

E-Bike Accidents Are Surging After Florida Vetoes New Safety Law

Riders Face Rising Risk as New State Protections Fail to Move Forward

A rider on an e-bike barely notices the wind resistance most cyclists fight against every day. That's the appeal of an electric bike, and it's also the danger. A motor that pushes a rider to 20 or 28 miles per hour changes the physics of every crash, and hospitals statewide are seeing the consequences firsthand.

Florida lawmakers tried to get ahead of the problem this year with a bill that would have capped e-bike speeds near pedestrians and tracked crash data statewide. That bill never became law. Riders and families dealing with [e-bike and e-scooter accidents](#) across Palm Beach Gardens, Jupiter, and West Palm Beach are left navigating a fast-growing accident problem under the same rules that existed before anyone worried about it.

What Happened to Florida's New E-Bike Safety Law?

The Florida Legislature passed [CS/SB 382](#) with unanimous support in both chambers this spring. The bill would have barred e-bikes from traveling faster than 10 miles per hour within 50 feet of a pedestrian on a shared path, required an audible signal before passing, and created a statewide task force to track e-bike crash data.

According to [WPBF 25](#), Governor Ron DeSantis vetoed the bill last month, writing that a speed limit tied to distance from a pedestrian would be difficult for a rider to measure in the moment and would likely require expanded surveillance to enforce. The veto means Florida still has no statewide speed cap for e-bikes near pedestrians and no dedicated system to track how often these crashes occur.

That gap matters for injured riders and the people who hit them. Without a clear statewide standard, liability after an e-bike crash still comes down to general negligence law, existing bicycle statutes, and the specific facts of what happened on the road that day.

Current Florida Law Still Governing E-Bikes

Florida law classifies an electric bicycle under [Florida Statute 316.003](#), dividing e-bikes into three classes based on top speed and how the motor engages. A Class 1 or Class 2 e-bike tops out at 20 miles per hour, while a Class 3 e-bike can assist a rider up to 28 miles per hour. None of the three classes require a license, registration, or insurance to operate on Florida roads.

Because Florida law generally treats an e-bike as a bicycle for purposes of the road, riders fall under [Florida Statute 316.2065](#), the same statute that governs traditional bicycles. The current rules that still apply to e-bike riders in Florida include:

- **No License or Registration Required:** A Class 1, 2, or 3 e-bike can be ridden on most Florida roads without a driver's license or vehicle registration.

- **Helmet Requirement Under 16:** Any rider or passenger under 16 years old must wear a helmet that meets federal safety standards.
- **Same Roadway Rights As A Bicycle:** E-bike riders generally receive the same right of way and lane use protections given to traditional cyclists.
- **Three Foot Passing Rule Still Applies:** Drivers overtaking an e-bike must leave at least three feet of clearance, the same requirement that protects traditional cyclists.
- **No Statewide Speed Cap Near Pedestrians Yet:** Following the veto, no uniform state law limits e-bike speed near pedestrians, though some cities have passed their own local ordinances.

Why E-Bike Accidents Are Rising So Fast

According to data from the Health Care District of Palm Beach County [reported by WPTV](#), the number of people taken to local trauma centers with e-bike injuries jumped from 29 in 2023 to 66 in 2024, more than doubling in a single year. That increase reflects a national trend, but the speed and weight of an e-bike make the injuries that follow more severe than a typical bicycle crash.

A traditional bicycle crash at 12 miles per hour and a Class 3 e-bike crash at 28 miles per hour aren't comparable events, even though both riders are equally unprotected. The added speed means less reaction time for both the rider and any driver nearby, and it means a fall or collision transfers far more force to the rider's body.

For example, a teenager riding a Class 3 e-bike through a Palm Beach Gardens neighborhood at 25 miles per hour has far less time to brake or swerve than a cyclist pedaling at a fraction of that speed, and a driver pulling out of a driveway has far less time to react to an e-bike approaching that quickly. When a crash happens at that speed, injuries tend to be more severe, and recovery takes longer.

Who Can Be Held Liable After An E-Bike Accident?

Liability after an e-bike crash often runs through more than one party. Determining fault often requires reviewing the e-bike itself and the circumstances of the crash, not just the actions of the people directly involved. The following parties may be held liable after an e-bike accident:

- **Negligent Drivers:** A driver who fails to yield, passes too closely, or turns without checking for a rider carries the same negligence exposure as in any bicycle accident.
- **E-Bike Manufacturers or Retailers:** A defective battery, a motor that fails to disengage, or a poorly designed braking system can support a product liability claim against the company that made or sold the e-bike.

- **Rental or Share Program Operators:** A company that rents out e-bikes or scooters can be held liable if poor maintenance or a mechanical defect contributed to the crash.
- **Property Owners or Government Entities:** A poorly maintained bike path, missing signage, or a dangerous road defect can create liability for the property owner or the government entity responsible for that roadway.

Because e-bike riders generally carry no insurance of their own, recovering compensation after a crash with a vehicle often involves multiple insurance policies and legal claims. Understanding which coverage applies and how to pursue a claim can make a significant difference in the outcome of the case.

Knowing [how to file an insurance claim](#) correctly after an e-bike crash can make a difference in what a rider ultimately recovers, particularly when multiple insurance policies and parties are involved.

How Comparative Negligence and Timing Affect an E-Bike Accident Claim

Florida follows a modified comparative negligence rule under the tort reform law that took effect March 24, 2023. An injured e-bike rider can still recover damages as long as they're found less than 51% at fault for the crash, though the final award gets reduced by their assigned percentage of fault. [Determining fault](#) matters even more in e-bike cases, since insurance adjusters often try to argue that a rider's speed alone makes them mostly responsible.

Timing still matters just as much as fault. Florida law generally gives injury victims two years from the date of a crash to file a negligence claim against the at-fault party. Waiting too long doesn't just weaken a case. It can eliminate the right to recover anything at all.

Frequently Asked Questions About E-Bike Accidents

Do I need a license or insurance to ride an e-bike in Florida?

No. Florida law does not require a driver's license, registration, or insurance to operate a Class 1, 2, or 3 e-bike, though riders and passengers under 16 must wear a helmet.

Is Florida going to try passing a new e-bike speed law again?

Possibly. Lawmakers who supported CS/SB 382 have indicated they may file a revised version in a future session, but no new statewide speed limit currently exists following the veto.

What if I was hit while riding a rented e-bike or scooter?

Liability can extend to the rental company if poor maintenance or a mechanical defect contributed to the crash, in addition to any driver who caused the collision.

Contact Our Firm To Discuss An E-Bike Accident Claim

If you or someone you love was hurt in an e-bike accident in Palm Beach Gardens, Jupiter, West Palm Beach, or anywhere else in Palm Beach County, [The Law Offices of Casey D. Shomo](#) can help you sort out who's responsible and pursue the compensation you're owed.

[Mr. Shomo](#) has spent more than thirty years representing injury victims across Florida, and our firm has recovered more than \$85 million on behalf of clients who trusted us with their case. Mr. Shomo and our team understand how quickly e-bike laws are changing and know how to build a claim under the rules as they stand today.

We handle every e-bike accident case on a contingency fee basis, which means you owe us nothing upfront and nothing at all unless we recover compensation for you. [Contact our office](#) today for a free case review and let us help you move forward.