



Legislation Text

File #: 3245-2017, Version: 1

The purpose of this ordinance is to amend Chapter 592 of the Columbus City Codes to create provisions for the licensing of commercial quadricycles (also known as pedal wagons) in the City. The current version of Chapter 592 references only the licensing of pedicabs, or bicycle cabs. The amendment would introduce commercial quadricycles to the chapter.

The quadricycles would be licensed in the same manner as pedicabs, complying with provisions related to identification, fare rates, standards and safety equipment, operating regulations, and applicable penalties for violations of the chapter. The Department of Public Safety would also create rules and regulations for commercial quadricycle standards and operation.

This ordinance will further the City's efforts in revising the vehicle-for-hire sections of the Columbus City Codes, and ensure the health, safety and welfare of Columbus residents.

To amend Chapter 592 of the Columbus City Code to create provisions for the licensing of commercial quadricycles in the City of Columbus.

WHEREAS, the License Section in the Department of Public Safety enforces city ordinances, as well as rules and regulations, involving vehicles used to transport the public; and

WHEREAS, commercial quadricycles, also known as pedal wagons, are a popular means for recreation and entertainment in Columbus; and

WHEREAS, currently, the Columbus City Code does not categorize these quadricycles as vehicles, although they actively travel on city streets; and

WHEREAS, the License Section has worked with stakeholders to develop code language, as well as rules and regulations, to govern the use of this type of vehicle; and

WHEREAS, this ordinance builds on Council's past work to update the City's licensing process and furthers efforts to consider new industries and modernize the City Code, ensuring the health, safety and welfare of Columbus residents; and

WHEREAS, it has become necessary in the usual daily operation of the Department of Public Safety to amend Chapter 592 of City Code; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That chapter 592 of the Columbus City Codes is hereby amended as follows:

Chapter 592 - PEDICABS/COMMERICAL QUADRICYCLES

592.01 - Definitions

- (A) “Pedicab” is the same as defined in CCC 585.01(U).
- (B) “Commercial quadricycle means a vehicle that has fully-operative pedals for propulsion entirely by human power and that meets all the following requirements:
- (1) It has four wheels and is operated in a manner similar to a bicycle.
 - (2) It has at least five seats for passengers.
 - (3) It is designed to be powered by the pedaling of the operator and the passengers.
 - (4) It is used for commercial purposes.
 - (5) It is operated by the vehicle owner or an employee of the owner.

592.042 - Regulation by the Vehicle for Hire Board.

The Board may adopt rules and regulations to supplement this chapter.

592.023 - Allowing operation of an unlicensed pedicab/commercial quadricycle.

No person shall solicit, drive, operate, or otherwise in physical control of any pedicab/commercial quadricycle for the purpose of carrying the public generally as passengers for hire, gift, donation, or other consideration unless:

- (A) The owner of such pedicab/commercial quadricycle has obtained a city of Columbus Vehicle for Hire Owner's License issued pursuant to Chapter 587 prior to operation and such license is not under suspension or revocation;
- (B) Each driver of the licensed pedicab/commercial quadricycle has obtained a city of Columbus Vehicle for Hire Driver's License issued pursuant to Chapter 589 prior to operation and such license is not under suspension or revocation;
- (C) The driver identification card properly is displayed while the driver is operating, driving or otherwise in physical control of a licensed pedicab/commercial quadricycle; and
- (D) The current decal issued by the License Section is clearly displayed as required by rules and regulations.

592.034 - Identification of pedicabs/commercial quadricycles.

Every person owning or operating a licensed pedicab/commercial quadricycle may adopt any business name, design, color scheme or method of painting or lettering that is approved by the Director. Every pedicab/commercial quadricycle shall comply with the following requirements:

- (A) The identification number assigned by the Director to each pedicab/commercial quadricycle shall be painted on

the rear of the pedicab/commercial quadricycle in letters that are not less than two (2) inches and not more than six (6) inches in height, with each line a minimum of one-half (½) inch wide;

- (B) The name of the owner, or the business name under which he or she does business, shall be painted on the rear of the pedicab/commercial quadricycle. The letters shall not be less than two (2) inches and not more than six (6) inches in height, with each line a minimum of one-half (½) inch wide; and
- (C) All mandatory lettering, identification numbers and wording shall contrast distinctly with the color of the body of the pedicab/commercial quadricycle, be reflective, and applied with non-water soluble paint, decals or adhesive-backed lettering.

592.045 - Fare rates, posting and changes.

Every pedicab/commercial quadricycle owner shall maintain on file with the Director its complete schedule of rates. Whenever a new schedule of rates becomes effective for a pedicab/commercial quadricycle, the company shall file an amended schedule with the Director within three (3) days of the change. No more than one amended schedule shall be filed by any owner within any period of seven (7) days. The rate schedule for each pedicab/commercial quadricycle shall be posted where it is clearly visible to all passengers while seated in the pedicab/commercial quadricycle.

592.056 - Pedicab/commercial quadricycle standards and safety equipment.

- (A) All licensed pedicabs/commercial quadricycles shall be reasonably clean and in safe condition so as to not cause personal injury or damage the clothing or possessions of the passenger(s). The pedicab/commercial quadricycle exterior shall be clean and essentially free from cracks, breaks and major dents.
- (B) All licensed pedicabs shall comply with the following construction and equipment specifications:
 - (1) Three or more wheels;
 - (2) A unibody frame for the entire pedicab;
 - (3) A maximum width of fifty-five (55) inches and a maximum length of eleven (11) feet;
 - (4) Hydraulic or mechanical disc brakes and a secondary or emergency brake system;
 - (5) Seating for no more passengers than the number of safety belts or the number of passengers that can securely fit under the safety belt;
 - (6) Battery or generator operated headlight that is capable of projecting a beam of light for a distance of three hundred (300) feet;
 - (7) A battery or generator operated taillight that is capable of projecting light visible from five hundred (500) feet;
 - (8) A battery or generator operated turn signals visible from the front and rear of the pedicab;
 - (9) An audible signaling device capable of giving a signal audible for a distance of at least one hundred (100)

feet;

(10) Spoke reflectors on each wheel;

(11) A sign clearly posted on the interior and exterior of the pedicab indicating the fare rate to be charged for the use of the pedicab; and

(12) A "Slow Moving Vehicle" emblem attached on the rear of the pedicab.

592.067 - Protective helmet.

Any person owning, operating, or in physical control of a pedicab/commercial quadricycle is required to post on the exterior of the pedicab/commercial quadricycle a sign stating that no parent or guardian shall authorize or knowingly permit a child under the age of eighteen (18) to ride in a pedicab/commercial quadricycle without a protective helmet pursuant to C.C.C. 2173.02(B).

592.078 - Pedicab/commercial quadricycle operating regulations.

- (A) Every person owning, operating or in physical control of a pedicab/commercial quadricycle shall be subject to all applicable laws, rules and regulations of Chapter 2173 of the Columbus City Code pertaining to bicycles and motorcycles, Chapters 587, 589 and 592 of the Columbus City Code pertaining to vehicles for hire and the City of Columbus and the State of Ohio traffic laws.
- (B) All persons owning, operating or in physical control of a pedicab/commercial quadricycle shall not:
- (1) Impede or block the normal or reasonable movement of pedestrian or vehicular traffic in compliance with law;
 - (2) Wear earphones or headsets over the ears;
 - (3) Use a mobile/smart phone while a paying fare is in the pedicab/commercial quadricycle; and
 - (4) Fail to clearly display his or her driver identification card.

592.089 - Loading required.

Any person owning, operating, or in physical control of a pedicab/commercial quadricycle must load and unload passengers from the curb side of the street.

592.10 - Exemptions

Except if an ordinance or resolution is enacted or adopted under section 4301.62(F)(2) of the Ohio Revised Code, this chapter does not apply to a person who, pursuant to a prearranged contract, is a passenger riding on a commercial quadricycle when all of the following apply:

- (A) The person is not occupying a seat in the front of the commercial quadricycle where the operator is steering or braking.
- (B) The commercial quadricycle is being operated on a street, highway, or other public or private property open to the public for purposes of vehicular travel or parking.
- (C) The person has in their possession on the commercial quadricycle an opened container of beer or wine.
- (D) The person has in their possession on the commercial quadricycle not more than either thirty-six ounces of beer or eighteen ounces of wine.

592.98 - Severability Clause

If any particular portion of this chapter is declared to be invalid by a court of competent jurisdiction, such declaration of invalidity shall be limited to that particular portion declared invalid. This declaration of invalidity shall not affect or impair the remainder of this chapter and, to this end, the provisions are severable.

592.99 - Penalties.

- (A) Whoever violates Section 592.02 shall be guilty of misdemeanor of the first degree.
- (B) A violation of any other section of Chapter 592 shall be grounds for the suspension, revocation or permanent revocation of the pedicab/commercial quadricycle owner or driver license or in the case of a new application shall be grounds to refuse to issue such license for a determinate period of time up to ninety (90) days or permanently.

SECTION 2. That prior existing chapter 592 of the Columbus City Codes is hereby repealed and replaced as provided herein.

SECTION 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.