (2) Notwithstanding the foregoing, it shall be unlawful for any person to ride a bicycle or electric bicycle upon any sidewalk adjacent to Estero Boulevard between Old San Carlos Boulevard and Avenue C.
- (3) It shall be unlawful for any person to disobey any sign erected on or adjacent to a public sidewalk or path prohibiting bicycle riding.
- (4) It shall be unlawful for any person to disobey any sign erected on a public sidewalk or path requiring bicycles to travel with the flow of traffic.
- (5) When signage adjacent to and/or markings upon a sidewalk designate an area for bicycle travel, bicyclists riding on the sidewalk shall only ride within the area designated for bicycle travel and shall yield the remaining sidewalk space to pedestrians.
- (6) Bicycles shall not be used on a sidewalk in a manner that endangers the safety of pedestrians.
- (7) Whenever any person is riding a bicycle upon a sidewalk, such person shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing such pedestrian.
- (8) Bicyclists must exercise due care to avoid collisions with pedestrians, including reducing speed and giving an audible warning when necessary, especially when approaching children, pets, or individuals who appear confused or incapacitated.

(Ord. No. 18-02, § 2, 3-5-2018; Ord. No. 22-03, § 2, 2-7-2022; Ord. No. 22-04, § 2, 3-21-2022; Ord. No. 25-03, § 2, 6-2-2025)

Editor's note(s)—Ord. No. 25-03, amended the title of § 28-83 to read as herein set out. The former § 28-83 was entitled "Vehicles prohibited."

**Sec. 28-84. Assisted bicycles and electric bicycles.**

- (a) *"Electric bicycle"* means any bicycle or tricycle equipped with fully operable pedals, a seat or saddle for use of the rider, and an electric motor of less than 750 watts, which meets the requirements of one of the three classifications of electric bicycle under F.S. § 316.003(22).
- (b) No bicycle having any type of helper motor and having two or more wheels shall be driven upon any public sidewalk, path, or beach. This section does not apply to motorized wheelchairs having three or more wheels. Motorized micro-mobility devices, including, but not limited to, electric scooters, electric skateboards, one-wheeled devices, and hoverboards are prohibited.
- (c) Notwithstanding the prohibitions in subsection (b), electric bicycles may be operated on sidewalks under the following conditions:
  - (1) Electric bicycles shall not be operated on a sidewalk in a manner that endangers the safety of pedestrians; and
  - (2) A person operating an electric bicycle shall comply with all regulations under Florida law and this Code applicable to bicycles and bicycle operators; and
  - (3) Electric bicycles shall be restricted to a maximum speed of 15 miles per hour when operating on a public sidewalk; and
  - (4) Operators of electric bicycles shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing the pedestrian; and

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- (5) When passing a pedestrian, the operator of an electric bicycle shall reduce the speed of the electric bicycle to idle speed, meaning the lowest speed at which the electric bicycle can operate and maintain steering control. Generally, this will be between one and three miles per hour. When passing a pedestrian on a throttle-powered electric bicycle, operators shall also disengage the throttle and proceed using pedal power only; and
  - (6) Operators of electric bicycles must exercise due care to avoid collisions with pedestrians or human-powered vehicles, including reducing speed and giving an audible warning when necessary, especially when approaching children, pets, or individuals who appear confused or incapacitated; and
  - (7) If sidewalks are present on both sides of a roadway, a person operating an electric bicycle on a sidewalk shall only use the sidewalk on the right side of the roadway and shall travel in the same direction as the adjacent vehicular traffic.

(Ord. No. 18-02, § 2, 3-5-2018; Ord. No. 22-04, § 2, 3-21-2022; Ord. No. 25-03, § 2, 6-2-2025)

Editor's note(s)—Ord. No. 25-03, amended the title of § 28-84 to read as herein set out. The former § 28-84 was entitled "Assisted bicycles prohibited."

### **Sec. 28-85. Responsible parties.**

All owners, riders, and operators of bicycles and electric bicycles, including entities that rent or loan bicycles or electric bicycles to others for use on the public rights-of-way, are responsible for compliance with these regulations. Rental contract language shall not redirect or assign responsibility for compliance of section 28-81 or 28-84 of this article.

(Ord. No. 18-02, § 2, 3-5-2018; Ord. No. 22-03, § 2, 2-7-2022; Ord. No. 25-03, § 2, 6-2-2025)

### **Sec. 28-86. Operation with flow of traffic.**

Bicycles and electric bicycles shall travel in the same direction as traffic while being operated in a public right-of-way, and must be operated on the right as other vehicles which results in traveling with and not against the flow of traffic unless directed otherwise by town officials.

(Ord. No. 18-02, § 2, 3-5-2018; Ord. No. 25-03, § 2, 6-2-2025)

### **Sec. 28-87. Penalties.**

- (a) An enforcement officer who discovers the operation of a bicycle or an electric bicycle on a sidewalk in a manner that violates this article may issue a citation, as used by the town, to the operator of the bicycle or electric bicycle. Any person operating a bicycle or an electric bicycle on a sidewalk in violation of subsections 28-83(b)(2), (3), (4), (5), (6), or (8), or subsections 28-84(c)(1), (5), (6) or (7) will be subject to a \$100.00 fine issued in accordance with the citation procedures for parking violations set forth in sections 28-25 through 28-27.
- (b) All first-time violations of this article, except as provided in paragraph (a) above, shall result in the issuance of a written warning by enforcement officers. Except as otherwise provided by state law, all subsequent violations of any provision or requirement of this article incurred by any person or company having previously received a written warning shall result in a fine not to exceed \$50.00, in addition to any penalty that may be imposed under state law.

(Ord. No. 18-02, § 2, 3-5-2018; Ord. No. 25-03, § 2, 6-2-2025)

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**Secs. 28-88—28-110. Reserved.**

THE FLORIDA SENATE  
2026 SUMMARY OF LEGISLATION PASSED  
**Committee on Transportation**

**CS/SB 382 — Micromobility Device**

by Transportation Committee and Senators Truenow, Leek, and Yarborough

The bill provides that a person operating an electric bicycle on certain shared pathways must yield to pedestrians and give an audible signal before overtaking and passing a pedestrian. It also provides that a person operating an electric bicycle on a sidewalk or other area designated for pedestrians may not operate the electric bicycle at a speed greater than 10 miles per hour if a pedestrian is within 50 feet of the electric bicycle. Failure to comply with these provisions is a noncriminal traffic infraction, punished as a nonmoving violation.

The bill creates the Micromobility Device Safety Task Force, adjunct to the Department of Highway Safety and Motor Vehicles (DHSMV), and provides the task force must submit a report by October 1, 2026 to the Legislature and Governor that recommends improvements to state law and the regulatory framework governing micromobility devices. Additionally, the bill creates a micromobility crash data collection and reporting process for incidents through September 20, 2026 that requires law enforcement agencies to collect and submit specified information related to crashes involving micromobility devices to DHSMV, from which DHSMV is required to create a summary report due to the Legislature and the Governor by October 31, 2026.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming law, except as otherwise expressly provided in this act.

*Vote: Senate 37-0; House 112-0*

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1  
2 An act relating to micromobility devices; amending s.  
3 316.20655, F.S.; providing requirements for the  
4 operation of electric bicycles; prohibiting the  
5 operation of an electric bicycle above a certain speed  
6 under certain circumstances; providing penalties;  
7 creating the Micromobility Device Safety Task Force  
8 adjunct to the Department of Highway Safety and Motor  
9 Vehicles; requiring the department to provide  
10 administrative and staff support services to the task  
11 force; providing the purpose of the task force;  
12 providing the composition of the task force; requiring  
13 the appointment of task force members within a  
14 specified timeframe; providing the manner in which  
15 task force vacancies must be filled; requiring that  
16 the task force convene within a certain timeframe;  
17 requiring the task force to meet at least monthly;  
18 providing requirements for the time and place of the  
19 task force meetings; providing that members of the  
20 task force are entitled to reimbursement for per diem  
21 and travel expenses; requiring the task force to  
22 develop and submit a certain report to the Governor  
23 and Legislature by a specified date; providing for the  
24 expiration of the task force; requiring the Florida  
25 Highway Patrol and each police department and  
26 sheriff's office to maintain a certain list, beginning  
27 on a certain date; providing requirements for the  
28 list; requiring each police department and sheriff's  
29 office to submit a certain report to the department by

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30 a specified date; requiring the department to provide  
31 a certain report to the Governor and Legislature by a  
32 specified date; providing effective dates.

33  
34 Be It Enacted by the Legislature of the State of Florida:

35  
36 Section 1. Effective July 1, 2026, subsection (10) is added  
37 to section 316.20655, Florida Statutes, to read:

38 316.20655 Electric bicycle regulations.—

39 (10) (a) A person operating an electric bicycle on a shared  
40 pathway that is not located adjacent to a roadway, including a  
41 shared pathway located in a park or recreational area, shall  
42 yield to pedestrians and shall give an audible signal before  
43 overtaking and passing a pedestrian.

44 (b) A person operating an electric bicycle on a sidewalk or  
45 any other area designated for pedestrian use may not operate the  
46 electric bicycle at a speed greater than 10 miles per hour if a  
47 pedestrian is within 50 feet of the electric bicycle.

48 (c) A person who fails to comply with this subsection  
49 commits a noncriminal traffic infraction, punishable as a  
50 nonmoving violation as provided in chapter 318.

51 Section 2. Micromobility Device Safety Task Force.—

52 (1) CREATION.—The Micromobility Device Safety Task Force, a  
53 task force as defined in s. 20.03(5), Florida Statutes, is  
54 created adjunct to the Department of Highway Safety and Motor  
55 Vehicles. The department shall provide administrative and staff  
56 support services related to the functions of the task force.

57 (2) PURPOSE.—The purpose of the task force is to examine  
58 and recommend improvements to state law and the regulatory

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59 framework governing micromobility devices as defined in s.  
60 316.003, Florida Statutes, in order to encourage the safe  
61 operation of micromobility devices and to prevent traffic  
62 incidents, injuries, and fatalities involving such devices.

63 (3) MEMBERSHIP; MEETINGS.—

64 (a) The task force shall be composed of the executive  
65 director of the Department of Highway Safety and Motor Vehicles,  
66 or his or her designee; the Secretary of Transportation, or his  
67 or her designee; and the following members, who shall be  
68 appointed by the executive director of the Department of Highway  
69 Safety and Motor Vehicles:

70 1. A representative from the Florida Sheriffs Association.

71 2. A representative from the Florida Police Chiefs  
72 Association.

73 3. A representative from the micromobility device industry.

74 4. A representative from the Florida League of Cities.

75 5. A representative from the Florida Association of  
76 Counties.

77 6. A representative from the medical field with experience  
78 in treating bicyclist and pedestrian injuries.

79 7. A representative from an organization involved in  
80 efforts to prevent injuries and fatalities involving  
81 micromobility devices, including electric bicycles and motorized  
82 scooters.

83 (b) Appointments to the task force must be made within 15  
84 days after this act becomes a law.

85 (c) The executive director of the Department of Highway  
86 Safety and Motor Vehicles, or his or her designee, shall chair  
87 the task force. Any vacancy on the task force must be filled in

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88 the same manner as the original appointment.

89 (d) The task force shall convene no later than 30 days  
90 after this act becomes a law. The task force shall meet at least  
91 monthly, but may meet more frequently at the call of the chair.  
92 At least one meeting of the task force must occur in each of the  
93 following regions of the state: North Florida, Central Florida,  
94 and South Florida. All meetings shall be held at the time and  
95 place designated by the chair.

96 (e) Members of the task force shall serve without  
97 compensation but are entitled to receive reimbursement for per  
98 diem and travel expenses pursuant to s. 112.061, Florida  
99 Statutes.

100 (4) REPORT.—The task force shall prepare a report that  
101 includes legislative recommendations for improvements to state  
102 law and the regulatory framework governing micromobility  
103 devices. The report must take into account methods to improve  
104 traffic safety for micromobility device operators and riders,  
105 pedestrians, and other vehicle operators through reasonable  
106 measures designed to reduce traffic incidents, injuries, and  
107 fatalities. Before October 1, 2026, the task force shall submit  
108 the report to the Governor, the President of the Senate, and the  
109 Speaker of the House of Representatives. Upon submission of the  
110 report, the task force shall expire.

111 Section 3. (1) Beginning 30 days after this act becomes a  
112 law, the Florida Highway Patrol and each police department and  
113 sheriff's office shall maintain a list of all traffic crashes  
114 that the respective agency investigates which involve a  
115 micromobility device. Each micromobility device crash must be  
116 included in the list, regardless of whether the crash is

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117 reported on a Florida Traffic Crash Report, Long Form; short-  
118 form crash report; or driver exchange-of-information form. The  
119 list must contain the following information for each traffic  
120 crash involving a micromobility device:

121 (a) Date and time of the crash.

122 (b) If applicable, the class of electric bicycle involved  
123 in the crash.

124 (c) Age of the micromobility device operator involved in  
125 the crash.

126 (d) If known, whether the micromobility device operator  
127 possessed a valid Florida learner's driver license or driver  
128 license at the time of the crash.

129 (2) By October 15, 2026, each police department and  
130 sheriff's office shall submit a report to the Department of  
131 Highway Safety and Motor Vehicles which contains a list of all  
132 micromobility device crashes investigated by the respective  
133 police department or sheriff's office from the beginning of the  
134 reporting period through September 30, 2026. The report must be  
135 submitted in a form and manner determined by the department.

136 (3) By October 31, 2026, the Department of Highway Safety  
137 and Motor Vehicles shall submit to the Governor, the President  
138 of the Senate, and the Speaker of the House of Representatives a  
139 report summarizing the reports submitted to the department  
140 pursuant to subsection (2) and include in the report the list  
141 maintained by the Florida Highway Patrol pursuant to subsection  
142 (1). The report must separate the micromobility device crash  
143 data by device type and county and list the reporting law  
144 enforcement agencies within each county.

145 Section 4. Except as otherwise expressly provided in this

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146 act, this act shall take effect upon becoming a law.

## AGENDA MANAGEMENT

| Subject   | Dept               |                | Mtg Date              |
|---|--------------------|----------------|-----------------------|
| Update from USF on Strategic Planning                                     | Admin              | added 4.23.26  | 6.15.26               |
| Advisory Committee appointments   | Clerk              | added 4.92.26  | 6.15.26               |
| Appeal of Building Permit 24233/23477                                     | Comm Dev.          | added 5.18.26  | 6.15.26               |
| Rescind/Revoke Building Permit and two variances at 21391 Widgeon Terrace | Comm Dev.          | added 5.18.26  | 6.15.26               |
| Special Event: 2026/2027 Santini Farmers Market                           | Communications     | added 4.29.26  | 6.15.26               |
| Special Event: 2026/2027 Times Square Farmers Market                      | Communications     | added 4.29.26  | 6.15.26               |
| Contracts : RFP-26-11, Debris Removal Services                            | Contracts/PW       | added 5.19.26  | 6.15.26               |
| Piggyback Agreement: Electrical Services for OSC lighting                 | Contracts/PW       | added 5.19.26  | 6.15.26               |
| Set Tentative Millage Rate for FY26/27                                    | Finance            | added 5.21.26  | 6.15.26               |
| Ordinance: 2nd reading FP&L Meter Heights                                 | P&Z                | added 5.18.26  | 6.15.26               |
| Presentation of Finding of Necessity Study by AECOM                       | Admin              | added 4.8.26   | 8.3.26                |
| Tentative: Final Project results JR Evans - Wave Mitigation Wall          | Admin              | added 4.8.26   | 8.6.26 M&P            |
| Tentative: Presentation re: Long Term Recovery Plan                       | Admin              | added 5.20.26  | 8.6.26 M&P            |
| STR fees discussion   | Comm. Dev.         | added 5.15.26  | 8.6.26 M&P            |
| STR program demonstration   | Comm. Dev.         | added 4.8.26   | 8.6.26 M&P            |
| Tentative: 60% design review re: Newton Beach Park                        | Community Services | added 5.20.26  | 8.6.26 M&P            |
| Tentative: 60% design review re: FMB Community Pool                       | Community Services | added 5.20.26  | 8.6.26 M&P            |
| Tentative: 60% design review re: North Water Tower                        | Utilities          | added 5.20.26  | 8.6.26 M&P            |
| Citizen of Distinction Nomination pick                                    | Clerk              | added 1.30.26  | 8.17.26               |
| Raftelis Utility Rate Study   | Finance            | added 3.23.26  | 8.17.26               |
| Proclamation: National Community Planning Month                           | P&Z                | added 2.18.26  | 2nd Sept. Regular Mtg |
| Joint Session w/LPA - Evaluating Public Benefits discussion               | Council            | added 5.7.26   | 2nd Sept. Regular Mtg |
| <b>Upcoming - no date set</b>   |                    |                |                       |
| Discussion regarding Ordinance 17-15, Medical Marijuana Dispensaries      | Council            | added 12.11.24 | TBD                   |
| Discussion: Public/Private partnerships (i.e. old Town Hall property)     | Council            | added 12.11.24 | TBD                   |
| 1st Reading Ordinance 24-xx: Lighting                                     | Environmental      | added 4.6.24   | To LPA first          |
| 1st reading Ordinance 24-xx; Signage                                      | Legal              | added 6.17.24  | To LPA first          |
| 1st reading Ordinance 24-xx; Silt Fencing                                 | Planning           | added 6.17.24  | To LPA first          |
| Presentation of the 2026 Mayor John Mulholland Stewardship Award          | Clerk              |                | September             |