



## Legislation Text

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Creating Chapter 375 of the Legislative Code to establish a license for Pedicabs.

THE COUNCIL OF THE CITY OF SAINT PAUL DOES ORDAIN:

### Section 1

Section 375 of the Saint Paul Legislative Code is hereby created, to read as follows:

#### **Sec. 375 Pedicabs.**

##### **Sec. 375.1 Definitions.**

**As used in this chapter, the following terms shall mean:**

- (a) Pedicab: A nonmotorized three-wheel bicycle used to carry passengers for hire.
- (b) Pedicab business: The business of operating a pedicab for hire for the recreational or physical transportation of the general public.
- (c) Pedicab driver: Any person who operates, drives, or propels a pedicab.
- (d) Pedicab driver license: A license granted in accordance with Sec. 375.5(b) of this chapter.

##### **Sec. 375.2 License required.**

- (a) No person shall engage in the pedicab business without a license required under this chapter.
- (b) No person shall operate a pedicab without a pedicab driver license.

##### **Sec. 375.3 License fee.**

- (a) The annual fee for a pedicab business license shall be as set forth in Sec. 310.18(f).
- (b) The annual fee for a pedicab driver license shall be as set forth in Sec. 310.18(f).

##### **Sec. 375.4 When licenses expire.**

Licenses issued under this chapter shall expire one year from their date of issuance.

##### **Sec. 375.5 License application.**

- (a) Application for a pedicab license under this chapter shall be made on forms provided by the Department of Safety and Inspections and shall contain such information as the Department may require, including the name, address and telephone number of the applicant; whether the applicant is a natural person, partnership,

corporation or unincorporated association; the names and addresses of all partners, if a partnership, or of all officers and directors, if a corporation; and the names and addresses of all persons authorized to operate a pedicab on behalf of the licensee.

(b) Application for a pedicab driver license under this chapter shall be made on forms provided by the Department of Safety and Inspections and shall contain such information as the department may require, including the name, telephone number, date of birth, and all residing addresses within the previous three years of the applicant. If applicant has held a drivers' license in a state other than Minnesota within the three years preceding application, applicant must provide an official copy of their driving record in that state. Every pedicab driver shall meet and maintain the following requirements in order to hold a pedicab driver license:

- (i) Possess a valid driver license from Minnesota, Wisconsin, Iowa, North Dakota, or South Dakota.
- (ii) Be a minimum of 18 years old.
- (iii) Shall not have been convicted of a felony within the past five (5) years.
- (iv) Shall have no more than 3 moving violations within the past three years;
- (v) Shall not have been convicted of careless driving, reckless driving or any violation of Minn. Stat. § 169A (driving while impaired) within the past three years.

#### **Sec. 375.6 Insurance required.**

No license shall be issued or renewed without proof of general liability insurance on the form required by the City. The policy of insurance shall be in the limits of not less than one hundred thousand dollars (\$100,000) for injury or death to one (1) person, three hundred thousand dollars (\$300,000) for each occurrence, and one hundred thousand dollars (\$100,000.00) for property damage. Proof of insurance shall comply with Sec. 310.07(b) of this Code.

#### **Sec. 375.7 Pedicab inspections.**

(a) Annual inspections. The director of the Department of Safety and Inspections shall require an annual pedicab inspection and may designate minimum safety standards for equipment and body defects which shall be classified as "out of service". Pedicabs identified as "out of service" may not operate until such defects are cured.

(b) Periodic inspections. The license inspector shall reserve the right to examine and inspect each and every licensed pedicab at any reasonable time. The intent of such an inspection is to ensure compliance with the rules established herein.

(c) Penalties. Failure to submit a pedicab to an annual or periodic inspection, or classification of a pedicab as "out of service", may result in the seizure of the pedicab license by the inspector. The inspector shall hold a seized license until the pedicab is inspected and found to be in a safe condition. In the event of such a seizure, the inspector shall immediately notify the licensee in writing, specifying in detail the cause for seizure and stating that the licensee has a right to a hearing on the seizure. Said notice and hearing shall be follow the procedures set forth in section 310.05 of the Legislative Code.

#### **Sec. 375.8 Hours of operation.**

No person shall operate a pedicab for hire on a public street during the hours of 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m. on any weekday, excluding national holidays, in that part of downtown Saint Paul within the boundaries of the downtown development district, as described in the appendix to Sec. 17.07.1 of the City Charter. Upon written application by a licensee, the Director of Public Works has the discretion to waive this prohibition for special events.

**Sec. 375.9 Vehicle operation.**

Every pedicab shall be operated in compliance with all applicable federal, state and local traffic laws, and in a manner so as to assure the safety of persons and property.

**Sec. 375.10 Operating restrictions and conditions.**

- (a) No pedicab shall be operated upon a public sidewalk.
- (b) No pedicab shall use any public street or other public property as a waiting area unless such area is a legal motor vehicle parking area. No pedicab shall park or wait in a taxi stand as defined by Sec. 376.11(s).
- (c) All pedicabs, when operating between dusk and dawn, shall make use of working battery powered lights. Each pedicab shall be equipped with one (1) headlight capable of projecting a beam of white light for a distance of three hundred (300) feet, and two (2) red taillights mounted on the right and left, respectively, on the rear exterior of the vehicle. Taillights shall be plainly visible from all distances within five hundred (500) feet to the rear of the pedicab.
- (d) All pedicabs shall be equipped with a front and rear braking system which is operated by the pedicab driver from his normal position of operation while driving the pedicab and be capable of causing a fully loaded passenger compartment to come to a complete stop
- (e) All pedicabs shall be, at all reasonable times, subject to inspection by the Department of Safety and Inspections. All pedicabs must pass inspection before issuance of a pedicab license.
- (f) All pedicabs shall display a valid license decal issued by the director of the Department of Safety and Inspections, including the name and phone number of the licensee.
- (g) Pedicab drivers shall have in their possession both a valid driver's license and their pedicab driver license as well as proof of insurance while in control of any pedicab, and shall make these licenses available to law enforcement or a inspector of the Department of Safety and Inspections upon request.
- (h) All pedicab drivers shall obey and comply with any lawful order or direction of any police officer, traffic control agent, or inspector of the Department of Safety and Inspections, and shall refrain from the use of any profane language or from interference with such officials while in the performance of their duties.
- (i) No pedicab driver shall consume an alcoholic beverage while on duty or allow any occupant of the pedicab to drink alcoholic beverages or possess an open container of alcoholic beverages.
- (j) No pedicab driver shall allow a passenger to stand up while the pedicab is in motion.
- (k) No pedicab driver shall permit more passengers to be carried in a pedicab than the pedicab is designed to accommodate, with the exception that children under 40 pounds may be seated upon the lap of another passenger.
- (l) No pedicab driver shall allow a passenger or other individual to drive their pedicab unless that individual also holds a pedicab driver license.
- (m) Pedicabs may operate on St. Paul Parks and Recreation property only with prior written approval from the Director of Parks and Recreation.

**Sec. 375.11 Revocation or suspension.**

In addition to all other penalties, any violation of the terms of this section of the legislative code shall be grounds for revocation, suspension, or nonrenewal of the license provided for in this chapter.

Section 2

This Ordinance shall take effect and be in force thirty (30) days following its passage, approval and publication.