ORDINANCE NO. 25-35

AN ORDINANCE OF MANATEE COUNTY, FLORIDA, ESTABLISHING REQUIREMENTS FOR THE OPERATION OF BICYCLES ON PUBLIC ROADS, PATHWAYS, SIDEWALKS, CROSSWALKS, AND IN INTERSECTIONS WITHIN THE UNINCORPORATED AREAS OF MANATEE COUNTY, FLORIDA; ADOPTING SECTION 2-22-17 OF THE MANATEE COUNTY CODE; AMENDING SECTION 2-22-1 OF THE MANATEE COUNTY CODE TO ADD DEFINITIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Sections 316.008 and 316.20655, Florida Statutes authorizes local authorities such as the Board of County Commissioners of Manatee County (Board) to regulate the operation of bicycles and electric bicycles within Manatee County's jurisdiction and within the reasonable exercise of their police power; and

WHEREAS, a recent compilation of motor vehicle crash data for 2020 published by the National Highway Traffic Safety Administration in October 2022 stated that Florida ranked ninth in the percentage of pedestrian fatalities in 2020; and

WHEREAS, Manatee County (County) 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, according to the Florida Department of Highway Safety and Motor Vehicles Crash Dashboard website at https://www.flhsmv.gov/traffic-crash-reports/crash-dashboard/, in 2024, there were 226 bicycle crashes in the County, resulting in 8 fatalities, and 211 injuries suffered, as well as, 163 pedestrian crashes resulting in 18 fatalities, and 117 injuries suffered (this data covers crashes occurring between January 1, 2024 and December 31, 2024); and

WHEREAS, the Board finds that requiring the progression of bicycles on sidewalks and upon public rights of way to travel in the same direction as the flow of traffic will promote safer pedestrian travel and reduce the potential for crash events between vehicles and both pedestrian and bicycle travelers; and

WHEREAS, there has been a noticeable increase in the operation of electric bicycles on public sidewalks in the County, which presents enhanced opportunities for crashes and injuries with other pedestrian travelers upon those sidewalks, due in part to the steady

accelerated speed which electric bicycles can maintain as compared to manually operated bicycles; and

WHEREAS, the Board finds that the provisions of this Ordinance are narrowly tailored to impose specific regulations to protect the public health, safety, and welfare 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, and intersections in the unincorporated area of the County; and

WHEREAS, the Board seeks to prevent further pedestrian fatalities or injuries within the County; and

WHEREAS, in accordance with Section 125.66(3), Florida Statutes, a business impact estimate has been prepared and posted.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Manatee County, Florida that:

Section 1. Incorporation of Recitals. The recitals set forth above are hereby adopted as findings of this Board and are incorporated by reference.

Section 2. Modification of Article I, Section 2-22-1. Section 2-22-1 of Article I of the Manatee County Code of Ordinances is hereby amended as follows (words underlined represent additions to original text, and words ~~stricken~~ are deletions from the original text):

...

Authorized agents of the county means those persons designated by the county administrator as having authority to implement and enforce the provisions of this chapter, including code enforcement officers, as well as employees of fire districts located within the county when necessary to enforce restrictions against stopping, standing and parking in fire lanes.

Bicycle means, as set forth in Section 316.003(4), Florida Statutes, as may be amended, 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.

Bicycle lane means any portion of a roadway or highway which is designated by pavement markings and signs for preferential or exclusive use by bicycles.

Bicycle path means, as set forth in Section 316.003(5), Florida Statutes, as may be amended, 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 the highway right-of-way or within an independent right-of-way.

Board means the Board of County Commissioners of Manatee County, Florida.

...

Certain disabled persons means those persons who are eligible for a disabled parking permit or license plate as set forth in Sections 316.1958, 320.084, 320.0842, 320.0843, 320.0845 and 320.0848, F.S., or any amended or successor statute, and who display such permit or license plate on the motor vehicles used to transport the disabled person as required by applicable law.

Crosswalk means, as set forth in Section 316.003(16), Florida Statutes, as may be amended

(a) that part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway, measured from the curbs or. in the absence of curbs, from the edges of the traversable roadway; or

(b) any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

Designated hearing officer means the local traffic hearing infraction officer or other hearing officer or official designated to hear challenges to a parking ticket issued pursuant to this chapter.

Electric bicycle means, as set forth in Section 316.003(22), Florida Statutes, as may be amended, 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:

(a) "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.

(b) "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.

(c) "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.

F.S. means Florida Statutes.

Intersection means, as set forth in Section 316.003(33), Florida Statutes, as may be amended the area embraced within the prolongation or connection of the lateral curblines or, if none, then the lateral boundary lines of the roadways of two highways which join one another at, or approximately at, right angles; or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict. Where

a highway includes two roadways 30 feet or more apart, every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection. If the intersecting highway also includes two roadways 30 feet or more apart, every crossing of two roadways of such highways shall be regarded as a separate intersection.

Loading or unloading means being actively engaged in the act of receiving or discharging materials or passengers on or from a motor vehicle, provided that the loading and unloading of materials shall not exceed thirty (30) minutes and the loading and unloading of passengers shall not exceed five (5) minutes.

Median means, as set forth in Section 316.090, Florida Statutes, as may be amended, any intervening space or strip of land, whether depressed, flush, paved, planted or raised, dividing a highway, road, or street according to the direction of travel.

Micromobility device means, as set forth in Section 316.003(41), Florida Statutes, as may be amended, any motorized transportation device made available for private use by reservation through an online application, website, or software for point-to-point trips and which is not capable of traveling at a speed greater than 20 miles per hour on level ground. This term includes motorized scooters and bicycles as defined in this article.

Moped means, as set forth in Section 316.003(44), Florida Statutes, as may be amended, any vehicle with pedals to permit propulsion by human power, having a seat or saddle for the use of the rider and designed to travel on not more than three wheels, with a motor rated not in excess of 2 brake horsepower and not capable of propelling the vehicle at a speed greater than 30 miles per hour on level ground and with a power-drive system that functions directly or automatically without clutching or shifting gears by the operator after the drive system is engaged. If an internal combustion engine is used, the displacement may not exceed 50 cubic centimeters. The term does not include an electric bicycle.

Motor vehicle means every motorized device, in, upon or by which any person or property is or may be transported or drawn upon a street, road, highway, including but not limited to, automobiles, motorcycles, mopeds, trucks, sport utility vehicles, truck tractors, trailers and boats. The term shall not include devices used exclusively upon stationary rails or tracks.

Motorized scooter means, as set forth in Section 316.003(48), Florida Statutes, as may be amended, 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. The term does not include an electric bicycle.

Official traffic control devices means all signs, signals, markings, and devices, not inconsistent with this chapter, placed or erected by authority of a public body or official having jurisdiction for the purpose of regulating, warning, or guiding traffic.

...

Parking areas or parking spaces means any property set aside and/or designated for motor vehicle parking, and shall include street parking.

Pedestrian means, as set forth in Section 316.003(48), Florida Statutes, as may be amended, any person afoot.

Person means any individual, firm, partnership, corporation, association, executor, administrator, trustee, or other legal entity, whether singular or plural, masculine or feminine, as the context may require.

Right-of-way means all of that land in which the County owns the fee or has an easement dedicated, devoted or required for use as a public road, street or highway, whether or not maintained by the County, including all sidewalks, alleys, culverts, drains, sluices, ditches, water storage areas, waterways, embankments, slopes, retaining walls, bridges, tunnels, and viaducts, and including platted but non-travelled roads.

Sidewalk means, as set forth in Section 316.003(48), Florida Statutes, as may be amended, that portion of a street between the curbline, or the lateral line, of a roadway and the adjacent property lines, intended for use by pedestrians.

...

Section 3. Creation of Section 2-22-17. Section 2-22-17 of Article I of the Manatee County Code of Ordinances is hereby created and shall read as follows:

Sec. 2-22-17. Operation of bicycles on public roads, pathways, sidewalks, crosswalks, and in intersections.

1. Bicycle riding is allowed upon the public sidewalks within the unincorporated area of Manatee County over which the County has traffic control jurisdiction.

2. Electric Bicycle Restrictions:
   A. Any person over the age of 16 years old must operate an electric bicycle in the bicycle path when available. Use of the sidewalks in such cases are prohibited and is a violation of this article.

   B. If an adult is operating an electric bicycle while accompanying children under the age of 16 who are riding on a sidewalk, the adult shall lawfully be allowed to operate the electric bicycle on the sidewalk with those children, so as not to separate the children from the adult's supervision.

   C. Any person under the age of 16 years old is prohibited from riding a Class 3 electric bicycle on public roads, bicycle paths, and shared

roadways/pathways.

D. Any person using, operating, or driving an electric bicycle on either a sidewalk or in a bicycle path must, upon approaching any school bus which displays a stop signal, bring such electric bicycle to a full stop while the bus is stopped, and the vehicle shall not pass the school bus until the signal has been withdrawn. Any person using, operating, or driving an electric bicycle that passes a school bus on the side that children enter and exit when the school bus displays a stop signal is a violation of this article. The driver of an electric bicycle upon a divided highway, road, or street with an unpaved space of at least 5 feet, a raised median, or a physical barrier is not required to stop when traveling in the opposite direction of a school bus which is stopped in accordance with Section 316.172, Florida Statutes.

E. Any person operating an electric bicycle or bicycle on a highway, road, street or bicycle path, traveling in the same direction as traffic, must come to a complete stop before crossing an intersection which has no traffic control signs or signals, and must yield to any vehicle already in the intersection.

F. Any person operating an electric bicycle or bicycle on a sidewalk approaching an intersection must obey the instructions of any applicable pedestrian control signals. That is, the bicyclist may start to cross a highway, road or street in a crosswalk only during a steady "Walk" phase, if one is displayed. If no pedestrian signal is provided, the bicyclist may proceed in accordance with the signal indications for the parallel roadway traffic flow.

G. With respect to shared pathways that are not located adjacent to highways, roads, or streets, including those that are located in parks and recreational areas, all bicycles and electric bicycles must yield to pedestrians on these types of pathways, and when passing a pedestrian must deliver a warning by some type of sound device before the act of passing them.

H. The operation of an electric bicycle that produces more than 750 watts of power is prohibited on the sidewalks, bicycle paths, and shared roadways/pathways.

I. All vehicles, mopeds, motorized scooters, electric bicycles, and electric personal assistive mobility devices shall not travel at a speed greater than 15 miles per hour on any sidewalk.

3. Nothing in this article should be construed to preclude persons who are mobility impaired and using a motorized wheelchair, from using sidewalks as contemplated in Section 316.1303, Florida Statutes, and as required by the Americans with Disabilities Act in 28 C.F.R. § 35.130(f).

4. The provisions of this article shall apply to all public roads, pathways, sidewalks, crosswalks, and in intersections within the unincorporated areas of Manatee County.

Section 4. Codification. Pursuant to Section 125.68(1), Florida Statutes, the Codifier shall codify the substantive amendments to the Manatee County Code of Ordinances contained in Sections 2 and 3 of this Ordinance as provided therein and shall not codify any other section not designated for codification. For purposes of codification of any section of the Manatee County Code herein amended, words underlined represent additions to original text, and words ~~stricken~~ are deletions from the original text.

Section 5. Severability. If any section, subsection, sentence, provision or word of this Ordinance is held invalid, same shall be severable and the remainder of the Ordinance shall not be affected by such invalidity, such that any remainder of the Ordinance shall withstand any severed provision, as the Board of County Commissioners would have adopted the Ordinance and its regulatory scheme even absent the invalid part.

Section 6. Effective Date. This Ordinance shall be effective immediately upon filing with the State of Florida Department of State.

DULY ADOPTED with a quorum present and voting this 29th day of July, 2025.

BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA

By: _____
Chairperson

ATTEST: ANGELINA COLONNESO
CLERK OF THE CIRCUIT COURT AND COMPTROLLER

By: _____
Deputy Clerk

FLORIDA DEPARTMENT of STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

July 31, 2025

Angelina Colonneso
Clerk of the Circuit Court
Manatee County
1115 Manatee Ave W
Bradenton, FL 34205

Dear Angelina Colonneso:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Manatee County Ordinance No. 25-35, which was filed in this office on July 31, 2025

Sincerely,

Alexandra Leijon
Administrative Code and Register Director

AL/dp

From:	Municode Ords Admin
To:	Robin Toth
Subject:	RE: Manatee County, FL Code of Ordinances - 1981(10428) OrdLink/OrdBank, Manatee County, FL Land Development Code - 2016(12202) OrdBank, Manatee County, FL Comprehensive Plan - 2017(15530) OrdBank
Date:	Thursday, July 31, 2025 1:25:58 PM
Attachments:	image002.png image003.png

[**NOTICE:** This message originated outside of Manatee County Clerk's Office -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

We have received your file.

Thank you and have a nice day,

Ords Administrator • **CivicPlus**
MunicodeOrds@civicplus.com
1-800-262-2633
P.O. Box 2235
Tallahassee, FL 32316

When available, please send all documents in WORD format to **MunicodeOrds@civicplus.com.** However, if WORD format is not available, we welcome any document format including PDF.

ems (she/her/hers)
civicplus.com

CIVICPLUS Powering and Empowering Local Governments

From: Robin Toth <robin.toth@ManateeClerk.com>
Sent: Thursday, July 31, 2025 11:41 AM
To: County Ordinances <CountyOrdinances@dos.myflorida.com>; Municode Ords Admin <MunicodeOrds@civicplus.com>
Subject: Manatee County Ordinance 25-35

Good Morning,

Attached is Manatee County Ordinance 25-35, adopted by the Manatee County Board of County Commissioners on 7/29/25. (WORD Format unavailable)

Thank you,

Robin Toth
Deputy Clerk, Board Records Department

For Angelina "Angel" Colonneso
Manatee Clerk of the Circuit Court & Comptroller
(941) 749-1800 Ext. 4179
1115 Manatee Ave W, Bradenton, FL 34205
www.ManateeClerk.com

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