

CHAPTER 33 - VEHICLES FOR HIRE

ARTICLE III. GROUP CYCLE SERVICES

DIVISION 1. IN GENERAL

Sec. 33-310. Scope of instant article.

Holders of permits to operate group cycle service(s) and drivers of group cycles shall be governed by the provisions of Articles I and III of this chapter.

Sec. 33-311. Fees.

The following fees are hereby established:

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

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

*Group cycle operating permit fees shall be paid to the city for each vehicle authorized by the permit agreement. The Group cycle operating permit fees shall be paid in one payment or four quarterly payments, due on the first business day of the following months: 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. 33-312. 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. 33-313 – 33-319, Reserved.

DIVISION 2. OPERATING AUTHORITY

Sec. 33-320. Number of ground transportation vehicles authorized.

(a) The total number of all vehicle permits issued among all operating permit holders shall be determined by the director, which may be modified by the director as the director determines to be appropriate.

(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. 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.

(c) A holder may not hold more permits than are issued by the director.

Sec. 33-321. Available permit distribution

- (a) When the city determines that permits shall become available, the city shall advertise the availability of group cycle permits for no less than 30 days. The 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 can not be present they must provide a written letter informing the city that they can not 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) Drawing procedures shall be outlined in group cycle rules and regulations.
- (e) If there are not applications for all the available permits the director shall have the discretion as to when to advertise a drawing for permits, based upon any request for a permit or a lapse of time.

Secs. 33-322 – 33-329, Reserved.

DIVISION 3. SERVICE REGULATIONS

Sec. 33-330. Hours of operation.

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

Sec. 33-331. Areas of service.

- (a) Group cycles shall not be operated on the Riverwalk.
- (b) Group cycles shall not be operated on sidewalks
- (c) Group cycles shall be authorized to cross sidewalks to access legal operating areas.
- (d) Group cycles shall operate only on routes provided to the director as outlined in group cycle rules and regulations.
- (e) Group cycles shall operate only on streets and must obey all vehicle traffic laws.
- (f) The areas of service may be changed or removed by the director when the director determines it would be in the best interest of the public. This change or removal may be made with or without notice.

Sec. 33-332. Passenger restrictions.

No group cycle shall transport more passengers than the vehicle has seats.

Sec. 33-333. Standing or resting.

- (a) No group cycle shall stand or park on any public roadway, sidewalk, or walkway. The exception is commercial loading zones, curb cutouts, and vehicle parking spaces.
- (b) Group cycles may utilize any unoccupied commercial loading zone to stand or rest. All Group cycles must give the right of way to commercial vehicles or other authorized motor vehicles to these commercial loading zones.

Sec. 33-334. Holder's duty to comply.

(a) In the operation of a group cycle 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 operate a group cycle 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 group cycle.

Sec. 33-335. Holder's duty to enforce compliance by drivers.

(a) A holder shall establish a policy and take action to discourage, prevent and correct violations of this chapter by drivers who are employed or contracted by the holder.

(b) A holder shall not permit a driver who is employed or contracted by the holder to operate any group cycle if the holder knows or has reasonable cause to suspect that the driver has failed to comply with this chapter, the rules and regulations established by the director, or other applicable law.

Sec. 33-336. Holders responsible for fitness of drivers.

(a) Each holder operating a group cycle 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 group cycle 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.

Effective March 14, 2016

Sec. 33-337. 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. 33-338 – 33-339, Reserved.

DIVISION 4. FARES

Sec. 33-340. Fares.

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

Secs. 33-341 – 33-349, Reserved.

DIVISION 5. VEHICLES AND EQUIPMENT

Sec. 33-350. Inspection Requirements:

(a) Group cycles shall be inspected yearly.

(b) Group cycles shall comply with all vehicle requirements outlined in rules and regulations established by the director as well as the requirements outlined in the group cycle vehicle inspection guidelines.

Secs. 33-351 – 33-399, Reserved.