

INDUSTRY SUGGESTIONS FOR THE CITY OF ST. PAUL ORDINANCE CHAPTER 374 TO LICENSE COMMERCIAL PEDAL CARS

Top Three Issues

- Zones vs. Routes (374.5.b.)
- Mismatched Tires (374.8.1)
- Penalties

374.5. License Application

b. ("route plan" and "parking plan.")

SUGGESTION: That ROUTE be switched to ZONE.

RATIONALE: At any given time a "route" may need to be changed due to street construction, congestion, special events, etc. By approving a "zone" instead of a "route," the driver has the flexibility to make those real-time decisions by selecting alternate streets in a pre-approved "zone" without first going to the Department of Safety and Inspections for approval.

374.8. Vehicle Safety and Equipment Standards

1. Tires

QUESTION: What is the definition of "mismatched?" The tires on a PedalPub are different between front and back by design. Would this be considered "mismatched."

4. Headlights, tail lights, mirrors, turn signals, and other requirements

d. ...reflectors...

QUESTION: Regarding reflectors on "each wheel", do they need to be mounted on the hub of each wheel? On the tire? We're not sure of the practicality or effectiveness of this request.

SUGGESTION: That the requirement for reflectors on each wheel be deleted.

374.9. Commercial Pedal Car Inspections

(a) Annual Inspections

SUGGESTION: To "...shall require an annual commercial pedal car inspection..." add "...at the storage location for the pedal car being inspected."

RATIONALE: Most Pedal Cars are nine feet or more tall and eighteen or so feet long, and would be difficult to tow inside a standard-height garage. In addition, some companies have more than one pedal car stored in their location, so it would be more efficient to inspect them on site, rather than individually towing them to another location.

(c) Penalties.

SUGGESTION: Change "seizure" to a monetary fine of a specified amount.

RATIONALE: Pedal Cars are significantly taller and longer (9' x 18') than most vehicles, and finding appropriate storage for them while in seizure where they would not be damaged by the

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elements would be difficult and expensive. Also it would be impossible to bring a pedal car that is classified as "out-of-service" into an appropriate state of repair while it was in seizure.

374.10. Locations and Hours of Operation

a. (Rush Hour)

SUGGESTION: Remove 7:00am to 9:00am as being redundant with the 10:00am to 10:00pm hours listed as appropriate in section (b.)

b. (Daily hours)

SUGGESTION: Add "A 30 minute grace period shall be allowed at the end of day to account for tour emergencies."

374.12. Operating Restrictions and Conditions

b. Off-street parking may either be dedicated or shared as described in sections 63.206(d) and 65.732, or provided by agreement with another commercial establishment.

Sec. 65.732. Shared commercial parking in institutional lots.

(d) If the shared parking is required by the Zoning Code, each business use shall provide proof of at least a ten-year lease agreement with the institution for the shared parking arrangement. If the shared parking is not required, each business shall provide proof of at least a two-year lease agreement. Each lease will be reviewed annually.

SUGGESTION: Since the pedal car license is going to be reviewed annually, allow the parking lease to be renewed annually as well, instead of 10-year and 2-year lease agreements.

374.12.m. (Parks and Rec)

SUGGESTION: Add ... "or their assigned staff."

o. (Noise)

SUGGESTION: Instead of "above the level of conversational speech at a distance of fifty (50) feet or more..." , associate a specific decibel level with this section.

RATIONALE: As is, the violation is highly subjective, as some people converse more loudly or softly, or hear better or more poorly.

r. (Passenger behavior)

SUGGESTION: Amend second sentence to read: "Any act or conduct that violates any state or federal statutes or regulations, or any city ordinance, constitutes an act or conduct of the pedal car driver for the purpose of adverse action against the license held by such driver. Multiple violations by diverse pedal car drivers may result in an adverse action against all or any of the licenses held by the business licensee."

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RATIONALE: The actions of one employee of a pedal car business licensee should not threaten the licenses of all of the vehicles of said licensee, or of the business license itself – unless pattern of multiple violations has been established.

s. (hours of operation)

SUGGESTION: Delete this section as being redundant with section 374.10

t. (route plans)

SUGGESTION: Change “route” to “zone.”

RATIONALE: See rationale for change to 374.5.b.

374.13. Advertising on Commercial Pedal Cars

SUGGESTION: Add ...“unless an exemption is granted by the Department of Safety and Inspections.”

RATIONALE: PedalPub has rented their vehicle out in the past for a campaign by Caribou Coffee, in which extensions were added to the top of the roof and barrel. This did not affect the safety of the vehicle in any manner.

374.14 Presumptive Penalty Matrix

SUGGESTION: Penalties should be levied against the driver first. ALL penalties should be monetary except those relating to safety equipment.

RATIONALE: No entire business should be closed, nor should a pedal car should be put out of service because it was operated incorrectly by a driver.

SUGGESTION: Add to “...Operating on a public sidewalk...” the phrase “...unless said sidewalk must be crossed in order to get in or out of a parking lot.”

RATIONALE: In most cases, it is impossible to get in or out of a public parking lot without crossing a public sidewalk.

SECTION 2

“...shall take effect and be in force thirty (30) days...”

SUGGESTION: Have this ordinance take effect on January 1, 2013. Our season is currently in full swing, and it might prove to be unwieldy to meet all of the provisions of this ordinance within 30 days, and then schedule inspections for as many as 16 vehicles operating within the city, and doing background checks and licensing as many as 30 current pedal car drivers.