



PEDICAB ORDINANCE

November 6, 2023

CITY
of Visalia



Pedicab Discussion & Potential Direction



- On August 21, 2023, staff presented work session item regarding consideration & direction on a code update to regulate the use of pedicabs.
- During overview of item Council raised concerns regarding public outreach.
- Council directed staff to do public outreach and return with input received from interest groups/stakeholders.
- This report is an update on public engagement and request to seek direction on a potential ordinance.

Public Outreach Meeting



- On September 19, 2023, City staff held a meeting with stakeholders/downtown businesses owners.
- Public meeting covered two items: Pedicabs & Special Events.
- 14 people signed the Pedicab sign in sheet.
- Groups represented included Visalia Chamber, Downtown Visalians, Visalia Fox Theater, Rookies, The Salad Shop etc.
- Attendees were provided an overview of the pedicab use/request.
- Attendees supported request based on information provided.

Questions Asked at Public Outreach Meeting

- Can minors ride on a pedicab?
 - *There are no age restrictions under state law except that no riders under the age of 21 are allowed if a pedicab allows alcohol consumption on a ride.*
 - Per the proposed owner who intends to be present during the work session there is no minimum age but there is a minimum height requirement, which staff believes is related to the proposed vehicle the owner's proposed business would use.
- Will they be allowed to pick up and drop off in the roadway?
 - *State law does not allow pick up or drop offs on roadways*
 - *The city can further regulate through an ordinance where pick ups and drops offs can occur. Staff would propose requiring business owners identify where pick ups and drop offs will occur and prevent them from occurring in public parking lots to reduce impacts to vehicle traffic.*

Definition of a Pedicab

Vehicle Code 467.5



“Pedicab” means any of the following:

(a) A bicycle, including an electric bicycle, that has three or more wheels, that transports, or is capable of transporting, passengers on seats attached to the bicycle, that is operated by a person, and that is being used for transporting passengers for hire.

(b) A bicycle, including an electric bicycle, that pulls a trailer, sidecar, or similar device, that transports, or is capable of transporting, passengers on seats attached to the trailer, sidecar, or similar device, that is operated by a person, and that is being used for transporting passengers for hire.

(c) A four-wheeled device that is primarily or exclusively pedal-powered, has a seating capacity for eight or more passengers, cannot travel in excess of 15 miles per hour, and is being used for transporting passengers for hire. A pedicab defined under this subdivision is subject to the requirements of Article 4.5 (commencing with Section 21215) of Chapter 1 of Division 11.

STATE LAW REQUIREMENTS

- Operators must be 21 years-old.
- Pedicab must be equipped with seats, brakes, headlights, grab rails, and annual inspections.
- Business must maintain liability insurance.
- Pedicabs are not allowed on streets with speed limits in excess of 30 miles per hour.
- Operators may not load or unload on roadways.

VEHICLE CODE

21215-21515.5





VEHICLE CODE

21215-21515.5

STAFF RECOMMENDATIONS

- Background Investigations.
- Pedicab Inspections.
- Route Requirements and Stopping Points.



VEHICLE CODE

21215-21515.5

ALCOHOL CONSUMPTION (STATE REQUIREMENTS)

- Local Agency May Allow by Ordinance and impose additional restrictions
- Operator MUST obtain State training on alcohol and drugs.
- Operator may NOT provide alcohol.
- Passengers MUST supply their own alcohol (unopened prior to boarding).

Consideration on Direction for a Pedicab Ordinance



- If it's the desire of the City Council, staff can be directed to begin drafting a pedicab ordinance to allow and regulate pedicab usage within Visalia.
- Council can further direct specific requirements be included to address this use within Visalia.
- The draft ordinance can be shared with the community for public input prior to being presented to the Council.

Potential Ordinance Contents



- Permit Issuance – owner/driver requirements to obtain business license
- Vehicle Requirements – detail specific requirements for vehicles to operate
- Route Requirements – require specific routes be identified with pick up/drop off locations
- Alcohol consumption not recommended but could be allowed.

Permit Requirements



- Ordinance can detail permit requirements including:
 - Valid business tax certificate & pedicab permit that must be renewed annually.
 - Require a pedicab decal be placed on the pedicab.
 - Permit is the property of the City and not transferable.

Permit Requirements (Cont.)



- Proof of insurance.
- Indemnification requirement to hold City harmless in addition to required liability insurance.
- Establish background requirements for owners, operators, and drivers of pedicab.

Vehicle Requirements



- Meet the CA Vehicle Code requirements.
- Prior to operation, inspection of pedicab must be completed.
- Cannot impede or block normal traffic patterns when in use.
- Safety requirements including seatbelts, headlights, signal lights, etc.

Route Requirements

- Requirement to have owner submit an operations route
 - Alternatively, areas within city could be designated as available.
- Include process for approving temporary or special event routes.
- Identify pick-up/drop-off locations on route, again not required under state law but staff proposes review to confirm locations to minimize traffic impacts.

Consideration of Consumption of Alcohol

- State law allows local agencies to decide whether to allow alcohol consumption by pedicab passengers.
- Staff is not recommending to include allowance for alcohol as part of the ordinance.
 - If council directs staff to explore this option further a draft ordinance allowing the usage with regulations could be prepared for further review.



ENFORCEMENT

Traffic violations will be enforced by the Visalia Police Department.
Business violations will be enforced by City of Visalia Code Enforcement.



Thank You
**COMMENTS/
QUESTIONS?**