

DIVISION 4. - MOTORIZED SCOOTERS

Sec. 24-94. Definitions

For the purposes of this Chapter, the following terms, phrases, words, and their derivations shall have the meanings given herein, when not inconsistent with the text.

Motorized Scooter shall mean the same as defined in Florida Statute § 316.003(48).

Pedestrian means any person afoot.

User or Operator means an individual who utilizes or operates a Motorized Scooter.

Owner means any person, corporation, partnership, association, or any other entity, who owns a Motorized Scooter. In the case of a minor, Owner is the parent or legal guardian of the minor.

Sec. 24-95 Requirements and restrictions

(a) No person under the age of 16 shall operate a Motorized Scooter upon any public street, sidewalk, park, path, trail, or other right-of-way under the Towns jurisdiction.

(b) All persons sixteen (16) years of age or older shall carry on their person, and present upon request, a valid government issued identification, which identifies the person by name, age, and photograph, while operating a Motorized Scooter upon any public street, sidewalk, park, path, or other right-of-way under the Town's jurisdiction.

(c) Any person using a Motorized Scooter upon and along a sidewalk, or across a roadway upon and along a crosswalk, shall yield the right-of-way to any pedestrian and shall give an audible signal before overtaking and passing such pedestrian.

(d) A Motorized Scooter shall not be used by more than one person at one time, unless the Motorized Scooter is specifically designed for the operation of more than one person at a time. It is unlawful for a person operating a Motorized Scooter to carry another person on the Motorized Scooter, unless the Motorized Scooter is specifically designed to carry more than one person at a time. An adult may carry a child securely attached to his/her person in a backpack or sling.

(e) Persons riding Motorized Scooters upon a roadway, bicycle lane, or sidewalk shall not ride more than two abreast.

(f) Persons operating a Motorized Scooter must obey the instructions of official traffic-control signals, signs, and other control devices applicable to vehicles, unless otherwise directed by a police officer.

(g) No Person riding a Motorized Scooter may attach themselves to any vehicle upon a roadway.

(h) A Person operating a Motorized Scooter upon the roadway must operate in the bicycle lane or if there is no bicycle lane, as close as practicable to the right hand curb or edge of the roadway except under any of the following situations:

(1) When overtaking and passing another bicycle or vehicle proceeding in the same direction.

(2) When preparing for a left turn at an intersection or into a private road or driveway.

(3) When reasonably necessary to avoid any condition or potential conflict, including, but not limited to, a fixed or moving object, parked or moving vehicle, bicycle, pedestrian, animal, surface hazard, turn lane, or substandard-width lane, which makes it unsafe to continue along the right-hand curb or edge or within a bicycle lane. For the purposes of this subsection, a "substandard-width lane" is a lane that is too narrow for a bicycle and another vehicle to travel safely side by side within the lane.

(j) Every Motorized Scooter in use between sunset and sunrise shall, at a minimum, be equipped with a lamp on the front exhibiting a white light visible from a distance of at least 500 feet to the front and a lamp and a reflector on the rear each exhibiting a red light visible from a distance of 600 feet to the rear.

(k) No parent of any minor child and no guardian of any minor ward may authorize or knowingly permit any such minor child or ward to violate any of the provisions of this section.

(l) Any Person riding upon a Motorized Scooter shall not use a cellular phone, wear a headset, headphone, or listening device, other than a hearing aid while riding.

(m) Nothing herein shall prohibit individuals who require the use of Motorized Scooters from utilizing their Motorized Scooters as per the American with Disabilities Act.

Sec. 24-96 Penalties, enforcement, and impound fees

(a) Law Enforcement Officers are authorized to issue a Civil Citation to any Person who commits a violation of this Division with a fine in the amount of \$150.00.

(b) Any Motorized Scooter that is impounded pursuant to this Division shall be impounded for a flat fee of \$100.00. Any Motorized Scooter that is impounded

and not claimed by the owner within ninety (90) days, shall become the property of the Town of Davie.