

FOUNTAIN LAKES COMMUNITY ASSOCIATION
POLICY on Bicycles, E-Bikes and Personal Wheeled Recreational Devices
Adopted by the Board of Governors March 19, 2025

PURPOSE: This policy aims to ensure the safety and enjoyment of all residents by establishing clear guidelines for the use of bicycles, scooters, skateboards and other personal recreational vehicles, both non-electric and electric.

For purposes of this policy, the term “personal wheeled recreational devices” means electric scooters, skateboards, golf carts whose top speed is less than 25 mph, kick scooters, Onewheel, personal transporters, roller skates, Segways, unicycles, tricycles, handcycles, but specifically excluding bicycles, e-bikes and golf carts and micro cars whose top speed is greater than 25 mph.

This policy encompasses all bicycles, e-bikes, and personal wheeled recreational devices.

RECOMMENDATIONS:

Operators over 16 are encouraged, but not required, to wear protective equipment (helmets, gloves, reflective clothing or vests).

GENERAL PROVISIONS:

All operators of bicycles, e-bikes and personal wheeled recreational devices are mandated to follow traffic laws.

Bicycles, e-bikes, and personal wheeled recreational devices must never be ridden in preserve areas or other “fragile” lands near the lakes, lake maintenance or drainage areas, swales, canals or littoral shelves, the Amenity Center walkways, breezeway or pool area.

When visiting the Amenity Center, bicycles, e-bikes and personal wheeled recreational devices must be parked at the bike racks or at other locations approved by the Property Manager or Board. They may not block pedestrian or vehicle access.

A bicycle (or an electric bicycle) is considered a vehicle by Florida law. A person propelling a vehicle on a roadway by human power has all of the rights and duties applicable to a driver of any other vehicle, except when propelling the bicycle up and along a sidewalk, or across a roadway upon and along a crosswalk. In that event such person has all the rights and duties applicable to a pedestrian.

An e-bike or personal wheeled recreational device or an operator of an e-bike or personal wheeled recreational device shall be afforded all the rights and privileges, and be subject to all of the duties of a bicycle or the operator of a bicycle, including s.316.2065. An e-bike or personal wheeled recreational device is a vehicle to the same extent as a bicycle, provided that such

equipment may not be operated in a manner that creates a traffic hazard or poses a threat of harm to the user of such equipment or others.

However, this may not be construed to prevent the Association from governing the operation of any e-bike or personal wheeled recreational devices on streets, highways, sidewalks, or any other areas under the HOAs jurisdiction.

The Association assumes no liability resulting from the use of e-bikes or personal wheeled recreational devices, including but not limited to damage to property, theft or personal injury to the e-bike or personal wheeled recreational device operator or others. Each person using an e-bike or personal wheeled recreational devices accepts and assumes all risk and responsibility for liability, injury, or damage connected with the use or storage of such equipment.

The person (e-bike or personal wheeled recreational device operator) also expressly indemnifies and agrees to hold harmless the Association and all employees, directors, representatives, officers, agents, and partners of the foregoing, from any and all damages, whether direct or consequential, arising from or related to the person's use of the e-bike or personal wheeled recreational devices within Common Areas, including for attorneys' fees and costs at trial, upon appeal or otherwise.

Bicycle Use Within Fountain Lakes (including E-bikes)-

A bicycle rider or passenger who is under 16 years of age must wear a bicycle helmet that is properly fitted and is fastened securely upon the passenger's head by a strap and that meets the federal safety standard. As used in this subsection, the term "passenger" includes a child who is riding in a trailer attached to a bicycle.

No person riding upon any bicycle may attach the same or himself or herself to any vehicle upon a roadway.

A bicycle may not be used to carry more persons at one time than the number for which it is designed or equipped.

Every bicycle in use between sunset and sunrise shall 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 reflector on the rear each exhibiting a red light visible from a distance of 600 feet to the rear.

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.

A person propelling a bicycle upon and along a sidewalk, or across a roadway upon and along a crosswalk, shall yield the right-of-way to any pedestrian, shall give an audible signal before overtaking and passing such pedestrian, and shall ride within a single lane ("single file") when overtaking any pedestrian.

Any person operating a bicycle upon a roadway at less than the normal speed of traffic shall ride 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 driveway; or
3. When reasonably necessary to avoid any condition or potential conflict.

Persons riding bicycles upon a roadway may not ride more than two abreast. Persons traveling at less than the normal speed of traffic shall ride within a single lane.

Electric Bicycle and Personal Recreational Device Use Within Fountain Lakes-

An operator may ride an electric bicycle where bicycles are allowed, including, but not limited to, streets, highways, roadways, shoulders, bicycle lanes, and bicycle or multiuse paths. Within Fountain Lakes, the bicycle or E-bike may not be driven or ridden off of paved roadways, sidewalks or drives (“off road”) including on any landscaped or turf areas, whether on common or private property.

Operators of an E-bike under 16 years of age must wear a bicycle helmet as required of any bicycle.

Owners are strongly encouraged to follow the recommendations of the E-bike manufacturer and the National Fire Protection Association (NFPA; Lithium-Ion Battery Safety, 2022 and E-Bike and E-Scooter Safety, 2022) to promote safe charging, use and storage. The Association is not responsible for any damage or injury caused by deviations from these precautions or warnings.

C. Violations-

Any violations resulting from the use of a bicycle, electric bicycle, electric scooter or other personal recreational vehicle contrary to Section A, B or C of this Policy, or anything non-conforming to the Governing Documents or Association Rules and Regulations may result in a warning or fining letter from the Board of Directors or Management Company under the Governing Documents of Fountain Lakes Community Association, or any other legal remedy provided under the law.