

CHAPTER 33 - VEHICLES FOR HIRE

ARTICLE VI. PEDICAB SERVICES

DIVISION 1. IN GENERAL

Sec. 33-610. Scope of instant article.

Holders of permits to operate pedicab services and drivers of pedicabs shall be governed by the provisions of Articles I and VI of this chapter.

Sec. 33-611. Fees.

The following fees are hereby established:

- (1) Pedicab inspection. . . \$28
- (2) Pedicab re-inspection. . . \$28
- (3) Pedicab inspection no show. . . \$28
- (4) Drivers license . . . \$30
- (5) Replacement of lost license . . . \$30
- (6) Drivers transfer. . . \$15
- (7) Operating permit transfers (per vehicle) . . . \$25
- (8) Pedicab operating permit...\$110* per vehicle
- (9) Late permit payment...\$30
- (10) Permit application. . . \$150 per permit requested on the application

All fees are due upon request of service and non-refundable.

*Pedicab operating permit fees shall be paid to the city for each vehicle authorized by the permit agreement. The pedicab operating permit fees shall be paid in one payment or four quarterly payments, due on the first business day of the following month: January, April, July and October.

Late permit payments shall be charged for all permit payments that are received after the close of business on the fifth business day of the month payment is due.

Permits that do not have fees paid prior to 30 calendar days from the due date shall be suspended until all fees are paid. If the fees are not paid prior to 60 calendar days from the due date all permits shall be revoked.

Sec. 33-612. Amount of insurance.

Except as otherwise provided by the holder's operating permit, the public liability and property damage insurance required by this article shall be the minimum of \$1,000,000 per occurrence for each vehicle. These minimums shall be required to cover the following categories:

- (1) For damages arising out of bodily injury to or death of one person in any one accident;
- (2) For damages arising out of bodily injury to or death of two or more persons in any one accident; and
- (3) For damages arising out of injury to or destruction of property in any one accident.

Secs. 33-612 - 33-619, reserved.

DIVISION 2. OPERATING AUTHORITY

Sec. 33-620. Number of ground transportation vehicles authorized.

- (a) The total number of all vehicle permits issued among all operating permit holders shall not exceed 15 without the approval of city council.
- (b) A holder, within 90 days after receipt of an operating permit, shall operate and maintain a city approved fleet of vehicles for hire consisting of the number of vehicles authorized and required by the permit agreement. No operating permit shall be issued authorizing less than two vehicles. The number of vehicles authorized by the permit agreement and the number of vehicle permits issued pursuant thereto shall be reduced to reflect the actual number of vehicles the holder is able to operate and maintain in accordance with the provisions of this chapter, the operating permit, the permit agreement, and the rules and regulations of the director.

Sec. 33-621. Available permit distribution

- (a) When the city determines that permits shall become available, the city shall advertise the availability of pedicab permits for no less than 30 days. This advertisement method shall be determined by the director.
- (b) All applications must be submitted by a date set by the director and must comply with Secs.33-007 and 33-008 of this chapter (as determined by the director). If the

application is approved by the director, each application shall be placed into a permit drawing. Applications shall not be for more permits than are available.

(c) Permit drawings shall be held with all permit applicants present. Only permit applicants shall be allowed to attend the drawing. However, if an applicant cannot be present they must provide a written letter informing the city that they cannot attend. The applicant may request for one individual to attend on their behalf. Failure to attend or have someone attend the drawing shall not disqualify the applicant.

(d) The director or designee shall pull one drawing entry for each permit available. Each company that is issued a permit during this process shall have 90 days from the time of the drawing to complete all requirements of Chapter 33 and have the Pedicab inspected and permitted. Failure to comply will result in forfeiture of the drawn permit.

(e) Drawing procedures shall be outlined in pedicab rules and regulations.

Secs. 33-622--33-629, reserved.

DIVISION 3. SERVICE REGULATIONS

Sec. 33-630. Hours of operation.

The director shall establish the hours during which a driver may operate a pedicab as a rule or regulation in accordance with Secs. 33-004 and 33-005 of this chapter.

Sec. 33-631. Areas of service.

(a) No pedicab shall be operated on the Riverwalk.

(b) Pedicabs shall not operate on sidewalks, with the exception of the following:

1. The walkway that runs from Montana St. (Convention Center) to the Alamo dome;
2. The walkways with Hemisfair Park;
3. The walkways around the Henry B. Gonzales Convention Center; and
4. The walkways within Main Plaza.

(c) Pedicabs shall be authorized to cross sidewalks to access legal operating areas.

(d) Irrespective of (c) above, a pedicab may not enter any park or plaza that is closed to the public, including sidewalks, because of a city issued permit.

(e) Pedicabs shall not utilize crosswalks.

(f) The areas of service may be changed or removed by the director when it would be in the best interest of the public. This change or removal may be made with or without notice.

Sec. 33-632. Passenger restrictions.

No pedicab shall transport more than four passengers at one time; all passengers shall fit in the seating area.

Seating area shall mean the area between the side walls and back wall of the pedicab. Passengers may not be seated above the top of the side or back walls. Passengers shall be required to have their feet inside the area of the pedicab.

Sec. 33-633. Standing or resting.

(a) No pedicab shall stand or park on any public roadway, sidewalk, or walkway for longer than is necessary to load or unload passengers. All loading and unloading of passengers from a roadway must be from a curb lane. The exception is commercial loading zones.

(b) Pedicabs may utilize any unoccupied commercial loading zone to stand or rest. All pedicabs must give the right of way to commercial vehicles or other authorized motor vehicles to these commercial loading zones.

Sec. 33-634. Holder's duty to comply.

(a) In the operation of a pedicab service, a holder shall comply with the terms and conditions of the holder's permit agreement. Except to the extent expressly provided otherwise by the permit agreement, the holder shall comply with this chapter, the director's interpretations of the provisions herein, rules and regulations established by the director, and other laws applicable to the operation of a vehicle for hire.

(b) Upon written notice by the director of a violation by a driver or employee, a holder who allows such driver or employee to drive a pedicab while in violation becomes responsible and liable to the city for all fees, penalties and license revocations incurred by the driver or employee because of a failure to comply with this chapter, rules and regulations established by the director, and other laws applicable to the operation of a pedicab.

Sec. 33-635. Holders responsible for fitness of drivers.

(a) Each holder operating a pedicab service in the city shall employ or contract as drivers only persons who are physically and mentally fit and who have sufficient experience and training to operate a pedicab in a safe and proper manner. It shall be the sole responsibility of the holder to employ or contract only those drivers who are

qualified under this chapter to obtain a driver permit. The employment or contracting of any driver shall be subject to the driver obtaining a temporary or permanent driver permit.

(b) Each holder is charged with knowledge of the contents of the file of all drivers the holder employs or contracts. The director shall consider a holder's continued employment or contracting of any driver whose file shows a lack of mental, emotional or temperamental capacity to be a safe and reliable driver, when reviewing such holder's request for a grant or renewal of an operating permit.

Sec. 33-636. Periodic appearance in person by holders and drivers.

(a) Upon request and reasonable notice holders and drivers shall appear, in person, before the director and the director's representative.

Secs. 33-637 - 33-639, reserved.

DIVISION 4. FARES

Sec. 33-640. Fares.

(a) A permit holder shall file with the director a schedule of fares to be charged for services provided. A holder shall notify the director of any change to the fare schedule prior to the implementation of these changes.

(b) The schedule of fares shall be posted on each pedicab at a location designated by the director.

(c) The use of any type of meter or measuring device to calculate rate of fare is prohibited.

Secs. 33-641 - 33-649, reserved.

DIVISION 5. VEHICLES AND EQUIPMENT

Sec. 33-650. Inspection Requirements:

(a) Pedicabs shall be inspected yearly.

(b) Vehicles shall comply with all vehicle requirements outlined in rules and regulations established by the director as well as the requirements outlined in the pedicab vehicle inspection guidelines.

Secs. 33-651 - 33-659, reserved.