

Florida Department of Transportation: http://www.dot.state.fl.us/Safety/ped_bike/laws/ped_bike_bikeLaws1.shtm

Title XXIII MOTOR VEHICLES

Chapter 316 STATE UNIFORM TRAFFIC CONTROL

Definition of "BICYCLE" (Section 316.003(2), F.S.) Every vehicle propelled solely by human power, and every motorized bicycle propelled by a combination of human power and an electric helper motor capable of propelling the vehicle at a speed of not more than 20 miles per hour on level ground upon which any person may ride, 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 such a vehicle with a seat height of no more than 25 inches from the ground when the seat is adjusted to its highest position or a scooter or a similar device. No person under the age of 16 may operate or ride upon a motorized bicycle.

Legal status of bicycles (Sections 316.003(2), (10) and 316.2065(1), F.S.) A bicycle is classified as a vehicle. A person in control of a vehicle on a street or highway is a driver. As a driver, a cyclist must follow the traffic rules common to all drivers. As the driver of a bicycle, he must also obey regulations adopted specially for bicycles. A person riding a bicycle has all the rights applicable to any driver, except as to special regulations for bicycles.

Driving on right side of roadway (Section 316.081, F.S.) Upon all roadways of sufficient width, a vehicle shall be driven on the right half of the roadway.

Comment: A cyclist on a roadway must ride on the side reserved for his direction of travel. Riding in the opposite direction, so as to face oncoming traffic, doubles the risk of collision with a motor vehicle and is a contributing factor in about 15 percent of bicycle-motor vehicle crashes. Motorists entering and leaving roadways at intersections and driveways do not expect traffic to approach from the wrong direction.

Section 316.003(21) below, as amended in 2002, explicitly states that a bicycle, motorized scooter, electric personal assistive mobility device, or moped is not considered to be a motor vehicle under Florida Law (and thereby not subject to the same registration, driver's license and license plate requirements for a motor vehicle in Florida).

(21) **MOTOR VEHICLE.**--Any self-propelled vehicle not operated upon rails or guideway, **but not including any bicycle**, motorized scooter, electric personal assistive mobility device, or moped.