

ORDINANCE NO. _____

AN ORDINANCE AMENDING CITY CODE CHAPTER 13-2 (*GROUND TRANSPORTATION PASSENGER SERVICES*) TO ADOPT REGULATIONS FOR THE OPERATION OF PEDICABS.

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

PART 1. Section 13-2-1 of the City Code (*Definitions*) is amended to add the following new definitions and to renumber the remaining subsections accordingly.

- (3) COMPENSATION means any money, thing of value, payment, consideration, reward, tip, donation, gratuity, or profit paid to, accepted, or received by the driver or owner of any vehicle providing transportation for a person, or persons; whether paid upon solicitation, demand or contract, or voluntarily, or intended as a gratuity or donation.
- (18) PEDICAB means a chauffeured, non-motorized vehicle that is propelled by pedals and operated for compensation, but does not include a vehicle that is equipped with individual bicycle-style seats with pedaling stations for passengers.

PART 2. The definition of GROUND TRANSPORTATION SERVICE set forth in Section 13-2-1 of the City Code is amended to read:

- (10) GROUND TRANSPORTATION SERVICE means the service of providing chauffeured vehicles for compensation [~~hire~~] for the transportation of passengers within the city.

PART 3. City Code Section 13-2-34 (*Insurance Required*) is amended to amend Subsection (A) and to add a new Subsection (G) to read:

§ 13-2-34 INSURANCE REQUIRED.

(A) Except as provided by Subsection (F), before authority to operate [a] any ground transportation service in the City becomes effective, other than a pedicab operated for compensation, an applicant must obtain a public liability policy issued by an insurance company licensed to operate in the State of Texas and by an agent licensed by the State of Texas. The policy must include the following: bodily injury and property

(i) complies with Section 547.108 of the Texas Transportation Code;

(ii) is displayed on the rear of the pedicab and mounted in a manner approved by the department; and

(iii) uses a reflective surface visible day or night from a distance of 500 feet.

(H) The department may immediately require a vehicle to be removed from service for any violation of a safety-related requirement of this section. The department may require a permit holder to make any non-safety related repairs within 10 days. A vehicle must be re-inspected following completion of repairs required by the department under this section.

(I) A pedicab passenger older than 6 years must sit on a seat in the pedicab and not in any other place on or in the pedicab, including the lap of another passenger. If a passenger refuses to comply with this requirement, a driver must stop the pedicab and ask the passenger to exit the pedicab.

PART 8. For a period of six months from the effective date of this ordinance, no new pedicabs will be permitted; those currently permitted may remain in operation, subject to continued evaluation by the Austin Transportation Department. If a pedicab is damaged irreparably during this period its permit may be applied to a new tricycle-type pedicab, but not a new trailer-type pedicab. Upon the expiration of the six month period, a cap on total permits for pedicabs shall be considered.

PART 9. This ordinance takes effect on April 23, 2012.

PASSED AND APPROVED

_____, 2012 §
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 § _____
 Lee Leffingwell
 Mayor

APPROVED: _____
 Karen M. Kennard
 City Attorney

ATTEST: _____
 Shirley A. Gentry
 City Clerk