

Charlotte County E-Bike Ordinance 2026-005

On February 10, 2026, the Charlotte County Board of County Commissioners passed Ordinance 2026-005 pertaining to the use of e-bikes within unincorporated Charlotte County. The ordinance focuses on behavior rather than limiting the machine/technology. Therefore, the ordinance allows for any type of e-bike or electric mobility device in certain areas with certain restrictions.

Your Legal Team would like to point out a few things regarding this ordinance:

Use on sidewalks, crosswalks, intersections, and multi-use pathways

- All allowed for use in these areas.
- All shall be limited in speed to 15 MPH or less in these areas.
- Anyone who is under 16 years old must wear a helmet (properly fitted, securely fastened, meets federal safety guidelines, etc.).
- Between dusk and dawn, be equipped with white light in front visible from at least 500 feet; red light on the back visible from 600 feet to the rear.
- Any person operating the electric device shall yield the right-of-way to any pedestrian AND shall give audible signal before overtaking and passing the pedestrian.
- Violations are non-moving violations as defined in §316 and §318, Florida Statutes.

Use on public roadways and bicycle lanes

- All allowed for use on public roadways.
- Shall not travel more than the posted or statutory speed limit for that roadway.
- Anyone who is under 16 years old must wear a helmet (properly fitted, securely fastened, meets federal safety guidelines, etc.), including passengers in a trailer or semitrailer attached to the electric device.
- Between dusk and dawn, be equipped with white light in front visible from at least 500 feet; red light on the back visible from 600 feet to the rear.
- Violations are either non-moving or moving violations as defined in §316 and §318, Florida Statutes due to the devices being classified as vehicles while on the roadway.

****See below for certain electric off-highway vehicles on roadways****

Use/Operation on trails, greenways, and greenbelts - Prohibited

- All motor vehicles, bicycles, electric bikes/motorcycles, off-highway vehicles or motorcycles, electric personal assistive mobility devices (electric scooters), motorized scooters or similar electric vehicles/devices are **NOT allowed**.
- Exception: a device used for disabled persons would be allowed if there is a designated pathway or signage by Charlotte County indicating such.

It is important to note that county ordinances do not override Florida State Statutes. Any violation of Florida Statutes shall be superior to the county ordinance if there is a conflict.

- For example, there are certain electric devices that are specifically manufactured for off-road or off-highway use, and it states such in those manufacturers' instructions/websites (like ATV, UTV, e-dirt bikes, etc.).
 - These devices would still be illegal for travel on public roadways due to the inability by Florida statutes and DMV rules to become a registered motor vehicle. They would be allowed on sidewalks, crosswalks, etc. according to the ordinance, but at no more than 15MPH.
 - Keep in mind that private roadways or gated communities where Charlotte County does not maintain the roadways are different and those types of vehicles may be driven in those communities.

Understanding “E-MOTO” Electric dirt bikes, electric bicycles and other electric powered devices



Electric dirt bike/motorcycles “E-MOTOS”



- Powerplant (motor) over 750 watts
- **No working pedals** (if over 750 watts pedals are irrelevant)
- Because “EMOTOS” are defined as motor vehicles in the State of Florida, they must be registered, and you must have a valid License and Motorcycle endorsement to operate them on the roadway. **They may currently only be operated on private property.** All criminal charges that would apply to any other motor vehicle (IE: DUI, Reckless Driving, etc.) still apply to EMOTOS. Helmet laws for motorcycle riders also apply.
- Not an “electric bicycle”
- Helmet and Eye protection required
- If gas powered it is a motor vehicle

Electric Bicycle

FSS 316.003(23)



- Powerplant must be UNDER 750 watts
- May be ridden on trails, roadways and sidewalks.
- **Working Pedals**
- Seat or Saddle
- Max Speed 28 MPH
- Two or three wheels
- Helmet Required under 16YOA
- **IF motor is over 750 watts, does not have working pedals, or if it goes over 28 mph, It is a MOTOR VEHICLE not an electric bicycle. (See charges Below)**

Electric Scooters

FSS 316.003(48)



- Powerplant UNDER 750 watts
- May be ridden on trails, roadways and sidewalks.
- Two or three wheels
- Max Speed 20 MPH
- Helmet required if under 16YOA
- IF motor is over 750 watts, or if it goes over 20 mph, It is a MOTOR VEHICLE not an electric scooter. (See charges Below)
- If Gas powered, it is a motor vehicle

Potential Charges:

Criminal

320.02 Registration required: (NO MOTOR VEHICLE REGISTRATION)

(1) Except as otherwise provided in this chapter, every owner or person in charge of a motor vehicle that is operated or driven on the roads of this state shall register the vehicle in this state.

Criminal Violation: Criminal UTC or arrest

322.03(5) Drivers must be licensed (MOTORCYCLE ENDORSEMENT)

(5) A person may not operate a motorcycle unless he or she holds a driver license that authorizes such operation, subject to the appropriate restrictions and endorsements.

Criminal Violation: Criminal UTC or arrest

