

ORDINANCE NO. 2020-_____

AN ORDINANCE ESTABLISHING A MORATORIUM ON THE USE OF MICROMOBILITY DEVICES, INCLUDING MOTORIZED SCOOTERS AND MOTORIZED BICYCLES, WITHIN THE UNINCORPORATED AREA OF ORANGE COUNTY; AND PROVIDING AN EFFECTIVE DATE.

Section 1. Creation of Article VI (“Micromobility Devices”) of Chapter 35 (“Traffic”), Establishing a Moratorium on the Use of Micromobility Devices, including Motorized Scooters and Motorized Bicycles. Article VI of Chapter 35 of the Orange County Code is hereby created and shall read as follows:

ARTICLE VI
MICROMOBILITY DEVICES

Section 35-80. Findings.

(a) Motorized transportation devices made available for private use by reservation, that are not capable of traveling at a speed greater than twenty (20) miles per hour, are known as micromobility devices, and include motorized scooters and motorized bicycles.

(b) The use of micromobility devices through a “shared” service model is an increasing trend nationwide including Florida.

(c) Motorized scooters and motorized bicycles have been promoted as a means to provide a sustainable, relatively low cost method of transportation over relatively short distances, particularly in downtown and tourist areas.

(d) Various jurisdictions have permitted micromobility devices but other jurisdictions have prohibited them or implemented restrictions on micromobility devices based on operational and safety concerns.

(e) Orange County, Florida (“Orange County”) is a tourist destination frequented by tens of thousands of visitors at any given time.

36 (f) Micromobility device companies have established a
38 presence in unincorporated Orange County, including areas
popular to tourists.

40 (g) Micromobility device users may be unfamiliar with
the area, as well as how to operate micromobility devices,
increasing safety risks for themselves and others.

42 (h) The nature of shared use programs will likely result
in micromobility devices being left unattended and parked or
leaned on walls or sidewalks, thereby creating a hazard and
impediment to accessibility for pedestrians and persons with
mobility challenges.

48 (i) Micromobility devices may result in injury or harm
to their users or pedestrians in the right of way, including in and on
crosswalks and sidewalks.

50 (j) It will require time and effort to thoroughly evaluate
existing micromobility device programs, conduct research, and
prepare an ordinance to permanently address micromobility
devices in unincorporated Orange County.

54 (k) Accordingly, until micromobility device regulations
have been adopted and have become effective, or until January 15,
2021, whichever date is earlier, the Orange County Board of
County Commissioners find it necessary and appropriate and in the
public interest to adopt a moratorium prohibiting the use of
micromobility devices in unincorporated Orange County.

60 **Section 35-81. Moratorium; Review and Study; Purpose.**

62 (a) During the moratorium period described in Section
35-82, the use of micromobility devices is hereby prohibited in
unincorporated Orange County and no person or entity shall allow
or permit the private use of these devices by reservation through an
online application, website, or software for point-to-point trips.

66 (b) During the moratorium period, Orange County staff
shall review and study safety and other issues related to the use of
micromobility devices in the unincorporated area of Orange
County, Florida.

70 (c) The purpose of the moratorium is to allow Orange
County a sufficient period of time to determine whether to develop

72 regulations for the use of micromobility devices in the
73 unincorporated area of Orange County or to prohibit them.

74 **Section 35-82. Moratorium Period.**

75 The moratorium described in Section 35-81 shall be in
76 effect until the effective date of an ordinance establishing
77 regulations concerning the use of micromobility devices or
78 permanently prohibiting micromobility devices in unincorporated
79 Orange County, or until January 15, 2021, whichever date is
80 earlier.

81 **Section 35-83. Definitions.**

82 The following terms shall have the following definitions:

83 “Micromobility device” means any motorized
84 transportation device made available for private use by reservation
85 through an online application, website, or software for point-to-
86 point trips and which is not capable of traveling at a speed greater
87 than twenty (20) miles per hour on level ground. This term
88 includes motorized scooters and motorized bicycles.

89 “Motorized scooter” means any micromobility device that
90 is powered by a motor, with or without a seat or saddle for the use
91 of the rider, which is designed to travel on not more than three
92 wheels, and which is not capable of propelling the vehicle at a
93 speed greater than twenty (20) miles per hour on level ground.

94 **Section 35-84. Seizure and Impoundment.**

95 Orange County may seize and impound any micromobility
96 device found on public property. The micromobility device will be
97 released to the lawful owner only after all towing and storage fees
98 have been satisfied.

99 **Section 35-85. Applicability.**

100 (a) This article shall only apply within the
101 unincorporated area of Orange County.

102 (b) Nothing in this article shall prohibit the use of
103 motorized devices that do not fall within the definition of a
104 micromobility device.

Section 2. Effective date. This moratorium ordinance shall become effective on

106 April 3, 2020.

ADOPTED THIS 24th DAY OF March, 2020.

108 **ORANGE COUNTY, FLORIDA**
By: Board of County Commissioners

110
112 By: _____
114 Jerry L. Demings,
Orange County Mayor

116 **ATTEST:** Phil Diamond, CPA, County Comptroller
As Clerk of the Board of County Commissioners

118
120 By: _____
Deputy Clerk

122