

## **Pedicabs Ordinance Summary**

The draft pedicabs ordinance creates a new chapter that regulates the licensing and operation of pedicabs in the City of Chicago. The draft ordinance:

- Requires obtaining a pedicab license to operate a pedicab business. The license fee is \$250.00 per year per pedicab. The license is not transferable.
- Provides eligibility requirements for a pedicab license, including compliance with applicable law, minimum age, and having principal place of business in the city. The draft ordinance also specifies evaluation criteria for the issuance or renewal of a pedicab license, including the record of the applicant in the operation of his pedicab, his financial ability to comply with legal requirements, and a pedicab license revocation or a felony conviction within five years preceding the application.
- Requires written application for a license. To qualify for a license, the owner must have liability insurance in the amount of \$50,000.00 for property damage; \$100,000.00 for injuries to or death of any one person; and \$300,000.00 for injuries to or death of more than one person in any one accident with a maximum of \$100,000.00 payable to any one person for each pedicab. In addition, an applicant must also provide worker's compensation as required by state law.
- Provides procedure for the rescission of pedicab license erroneously or illegally issued or renewed.
- Requires each pedicab used in a pedicab business to have a license decal and a metal plate. A license decal will not be issued unless the pedicab meets requirements set forth in the ordinance, including size (no more than 55" wide and 120" long), headlight, taillights, brakes, rim reflectors, and seatbelts. The replacement fee for issuing a duplicate pedicab decal is \$25.00, and the replacement fee for issuing a duplicate metal plate is \$50.00.
- Caps the initial number of license decals that BACP can issue to 200. BACP may increase the cap by rule. No licensee will be issued more than 20% of the total number of decals. If there are more applicants than available decals, the decal distribution will be based on a lottery or other neutral process. Decals are not transferable, and are issued only for a one-year period.
- Requires each pedicab to have a unique identification number. The draft also requires a pedicab's decal number to be painted on each side and back of the pedicab, unobstructed by advertisements displayed on the pedicab.
- Requires licensees to keep and provide accurate books and records of account of their operations at their place of business in the city for a minimum of three years. Such records must be submitted to the Commissioner for inspection upon request.

- Requires a pedicab chauffeur to obtain a pedicab chauffeur's permit from BACP. A pedicab chauffeur's permit is issued to an applicant who meets the requirements set forth in the ordinance including, having a valid driver's license, being at least 18 years of age, physician certification as to capacity to operate a pedicab, passing a drug test, passing knowledge test prescribed by BACP, not being indebted to the City, and not being found guilty of certain crimes within a five-year period preceding the application. A pedicab chauffeur's permit is not transferable. The fee for a pedicab chauffeur's permit is \$25.00.
- Prohibits the operation of a pedicab while under the influence of alcohol or drugs, in a manner that impedes the normal follow of traffic, without possessing a valid driver's license, or without proof of insurance. The draft also prohibits drinking of alcoholic liquor while operating or being transported by a pedicab, or the transportation of alcoholic liquor in a pedicab unless in the original package with the seal unbroken.
- Prohibits operating a pedicab with any additional trailer or any additional passenger-carrying vehicle attached to the pedicab, or to transport more than four passengers in a pedicab.
- Prohibits the operation of a pedicab in a prohibited area. The draft also prohibits the operation of a pedicab on a sidewalk.
- Allows the display of advertisements on or in a pedicab as regulated by rule.
- Requires owners to post a fare schedule on each pedicab, outlaws charging more than the posted fee unless for a special tour as the passenger and the chauffeur agree in writing. The draft also requires posting of a signage in a pedicab identifying the licensee.
- Provides procedure for the suspension and revocation of a pedicab license or a pedicab chauffeur's permit.
- Authorizes BACP, CPD, DOF, CDOT, and S&S to enforce the ordinance.
- Provides that the City Council may prohibit operation of pedicabs in certain defined areas for the interest of preserving public health and safety or avoiding traffic congestion. The City Clerk is required to keep record of such areas for public inspection and coping. In addition, the draft requires ordinances defining such areas to be codified at one place in the MCC.
- Prohibits the operation of a pedicab in the Loop Monday through Friday, except on holidays, between 7:00 a.m. and 9:00 a.m. and between 4:00 p.m. and 6:00 p.m. It also prohibits the operation of a pedicab on Michigan Avenue and State Street from Congress Parkway to Oak Street.
- Imposes a fine of \$100.00 to \$500.00 for a first violation of the ordinance; and a fine of \$500.00 to \$1,000.00 for a second or subsequent offense within a 12-month period.

Also, it poses a fine of \$1,000.00 to \$5,000.00 for violating the drinking in a pedicab or the transportation of liquor prohibitions. The draft also authorizes impoundment of a pedicab for a violation of rules that specify impoundment as a consequence of a violation.

- Imposes a ground transportation tax of \$1.00 for each pedicab for each day a pedicab is used. The draft exempts the privilege of hiring a pedicab from an amusement tax.