

ORDINANCE NO. 02-2026

AN ORDINANCE OF THE CITY OF DELTONA, FLORIDA, AMENDING THE GENERAL ORDINANCES, CHAPTER 66, "TRAFFIC AND VEHICLES," TO UPDATE REGULATIONS RELATED TO MICROMOBILITY DEVICES IN ACCORDANCE WITH FLORIDA STATUTES; PROVIDING FOR CONFLICTS, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, under Art. VIII, §2(b), Fla. Const. and Florida Statute §166.021, Florida municipalities have the governmental, corporate, and proprietary powers to conduct municipal government, perform municipal functions, render municipal services, and may exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, the Florida Uniform Traffic Control Law, as codified in Florida Statutes Chapter 316, provides for uniform traffic regulation throughout the state, while authorizing local governments to enact supplemental traffic regulations that are not in conflict with state law, including as provided in Florida Statutes, Chapter 316, as amended from time to time; and

WHEREAS, the City of Deltona, Florida (the "City"), adopted Chapter 66, "Traffic and Vehicles" within its General Ordinances to establish reasonable and uniform regulations for traffic and parking within the City; and

WHEREAS, during the 2025 Legislative Session, the Florida Legislature adopted SB462, codified in Chapter 2025-149, Laws of Florida, which allows local governments to establish regulations regarding micromobility devices, defined as: "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”; and

WHEREAS, it is the intent of the City to amend Chapter 66, “Traffic and Vehicles,” to enact regulations regarding micromobility devices in accordance with Florida Statutes §316.008(7), which authorizes the City to regulate the operation of such devices on sidewalks and sidewalk areas; and

WHEREAS, the City Commission finds that the amendments to Chapter 66 are intended to operate in a manner consistent with and supplemental to the Florida Uniform Traffic Control Law and are not intended to regulate any matter preempted to the State of Florida; and

WHEREAS, the City Commission finds and determines that these modifications are in the best interest of the public health, safety, and welfare of the residents of the City of Deltona.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA, AS FOLLOWS:

Section 1. Recitals Adopted. The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this ordinance upon adoption hereof.

Section 2. Amendment to the Code of Ordinances. The City Commission hereby approves and adopts modifications to Chapter 66, “Traffic and Vehicles,” of the General Ordinances, as set forth in “Exhibit A” attached hereto.

Section 3. Conflicts. Any and all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 4. Codification. The provisions of this Ordinance shall be codified as and be made part of the Code of Ordinances of the City of Deltona. The sections of this Ordinance may be renumbered to accomplish such intention.

Section 5. Severability. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect any other provision or application of this ordinance which can be given effect without the invalid provision or application.

Section 6. Effective Date. This Ordinance shall take effect immediately upon its final adoption by the City Commission.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA THIS _____ DAY OF _____, 2026.

CITY OF DELTONA, FLORIDA

First Reading: _____

Advertised: _____

Second Reading: _____

BY: _____
SANTIAGO AVILA, JR., MAYOR

ATTEST:

JOYCE RAFTERY, CMC, MMC, CITY CLERK

Approved as to form and legality
for use and reliance of the City of
Deltona, Florida

Name	Yes	No
Avila-Vazquez		
Colwell		
Heriot		
Howington		
Nabicht		
Santiago		
Avila		

TG LAW PLLC, CITY ATTORNEY

EXHIBIT A

Sec. 66-3. - Definitions.

Bicycle means 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 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 right of way or within an independent right- of-way.

Electric bicycle means a bicycle or tricycle equipped with fully operable pedals, a seat or saddle for the use of the rider, an electric motor of less than seven hundred fifty (750) watts, and 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 twenty (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 twenty (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 twenty-eight (28) miles per hour.

Median means the portion of the roadway separating the opposing traffic flows. Medians can be depressed, raised, or flush.

Micromobility device means a motorized transportation device designed for individual use which is typically twenty to thirty-six (20 to 36) inches in width and fifty (50) pounds or less in weight and which operates at a speed of typically less than fifteen (15) miles per hour but no more than twenty-eight (28) miles per hour. This term includes both a human-powered and a nonhuman-powered device such as an electric bicycle, moped, motorized scooter, or any other device that is owned by an individual or part of a shared fleet.

Moped means 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 two (2) brake horsepower and not capable of propelling the vehicle at a speed greater than thirty (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 fifty (50) cubic centimeters. The term does not include an electric bicycle.

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, and which is not capable of propelling the vehicle at a speed greater than twenty (20) miles per hour on level ground. The term does not include an electric bicycle.

Open Intersection. An open intersection is one without traffic control signs or signals.

Traffic separator means a barrier, such as a concrete wall, raised median, guardrail, fence, or landscaped or gravel area, whether raised or not, that is less than six (6) feet in width placed between lanes of a roadway to divide traffic moving in opposite directions.

Travel lane means the portion of the roadway dedicated to the movement of motor vehicles traveling from one destination to another where a motor vehicle may not remain stationary indefinitely without eventually obstructing the free flow of motor vehicle traffic, and not including shoulders, bicycle lanes, or on the street parking. *Travel lanes* do not include sidewalks, bicycle paths, private property, or streets closed to vehicular traffic. The term shall include bicycle lanes which are delineated by a contiguous part of the

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Sec. 66-36. OPERATION OF MICROMOBILITY DEVICES ON PUBLIC SIDEWALKS, CROSSWALKS, AND IN INTERSECTIONS.

(a) *Bicycles On Sidewalks.* The use of bicycles on the public sidewalks within the areas of the City of Deltona over which the City has traffic control jurisdiction is allowed. This authorization does not apply to electric bicycles, motorized scooters, or micromobility devices.

(b) *Restrictions On Micromobility Devices.*

(1) *Age.* Any person under the age of 18 years old is prohibited from riding a micromobility device on all sidewalks, bicycle paths, and public roadways/pathways.

(2) *Operation/Speed on Sidewalks.* Operation of a micromobility device on any sidewalk shall not exceed fifteen (15) miles per hour and must be conducted in a safe manner so as not to endanger pedestrians or other users.

(3) *Bicycle Lane Utilization.* A micromobility device must operate in a bicycle lane when available. Use of sidewalks is prohibited if a bicycle lane is otherwise available.

(i) *Exception:* If an adult is operating a micromobility device while accompanying a minor child, the adult shall lawfully be allowed to operate the micromobility device on the sidewalk, to allow for supervision of the minor(s).

(4) *School Buses.* Any person using, operating, or driving a micromobility device must, upon approaching any school bus actively displaying a stop signal, bring such micromobility device to a full stop while the bus is stopped, and the operator shall not pass the school bus until the signal has been withdrawn. Any person using, operating, or driving a micromobility device that passes a school bus on the side that children enter and exit when the school bus is actively displaying

a stop signal is in violation of this Ordinance.

(i) *Divided Roadway Exception.* The driver of a micromobility device upon a divided roadway with an unpaved space of at least five (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 the provisions of this section.

(5) *Roadways.* Any person operating a micromobility device, traveling in the opposite direction of traffic, must come to a complete stop before crossing the open intersection, and must yield the right-of-way if a vehicle is already in the intersection. At a signalized intersection, a rider of a micromobility device approaching on a sidewalk must obey the instructions of any applicable pedestrian control signal. The operator may start to cross a roadway in a crosswalk only during a steady "Walk" phase, if one is displayed. If no pedestrian signal is provided, the operator may proceed in accordance with the signal indications for the parallel roadway traffic flow. With respect to shared pathways that are not located adjacent to roadways, including those located in parks and recreational areas, all micromobility devices must yield the right of way 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.

(6) *High-Speed and High-Power Devices.*

(i) *High Power.* The operation of a micromobility device that produces more than 750 watts of power is prohibited on all sidewalks, bicycle paths, and public roadways/pathways.

(ii) *High-Speed.* Any micromobility device capable of speeds of thirty (30) miles per hour or greater is prohibited on all sidewalks, bicycle paths, and public roadways/pathways.

(7) *ADA Usage.* Nothing in this section shall be construed to prohibit or restrict the use of assistive mobility devices by individuals with disabilities on any sidewalks, bicycle paths, and public roadways/pathways. This section shall be enforced in a manner consistent with the Americans with Disabilities Act and 28 C.F.R. Part 35 (Title II of the ADA).