

ORDINANCE NO.

AN ORDINANCE AMENDING CITY CODE CHAPTER 13-2, ARTICLE 2, DIVISION 2 TO ADD A NEW SUBPART G ESTABLISHING REGULATIONS FOR THE OPERATION OF ELECTRIC LOW-SPEED VEHICLES FOR HIRE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. City Code Chapter 13-2, Article 2, Division 2 (*Ground Transportation Services Generally*) is amended to add a new Subpart G to read:

Subpart G. Electric Low-Speed Vehicles.

§13-2-284 ELECTRIC LOW-SPEED VEHICLE SERVICE DESCRIBED.

- (A) Electric low-speed vehicle services provide ground transportation service using four-wheeled battery powered electric low-speed vehicles.
- (B) An electric low-speed vehicle:
 - (1) may only operate on streets designated under Section 13-2-287 (*Requirements of Electric Low-Speed Vehicle Service*) or within an area otherwise determined by the department;
 - (2) may not exceed a maximum speed of between 20 to 25 miles per hour;
 - (3) may not exceed a gross vehicle weight rating of less than 3,000 pounds, except to the extent required for a modification necessary to achieve ADA compliance; and
 - (4) must meet the minimum standards set forth in Section 13-2-288 (*Electric Low-Speed Vehicle Additional Equipment Minimum Standards*).

§13-2-285 OPERATING AUTHORITY APPLICATION.

- (A) To obtain operating authority for an electric low-speed vehicle service, a person must make written application to the department in accordance with Section 13-2-161 (*Operating Authority Application Required*).
- (B) In addition to the documentation required under Section 13-2-161 (*Operating Authority Application Required*), a person applying for operating authority for an electric low-speed vehicle service must include in the application:
 - (1) proof of the manufacturer's product liability insurance; and

- (2) manufacturer documentation:
 - (a) describing the size and weight of the electric low-speed vehicle and the length of time the vehicle will operate before the battery must be recharged; and
 - (b) verifying that the maximum speed of the electric low-speed vehicle does not exceed 25 miles per hour; and
- (3) a proposed logo and color scheme to distinguish an applicant's electric low-speed vehicles from other ground transportation services.

§13-2-286 ELECTRIC LOW-SPEED VEHICLE RATE OF FARE.

The holder of an electric low-speed vehicle service operating authority may charge a fare that is fixed or negotiated with the passenger or may operate for tips only. If the fare is negotiated with the passenger, the fare amount must be agreed upon prior to initiation of the trip.

§13-2-287 REQUIREMENTS OF ELECTRIC LOW-SPEED VEHICLE SERVICE.

- (A) The requirements of this section apply to operation of an electric low-speed vehicle and are in addition to traffic laws and other regulations applicable to motor vehicles.
- (B) An electric low-speed vehicle service may operate:
 - (1) up to 24 hours a day, seven days per week;
 - (2) on public roadways on or within:
 - (a) IH 35 on the east, Lamar Boulevard on the west, Annie Street and Woodland Avenue on the south, and Dean Keeton on the north, except as prohibited by Subsection (C) of this section;
 - (b) other areas approved by the director for operation at the request of a permit holder.
 - (c) may not exceed a maximum speed of between 20 to 25 miles per hour;
 - (d) may not exceed a gross vehicle weight rating of less than 3,000 pounds, except to the extent required for a modification necessary to achieve ADA compliance; and

- (e) must meet the minimum standards set forth in Section 13-2-288 (*Electric Low-Speed Vehicle Additional Equipment Minimum Standards*).
- (C) An electric low-speed vehicle service may not operate:
 - (1) on privately owned roadways or facilities; or
 - (2) on any roadway within an approved area with a speed limit exceeding 35 miles per hour, including but not limited to the following:
 - (a) Cesar Chavez Street (West) from Lamar Boulevard to MoPac Expressway;
 - (b) Lamar Boulevard from 30th Street (West) to 38th Street (West);
 - (c) Lamar Boulevard from Oltorf Street to Gibson Street (West);
 - (d) Pleasant Valley Road (North) from Webberville Road to Chestnut Avenue;
 - (e) Pleasant Valley Road (South) from Canterbury Street to Riverside Drive (East);
 - (f) IH 35 and its frontage roads; and
 - (g) MoPac Expressway and its frontage roads.
- (D) An electric low-speed vehicle driver must:
 - (1) comply with Section 13-2-55 (*Rest Periods for Drivers*); and
 - (2) display current state vehicle registration and state safety inspection documentation within the electric low-speed vehicle.
- (E) An electric low-speed vehicle driver may not:
 - (1) operate at a maximum speed greater than 25 miles per hour;
 - (2) load or unload passengers or stop or stand:
 - (a) at the curb or the edge of a roadway, except in legal parking areas;
or
 - (b) in a driveway, unless the driveway is signed and marked as a legal parking area;

- (3) operate in any manner, including loading or unloading passengers or stopping or standing, on a sidewalk or sidewalk area;
 - (4) carry more than 4 passengers, excluding the driver; or
 - (5) tow a trailer.
- (F) An electric low-speed vehicle driver may:
- (1) display a company logo on both sides and on the rear of the electric low-speed vehicle;
 - (2) display an advertisement on the electric low-speed vehicle in a manner approved by the department, provided that the advertisement may not obstruct the view of the driver, visibility of signs on the vehicle, vehicle lights, signal lights, or create any other hazard; and
 - (3) refuse to convey a person requesting service if:
 - (a) the driver is answering a previous request for service;
 - (b) the person requesting service is disorderly;
 - (c) the person requesting service is engaged in unlawful conduct;
 - (d) the driver has reason to believe that the safety of the driver or the electric low-speed vehicle is at risk; or
 - (e) the person requesting service cannot present proof of ability to pay the fare.
- (G) A passenger must sit on a seat in the electric low-speed vehicle and not in any other place on or in the vehicle, including the lap of another passenger. If a passenger refuses to comply with this requirement, a driver must stop the electric low-speed vehicle and ask the passenger to exit.
- (H) The driver and all passengers of an electric low-speed vehicle must wear seatbelts while the vehicle is in motion.

§13-2-288 ELECTRIC LOW-SPEED VEHICLE ADDITIONAL EQUIPMENT MINIMUM STANDARDS.

- (A) An electric low-speed vehicle must be designed, constructed, and maintained in accordance with the requirements of this section.

- (B) The frame of an electric low-speed vehicle must be constructed of iron, steel, or aluminum alloy extrusions.
- (C) All seats of the electric low-speed vehicle must be forward facing.
- (D) An electric low-speed vehicle is limited to a maximum passenger capacity of 4, excluding the driver.
- (E) An electric low-speed vehicle must be painted in the same color scheme and with the same markings as other electric low-speed vehicles in the holder's fleet and must be easily distinguishable from the color and marking scheme of other ground transportation services in the city.
- (F) An electric low-speed vehicle is limited to a maximum passenger capacity of 4, excluding the driver.
- (G) Radio scanners are prohibited within an electric low-speed vehicle.
- (H) An electric low-speed vehicle may not have a maximum speed of greater than 25 miles per hour.
- (I) An electric low-speed vehicle must be equipped with:
 - (1) hinged doors that are solid molded plastic or metal, with latches;
 - (2) U. S. Department of Transportation approved 3-point shoulder harness seatbelts for the driver and each passenger;
 - (3) rack and pinion steering;
 - (4) four U.S. Department of Transportation approved street tires of 10 inch minimum diameter;
 - (5) a U.S. Department of Transportation-approved windshield, made of scratch-resistant acrylic or AS-1 safety glass;
 - (6) motorized windshield wipers;
 - (7) a horn;
 - (8) driver's side, passenger side, and inside rearview mirrors;
 - (9) front disc and rear drum brakes, or four wheel disc brakes, which must be able to stop the electric low-speed vehicle within 10 feet at speeds up to 25 miles per hour;

- (10) a separate emergency brake pedal/handle system capable of keeping the electric low-speed vehicle in a fixed position on both an incline and level terrain;
 - (11) a volt or amp meter, turn signal indicator, headlight switch, and horn button, each of which must be fixed to the dash;
 - (12) a slow-moving vehicle emblem compliant with Section 547.104 of the Texas Transportation Code, which must be mounted on the rear of the vehicle in a manner approved by the department;
 - (13) two-way communication equipment, while providing service; and
 - (14) the following equipment:
 - (a) two headlights;
 - (b) two front turn signals;
 - (c) two side turn signals;
 - (d) two reflectorized rear turn signals;
 - (e) two reflectorized brake lights;
 - (f) two reverse lights; and
 - (g) unobstructed four-way hazard lights.
- (J) An electric low-speed vehicle must display the following:
- (1) a company name, telephone number, and individual unit number, with clear and legible lettering displayed in characters at least 2 ½ inches in height and at least 5/16 of an inch in stroke width, with colors contrasting the color of the electric low-speed vehicle;
 - (2) a permit decal, a valid annual city inspection decal, a rate card, a complaint notice decal, and a sign limiting the passenger capacity to 4 passengers; and
 - (3) a slow-moving vehicle emblem that complies with Section 547.104 of the Texas Transportation Code and is displayed on the rear of the vehicle in a manner approved by the department.
- (K) An electric low-speed vehicle is not subject to the requirements in Subsections (D) and (F) of Section 13-2-142 (*Inspection Standards*).

PART 2. This ordinance takes effect on _____, 2011.

PASSED AND APPROVED

_____, 2011 § _____
 § _____
 § _____
 Lee Leffingwell
 Mayor

APPROVED: _____
 Karen M. Kennard
 City Attorney

ATTEST: _____
 Shirley A. Gentry
 City Clerk