

ORDINANCE NO. _____

AN ORDINANCE AMENDING CITY CODE CHAPTER 13-2 TO END A MORATORIUM ON PEDICAB PERMITS, SET A CAP ON AVAILABLE OPERATING PERMITS, AND PROHIBIT THE USE OF TRAILER-TYPE PEDICABS AS VEHICLES FOR HIRE.

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 by amending the following definition.

(21) PEDICAB means a chauffeured, non-motorized vehicle operated for compensation that is capable of transporting passengers on seats attached to the vehicle and that:

(a) has three wheels and is propelled solely by the human power of a single operator [~~by pedals and operated for compensation,~~]; or

(b) is a pushcart or rickshaw-type vehicle with two wheels, that is propelled by a person [~~but does not include a vehicle that is equipped with individual-bicycle-style seats with pedaling stations for passengers~~].

PART 2. Subsections (F) and (G) of Section 13-2-277 (*Additional Requirements for Pedicab Service*) are amended as follows.

(F) A pedicab driver may not:

(1) operate a pedicab on sidewalks or sidewalk areas, except that a pedicab may use the sidewalks adjacent to the bridges over Lady Bird Lake to cross the lake; [~~or~~]

(2) operate a pedicab on a hike and bike trail; or

(3) after July 31, 2016, operate a trailer-type pedicab.

(G) In addition to the requirements of Section 13-2-275 (Non-Motorized Service Inspection Requirements), a pedicab must meet the standards specified in this subsection.

(1) A pedicab is limited to a maximum passenger capacity of 3, excluding the pedicab driver.

- (2) A pedicab must meet the following dimensional requirements:
- (a) a frame may not exceed 55 inches in width;
 - (b) a bicycle tire must be at least 1.5 inches in width;
 - (c) a trailer tire must be at least 1.5 inches in width; and
 - (d) all wheels must have a minimum of 32 spokes and be securely mounted to the vehicle.
- (3) A pedicab must be maintained according to the following standards:
- (a) all spokes must be tight and none may be missing or broken;
 - (b) floorboards must have non-skid contact surfaces without holes;
 - (c) brakes must be capable of making a braked wheel stop within a distance determined by the department;
 - (d) ~~[after July 1, 2013,]~~ each pedicab trailer and single unit pedicab must be equipped with a disc brake system, or other reliable braking system, as approved by the department;
 - (e) if a trailer is used, it must be attached to the bicycle in a manner approved by the department;
 - (f) a pedicab must be equipped with a front white lamp visible from a distance of 500 feet;
 - (g) a pedicab must be equipped with two red lights mounted on the rear in a manner approved by the department, and visible from a distance of 500 feet;
 - (h) the passenger seat must be bench style and at least 17 inches deep ~~[unless the pedicab is equipped with individual bicycle style seats]~~. No passenger seat may face to the rear.
 - (i) the pedicab paint may not be noticeably rusted, flaked, scraped, or faded. Paint repairs must be neat and inconspicuous;
 - (j) any sharp edges or open tubes must be capped in a manner approved by the department; and
 - (k) any additional requirements established by the department.

(4) A trailer/pedicab unit must display the following:

- (a) a company name, telephone number, and individual unit number, with clear and legible lettering displayed in characters at least 1¾ inches in height and at least 1 inch in width, with colors contrasting the color of the pedicab;
- (b) a permit decal, valid annual city inspection decal, and sign limiting the passenger capacity to 3 passengers; and
- (c) a slow-moving vehicle emblem that:
 - (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.

PART 3. Part 1 of Ordinance number 20140626-085, is amended to read:

No new pedicabs will be permitted until the number of pedicabs that have permits is below 300 [January 1, 2015]; those currently permitted may remain in operation, subject to continued bi-annual evaluation of the appropriate maximum number of permitted pedicabs by the Austin Transportation Department. Trailer-type pedicabs that currently have a permit must be replaced with a tricycle-type pedicab by July 31, 2016. No new trailer-type pedicab permits will be issued. If the number of permitted pedicabs falls below 300, the Austin Transportation Department will conduct a lottery to determine allocation of new permits, up to a maximum of 300 permits. Issuance of any new permits will occur during the period of August 1 through August 31. 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. [After January 1, 2015, a cap on total permits for pedicabs shall be considered.]

PART 4. This ordinance takes effect on December 22, 2014.

PASSED AND APPROVED

_____, 2014 § _____
 § _____
 Lee Leffingwell
 Mayor

APPROVED: _____ ATTEST: _____
 Karen M. Kennard Jannette S. Goodall
 City Attorney City Clerk

DRAFT