

## 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 not exceed a gross vehicle weight rating of 3,000 pounds, except to the extent required for a modification necessary to achieve ADA compliance; and
  - (2) 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;
- (3) a proposed logo and color scheme to distinguish an applicant's electric low-speed vehicles from other ground transportation services; and
- (4) information requested by the department, including information that is responsive to criteria recommended by the department relating to:
  - (a) proposed routes;
  - (b) schedule and frequency of operation;
  - (c) proposed fixed fare structure;
  - (d) use of electric power from a clean, renewable source; and
  - (e) safety factors, including insurance and driver qualifications.
- (C) The department shall evaluate applications for an operating authority based on the applicant's submission of information that is responsive to the application criteria, including information that meets the criteria specified in the department's description of the desired operation of electric low-speed vehicle services.

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

- (A) The holder of an electric low-speed vehicle service operating authority may only charge a fare that has been filed with the department.
- (B) All rate information for each electric low-speed vehicle shall be conspicuously posted on each side of the vehicle in a manner and location approved by the department.
- (C) The holder of an electric low-speed vehicle service or driver of an electric low-speed vehicle may not:
  - (1) impose a rate structure or collect a fare other than as filed with the department;

- (2) drive or operate or cause to be driven or operated any electric low-speed vehicle without the current structure or fare posted as provided by the department.

### **§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 a route that uses the public roadways described in the operating authority; or
  - (3) in other areas approved by the director for operation at the request of a permit holder.
- (C) An electric low-speed vehicle service may not operate on privately owned roadways or facilities.
- (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;
  - (5) tow a trailer; or
  - (6) operate a vehicle on a roadway other than a roadway authorized by Section 13-2-287 (*Requirements of Electric Low-Speed Vehicle Service*).
- (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 only if:
    - (a) the person requesting service is disorderly;
    - (b) the person requesting service is engaged in unlawful conduct;
    - (c) the driver has reason to believe that the safety of the driver or the electric low-speed vehicle is at risk; or
    - (d) 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) Radio scanners are prohibited within an electric low-speed vehicle.
- (G) 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.
- (H) 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; and
  - (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.
- (I) An electric low-speed vehicle is not subject to the requirements in Subsections (D) and (F) of Section 13-2-142 (*Inspection Standards*).

### **§13-2-289 OPERATING AUTHORITY LIMITATIONS.**

- (A) The department may issue an operating authority to a maximum of three electric low-speed vehicle services.
- (B) The department shall limit the number of electric low-speed vehicles operating on a route described in the operating authority to a maximum of four such vehicles at any time.

- (C) The department may cancel the operating authority of an electric low-speed vehicle service if, at any time before September 30, 2012, the use of electric low-speed vehicles for hire is deemed to be unsafe or unworkable.

**PART 2.** This ordinance takes effect on \_\_\_\_\_, 2011.

**PART 3.** This ordinance expires on September 30, 2012, unless it is extended by action of the City Council.

**PASSED AND APPROVED**

\_\_\_\_\_, 2011      §  
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\_\_\_\_\_  
Lee Leffingwell  
Mayor

APPROVED: \_\_\_\_\_ ATTEST: \_\_\_\_\_  
Karen M. Kennard      Shirley A. Gentry  
City Attorney      City Clerk