



# REPORT TO LAW & LEGISLATION COMMITTEE City of Sacramento

915 I Street, Sacramento, CA 95814-2671

STAFF REPORT  
January 16, 2007

Honorable Members of the  
Law and Legislation Committee

**Title:** Pedicab Ordinance

**Location/Council District:** Citywide

**Recommendation:** Staff recommends that the Law and Legislation Committee approve and forward to the City Council the attached ordinance and City Manager's Rules regarding the operation of pedicabs.

**Contact:** Bob Rose, Code Enforcement Manager, 808-5947

Ed Cox, Program Analyst, Department of Transportation, 808-8434

**Presenters:** Bob Rose, Code Enforcement Manager

Ed Cox, Program Analyst

**Department:** Code Enforcement and Department of Transportation

**Division:** Business Compliance, Code Enforcement; and Funding and Project Development, Department of Transportation

**Organization No:** 4652 and 3435

## **Description/Analysis**

**Issue:** This draft pedicab ordinance is based on feedback received from the Law and Legislation Committee, community stakeholders, staff from other departments and agencies, and on similar ordinances from other cities. At its April 4, 2006, meeting the Law and Legislation Committee directed staff to draft an ordinance regulating pedicab operation if there was interest from potential operators. A number of people expressed interest at stakeholder meetings held in the summer of 2006, and staff proceeded to draft the ordinance. Staff plans to revisit the ordinance one year after adoption to assess whether changes are needed. The Mayor and Council, community stakeholders, and staff will be involved in this process.

The public was involved through six stakeholder meetings held in June, July, and December of 2006. Exhibits C and D summarize the comments received at those meetings. Staff also discussed the ordinance with the City's Disabilities Advisory Committee at its December 14, 2006, meeting. Commission members expressed concern about allowing pedicabs on the K Street mall from 7<sup>th</sup> to 13<sup>th</sup> streets. They also discussed whether pedicabs could be made accessible.

**Policy Considerations:** The issues and policies that staff considered in drafting the ordinance were based on comments from Law and Legislation Committee members, on feedback received at stakeholder and staff meetings, and on similar ordinances from other cities. The major parts of the proposed ordinance include the following:

- **Permit and appeal procedures:** Permits will be required for pedicab business owners, drivers, and pedicab vehicles. Fees are expected to be \$75 for drivers in addition to a \$60 fingerprinting fee, \$150 for vehicles, and \$370 for appeals. Permits will be renewed annually.
- **Reporting of accidents, and general pedicab operation:** Accidents or collisions resulting in property damage or personal injury are required to be reported. Operators are required to comply with the California Vehicle Code and Sacramento City Code governing bicycle operation, and all other applicable laws. Require pedicab driver safety requirements and periodic vehicle inspections.
- **Rules and procedures:** The ordinance establishes rules and procedures for denial, suspension, modification, and revocation of permits and appeal procedures. The appeal fee is expected to be \$370.
- **Enforcement:** City Manager to enforce and administer the ordinance and the City Manager's Pedicab Rules.

Staff created the City Manager's Pedicab Rules to more effectively address the remaining issues that are mentioned below. The Rules address more specific items that may need to adapt to changing conditions, such as street restrictions and Old Sacramento pedicab stand locations. The Rules could be changed at staff level, thus allowing more flexibility and timeliness. All holders of pedicab owner, driver, and/or vehicle permits will be required to have a signed copy of the Rules on file with the Revenue Division. The Rules include the following:

- **Driver conduct:** Drivers must be neat, professional, and safe.
- **Passenger pick up and drop off:** Allowed anywhere that does not impede traffic, except in Old Sacramento (see below).
- **Street restrictions:** Restricted on parts of I, J, and 16<sup>th</sup> streets during certain times and not allowed at any time on 12<sup>th</sup> Street from Richards Boulevard to K Street, except in the bicycle lane between North B and E streets.

- Pedestrianways: With a ten mile per hour speed limit and while yielding to pedestrians, pedicabs allowed on:
  - K Street between 2<sup>nd</sup> and 4<sup>th</sup> streets
  - 4<sup>th</sup> Street between J and L streets
  - K Street mall sidewalks from 7<sup>th</sup> to 14<sup>th</sup> streets, including the 11<sup>th</sup> Street pedestrianway
  - Capitol Park sidewalks as bounded by L, 10<sup>th</sup>, N, and 15<sup>th</sup> streets
  - The sidewalk on L Street between 9<sup>th</sup> and 10<sup>th</sup> streets
- Special consideration for Old Sacramento: Restricted passenger pick-up and drop-off; pedicabs not allowed on boardwalks.

**Environmental Considerations:** This report is not considered a project under the California Environmental Quality Act (CEQA).

**Rationale for Recommendation:** Pedicabs are a non-polluting form of transportation in a region facing serious air quality and vehicular traffic problems. They are popular with tourists and offer a relatively inexpensive small-business opportunity for entrepreneurs. Establishing reasonable rules for their operation sets the stage for such individuals while protecting the public's health, safety, and welfare.

**Financial Considerations:** Permit fees are expected to cover the cost of processing applications and issuing permits. Other costs associated with enforcement and administration will be covered by the Code Enforcement Department's operating budget. The impact is expected to be minimal due to the small number of applications that staff anticipates receiving.

**Emerging Small Business Development (ESBD):** No services or goods are being purchased.

Respectfully Submitted by:   
FOR BOB ROSE  
Code Enforcement Manager

Approved by:   
MAX B. FERNANDEZ  
Code Enforcement Director

Recommendation Approved:

*for*   
\_\_\_\_\_  
GUSTAVO F. VINA  
Assistant City Manager

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**DRAFT ORDINANCE NO.**

Adopted by the Sacramento City Council

Date Adopted

**AN ORDINANCE ADDING CHAPTER 5.94 TO THE SACRAMENTO CITY CODE  
REGARDING THE REGULATION OF PEDICABS**

**BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:**

**SECTION 1.**

Chapter 5.94 of the Sacramento City Code is added to read as follows:

**Chapter 5.94**

**PEDICABS**

**ARTICLE I. General Provisions**

**5.94.010 Purpose.**

The City Council finds that regulations governing pedicabs and the owners and drivers of pedicabs are necessary to protect the general safety and welfare of passengers using pedicabs for hire and pedestrians and motorists within the city.

**5.94.020 Definitions.**

For purposes of this Chapter, the following terms are defined as follows:

- A. "City manager" means the city manager or the city manager's designee, including but not limited to the code enforcement director and the finance director.
- B. "Identification Badge" means a badge issued by the city that identifies the pedicab driver with a color passport-size photo.
- C. "Operates within the city" means the soliciting, accepting, picking-up, or embarking within the city of a passenger or passengers for transportation or conveyance to any point within or outside the city for any form of consideration.
- D. "Pedicab" means:
  - 1. A bicycle (as defined in California Vehicle Code Section 231) that has three or more wheels, that transports, or is capable of transporting, passengers on seats attached to the bicycle, that is operated by an

individual, and that is used for transporting passengers for receipt of any form of consideration; or

2. A bicycle (as defined in California Vehicle Code Section 231) that pulls a sidecar or similar device that transports, or is capable of transporting, passengers on seats attached to the sidecar or similar device, that is operated by an individual, and that is used for transporting passengers for receipt of any form of consideration.

E. "Pedicab driver" or "driver" means any individual who drives or operates a pedicab within the city whether as an owner, an employee of the owner or as an independent contractor.

F. "Pedicab driver permit" means a written permit issued by the city authorizing a person to drive or operate a pedicab within the city.

G. "Pedicab owner" or "owner" means any person who owns, leases or otherwise has possession of a pedicab.

H. "Pedicab owner permit" means a written permit issued by the city authorizing a person to own one or more pedicabs and allowing such pedicab(s) to be driven or operated within the city.

I. "Pedicab vehicle permit" means the numbered permit issued by the city for display on a pedicab to indicate that the pedicab is permitted to operate within the city.

J. "Person" means both singular and plural, and shall mean any individual, firm, corporation, association, partnership, society or other entity, exclusive of public agencies.

## **ARTICLE II. Pedicab Owners**

### **5.94.030 Permit Requirement for Pedicab Owners.**

It is unlawful for a pedicab owner to drive or operate a pedicab, or allow a pedicab to be driven or operated, within the city unless the owner has a valid pedicab owner permit. Pedicab owner permits are the property of the city and are not transferable to any other person.

### **5.94.040 Application for Pedicab Owner Permit.**

A. The pedicab owner permit application shall be in a form prescribed by the city manager.

B. Each applicant for a pedicab owner permit shall provide the following information in the application:

1. The applicant's full name;

2. The applicant's business and residence addresses and phone numbers;
3. The name(s) under which the applicant will be conducting business as a pedicab owner;
4. The applicant's date of birth, and proof that the applicant is eighteen years of age or older;
5. Identification in the form of a valid motor vehicle driver's license or identification card issued by any State or territory of the United States, or a valid passport;
6. Proof of a valid city business operations tax certificate;
7. Proof of insurance as set forth in this Chapter;
8. A complete set of fingerprints of the applicant;
9. Four (4) recent color passport-sized photographs;
10. Authorization for the city to conduct a comprehensive background check of the applicant; and
11. Such other material as the city manager may require to evaluate the fitness of the applicant to be granted a pedicab owner permit.

C. Each applicant must sign the application which shall contain a warning that the application may be denied or the permit suspended, modified or revoked if the applicant misrepresents facts relevant to the fitness of the applicant to be granted a pedicab owner permit.

D. The city manager shall investigate the facts stated in an application for a pedicab owner permit and other relevant data.

#### **5.94.050 Pedicab Owner Permit Fee.**

The city shall charge an annual nonrefundable fee to recover the cost of activities associated with the administration, regulation and issuance of pedicab owner permits as may from time to time be determined by the city council.

#### **5.94.060 Duration of Validity of Pedicab Owner Permit.**

A pedicab owner permit shall be valid for a period of one year from the date of issuance.

#### **5.94.070 Pedicab Owner Permit Renewal.**

A pedicab owner permit shall be renewable annually upon the filing and approval of a new application and payment of the annual pedicab owner permit fee.

#### **5.94.080 Insurance Requirements.**

During the term of a pedicab owner permit, the pedicab owner shall maintain in full force and effect at no cost to the city a Commercial General Liability Insurance policy.

A. Coverage shall be at least as broad as ISO CGL Form 00 01 on an occurrence basis for bodily injury, including death, of one or more persons, property damage and personal injury, with limits of not less than one million dollars (\$1,000,000) per occurrence.

B. The city, its officials, and employees shall be covered by policy terms or endorsement as additional insureds in regards to general liability arising out of activities performed by or on behalf of the pedicab owner(s).

C. The pedicab owner's insurance coverage shall be primary insurance as it pertains to the city, its officials, and employees.

D. The city will be provided with thirty (30) days written notice of cancellation or material change in the policy language or terms by both the pedicab owner and the insurer.

E. The pedicab owner shall furnish the city with certificates and endorsements evidencing the insurance required, which must be maintained during the term of the pedicab owner permit. The city may suspend, modify or revoke a pedicab owner permit if current certificates of insurance and required endorsements have not been provided.

### **ARTICLE III. Pedicab Drivers**

#### **5.94.090 Permit Requirement for Pedicab Drivers.**

It is unlawful for any person to drive or operate a pedicab within the city without having a valid pedicab driver permit. Pedicab driver permits are the property of the city and are not transferable to any other person.

#### **5.94.100 Application for Pedicab Driver Permit.**

A. The pedicab driver permit application form shall be in a form prescribed by the city manager.

B. The applicant shall provide the following information in the application:

1. The applicant's full name;

2. The applicant's business and residence addresses and phone numbers;
3. The name(s) of the business or company, if any, for which the driver shall be working as a pedicab driver;
4. The applicant's date of birth, and proof that the applicant is eighteen years or older;
5. Identification in the form of a current and valid motor vehicle driver's license issued by the State of California;
6. A complete set of fingerprints of the applicant;
7. Four (4) recent color passport-sized photographs;
8. Authorization for the city to conduct a comprehensive background check of the applicant; and
9. Such other material as the city manager may require to evaluate the fitness of the applicant to be granted a pedicab driver permit.

C. Each applicant must sign the application which shall contain a warning that the application may be denied or the permit suspended, modified or revoked if the applicant misrepresents facts relevant to the fitness of the applicant to be granted a pedicab driver permit.

D. The city manager shall investigate the facts stated in an application for a pedicab driver permit and other relevant data.

#### **5.94.110 Pedicab Driver Permit Fee.**

The city shall charge an annual nonrefundable fee to recover the cost of activities associated with the administration, regulation and issuance of pedicab driver permits as may from time to time be determined by the city council.

#### **5.94.120 Duration of Validity of Pedicab Driver Permit.**

A pedicab driver permit shall be valid for a period of one year from date of issuance.

#### **5.94.130 Pedicab Driver Permit Renewal.**

A pedicab driver permit shall be renewable annually upon the filing and approval of a new application and payment of the annual pedicab driver permit fee.

#### **5.94.140 Identification Badge Issued to Pedicab Driver Permit Holder.**

A. The city shall issue an identification badge to a person after such person has been issued a pedicab driver permit.

B. While the pedicab is in operation, the pedicab driver shall wear the identification badge at all times on his or her person, in a manner clearly visible to the public.

C. Identification badges are the property of the city and are not transferable to any other pedicab driver. In the event that a person's pedicab driver permit is suspended or revoked, the operator shall immediately surrender the identification badge to the city manager. In the event of a suspension, the city manager shall return the identification badge to its holder immediately after termination of the suspension period.

#### **5.94.160 Driver's License Requirement to Drive or Operate Pedicab.**

It shall be unlawful for any individual to drive or operate a pedicab unless he or she is currently and validly licensed by the State of California to drive a motor vehicle. A pedicab driver shall have his or her current valid motor vehicle driver's license issued by the State of California on his or her person at all times while driving or operating a pedicab.

### **ARTICLE IV. Pedicab Vehicles**

#### **5.94.170 Permit Requirement for Pedicab Vehicles.**

A. It shall be unlawful for any pedicab owner to lease, rent, or allow a pedicab to be driven or operated for hire within the city without first having obtained a pedicab vehicle permit. The pedicab vehicle permit shall be permanently affixed in a conspicuous and visible location within the pedicab.

B. Pedicab vehicle permits are the property of the city and are not transferable to any other pedicab.

#### **5.94.180 Application for Pedicab Vehicle Permit.**

A. The pedicab vehicle permit application form shall be in a form prescribed by the city manager.

B. The applicant shall provide the following information in the application:

1. The full name, business and residence address and phone number of the applicant;
2. The name and address of all legal and registered owners of the pedicab;
3. A description of the pedicab, including trade name, if any, serial number or owner identification number, body style, and color scheme;

4. Seating capacity of the pedicab;
5. Proof of insurance in accordance with this Chapter.

**5.94.190 Requirements for Issuance of a Pedicab Vehicle Permit.**

Pedicab vehicle permits shall be issued only after the pedicab has been inspected by the city. Pedicabs must meet all of the following requirements:

- A. A battery-operated headlight capable of projecting a beam of white light for a distance of 300 feet shall be permanently affixed to the pedicab;
- B. Battery-operated taillights shall be permanently affixed on the right and the left at the same level on the rear exterior of the passenger compartment. Taillights shall be red in color and plainly visible from all distances within 500 feet to the rear of the pedicab;
- C. Seat belts for each available passenger; and
- D. Those requirements related to bicycles as set forth in California Vehicle Code Section 21201.

**5.94.200 Pedicab Vehicle Permit Fee.**

The city shall charge an annual nonrefundable fee to recover the cost of activities associated with the administration, regulation, and issuance of pedicab vehicle permits as may from time to time be determined by the city council.

**5.94.210 Duration of Validity of Pedicab Vehicle Permit.**

Pedicab vehicle permits shall be valid for a period of one year from date of issuance.

**5.94.220 Pedicab Vehicle Permit Renewal.**

Pedicab vehicle permits shall be renewable annually upon filing of a new application, inspection of the pedicab and payment of the annual pedicab vehicle permit fee.

**5.94.230 Equipment Regulations for the Operation of Pedicabs.**

It shall be unlawful for any person to operate, or cause to be operated, a pedicab which fails to meet the equipment requirements of this chapter.

**5.94.240 Fare Schedule.**

A. Every pedicab shall have permanently affixed to the outside thereof, in a place readily to be seen by passengers, a frame covered with clear plastic, or similar material, enclosing a card upon which shall be printed in plain, legible letters the schedule of rates authorized for carriage in such pedicab. The font size for such lettering shall be at least one (1) inch in height.

B. It is unlawful for a pedicab driver to deceive any passenger who rides in the vehicle, or who expresses a desire to ride in such vehicle, as to that passenger's destination or the rate to be charged.

C. It is unlawful for a pedicab driver to demand from a passenger a fare greater than the fare contained in the posted fare schedule.

D. Subsection (C) does not apply to fares for special tours, provided that the fare for the special tour is agreed upon between the passenger and the pedicab driver prior to the beginning of the tour.

## **ARTICLE V. Report of Accidents and General Pedicab Operation.**

### **5.94.250 Report of Accidents.**

A. A pedicab driver shall immediately report any accident or collision in which he or she is involved while operating a pedicab, which results in property damage or personal injury of any kind, to the owner of the pedicab involved in the accident or collision.

B. A pedicab owner whose pedicab is involved in any accident or collision resulting in property damage or personal injury of any kind shall within forty-eight (48) hours of being informed of the accident or collision give a written report thereof to the city manager. A copy of a report required under state law shall be deemed sufficient for such purposes; otherwise, such report shall contain all information required with respect to reports otherwise required under state law.

### **5.94.260 General Pedicab Operation.**

A. All pedicabs shall be operated according to the provisions of this Chapter and the applicable provisions of the California Vehicle Code and Sacramento City Code governing the operation of bicycles.

B. Every pedicab while in operation for the solicitation or transportation of passengers shall be attended by the pedicab driver at all times except when such driver is actually engaged in loading or unloading the pedicab, or in answering telephones in connection with the business.

C. No owner or driver of a pedicab shall knowingly permit such pedicab to be used for unlawful purposes or knowingly to transport persons for such purposes.

D. Every pedicab operating under this Chapter must be inspected by the city manager at such intervals as may be established by the city manager, to insure the continued maintenance of safe operating conditions. Such pedicabs shall be maintained in working order and good repair. Maintenance and repair records for each pedicab shall be retained for at least one year after such maintenance and repair has been completed, and such records shall be made available to the city upon request.

E. A pedicab may remain standing upon a street for the purpose of loading or unloading passengers if the pedicab is in any legal parking stall, designated loading zone or any other location that does not impede pedestrian or vehicular traffic.

F. Pedicab owners shall maintain an operational log for each pedicab owned and operated under that owner's pedicab owner's permit. The operational log shall list the dates and times of the operation of each pedicab, as well and the name of any pedicab driver operating the pedicab during those dates and times.

G. Pedicab owners shall establish a procedure for the collection, retention and return of lost property found in each pedicab. Pedicab owners and pedicab drivers shall also be prompt, diligent and courteous in responding to and resolving inquiries and complaints from passengers, city officials and members of the general public regarding the operation of pedicabs owned and/or operated by them.

H. The city manager shall promulgate rules and restrictions regarding the times when and locations where pedicabs may be driven and operated within the city, as well as the location of any pedicab stand used for pick-up and drop-off of passengers, the appearance and maintenance of pedicabs and pedicab drivers, and other matters pertaining to the operation of pedicabs. Such rules and restrictions shall be adopted by City Council resolution. The city manager shall ensure that each pedicab owner is given an updated version of such restrictions. It shall be unlawful for any pedicab owner or pedicab driver to drive or operate a pedicab, or allow a pedicab to be driven or operated, in violation of these restrictions.

I. Pedicab owners, pedicab drivers and pedicab vehicles are subject to all applicable city, county, state, and federal laws, rules, and regulations.

## **ARTICLE VI. Denial, Suspension, Modification and Revocation of Permits**

### **5.94.270 Denial of Pedicab Permits.**

The city manager may deny issuance of a pedicab owner permit, pedicab driver permit or pedicab vehicle permit if an applicant for such permit:

- A. Fails to comply with the requirements of this Chapter;
- B. Misrepresents facts relevant to the fitness of the applicant;
- C. Is currently required to register pursuant to California Penal Code Section 290;

D. Has been convicted of a crime involving moral turpitude or narcotics; or

E. Has been convicted for hit and run, driving a vehicle recklessly or while under the influence of intoxicating alcohol or drugs within the seven (7) years immediately preceding application for a pedicab operating permit.

**5.94.280 Suspension, Modification or Revocation of Permits.**

A. The city manager may suspend, modify or revoke a pedicab owner permit, pedicab driver permit or pedicab vehicle permit if the holder of the permit:

1. Misrepresents facts relevant to the fitness of the pedicab owner or pedicab driver if such misrepresentation becomes known after a permit has been issued;
2. Violates the traffic laws of the city, county or state;
3. Is convicted of misdemeanor reckless driving;
4. Fails to maintain one or more pedicabs in good order and repair;
5. Drives or operates a pedicab, or allows a pedicab to be driven or operated, when it is known to the owner or driver not to be in good order and repair;
6. Knowingly falsifies material and relevant facts on an application for a pedicab owner permit, pedicab driver permit or pedicab vehicle permit;
7. Fails to maintain insurance as required in this Chapter;
8. Fails to notify the city manager thirty (30) days prior to the effective date of liability insurance cancellation or change of insurer;
9. Fails to pay any fines, penalties, fees or damages lawfully assessed upon the owner or driver of a pedicab;
10. Is convicted of a violation of any law involving alcohol or moral turpitude;
11. Operates any vehicle in a manner which constitutes a misdemeanor under the laws of the State of California; or
12. Fails to comply with any of the applicable provisions of this Chapter or the rules and regulations prescribed by the city manager.

B. In addition to the provisions of Section 5.94.280, the city manager may immediately suspend or revoke a pedicab owner permit or pedicab driver permit upon

the receipt of information reasonably sufficient and reliable to establish that the permit holder has committed a violation of law involving:

1. A felony;
2. A sex offense;
3. Soliciting for prostitution;
4. A narcotics offense; or
5. Has had a license to drive issued by a State or territory of the United States suspended or revoked.

C. Upon suspension or revocation, the pedicab owner or pedicab driver shall immediately surrender the pedicab operating permit, pedicab driver permit or pedicab vehicle permit to the city manager. In the event of suspension, the city manager shall return any suspended permit to the holder of such permit immediately after termination of the suspension period. After any such permit has been revoked, the holder of that permit may not reapply for such permit until one (1) year has elapsed since the date that the revocation became a final adjudication.

## **ARTICLE VII. Right of Appeal and Appeal Procedure**

### **5.94.290 Right of Appeal from Denial, Suspension, Modification or Revocation of Pedicab Owner Permit, Pedicab Driver Permit or Pedicab Vehicle Permit.**

A. The city shall notify the pedicab owner or pedicab driver that his or her pedicab owner permit, pedicab driver permit or pedicab vehicle permit has been denied, suspended, modified or revoked. The city manager shall also notify the pedicab owner or pedicab driver of the right to appeal the denial, suspension, modification or revocation to the city manager. Any written appeal shall be filed in accordance with Section 5.94.300.

B. If no appeal is filed within the time allowed, the pedicab owner permit, pedicab driver permit or pedicab vehicle permit shall be considered denied, suspended, modified or revoked and the pedicab owner or pedicab driver shall immediately surrender any such permit to the city manager in the manner prescribed.

C. Once a timely appeal is filed, any suspension, modification or revocation of pedicab owner permit, pedicab driver permit or pedicab vehicle permit shall be stayed pending the final determination by the hearing officer as set forth in this Chapter, unless such permit has been immediately suspended pursuant to the Chapter.

### **5.94.300 Appeal proceedings.**

A. The pedicab owner or pedicab driver may appeal any notice to deny, suspend, modify or revoke a pedicab owner permit, pedicab driver permit or pedicab

vehicle permit by filing with the city manager within ten (10) days from the date of service of a notice of denial, suspension, modification or revocation, a written appeal containing:

1. A brief statement in ordinary and concise language of the specific order or action protested, together with any material facts claimed to support the contentions of the appellant;
2. A brief statement in ordinary and concise language of the relief sought, and the reasons why it is claimed the protested order or action should be reversed, modified, or otherwise set aside;
3. The verification (by declaration under penalty of perjury) of at least one appellant as to the truth of the matters stated in the appeal.

B. Upon receipt of any appeal filed and the appeal fee pursuant to this section, the city manager shall transmit the appeal to the administrative hearing officer appointed for the purpose of hearing such appeal, who shall calendar it for hearing as soon as possible, but in no event later than thirty (30) days from the date the appeal was received without the express written consent of the appellant.

C. Written notice of the time and place of the hearing shall be given at least ten (10) calendar days prior to the date of the hearing to each appellant by causing a copy of such notice to be delivered to the appellant personally or by mailing a copy thereof, postage prepaid, addressed to the appellant at his or her address shown on the appeal.

D. The city may collect and require an appeal fee to be paid at the time the written appeal notice is filed. The appeal fee shall be set by resolution of the city council. The fee shall be calculated to recover the total city costs incurred in the appeal including, but not limited to, staff time to process and handle the appeal, administrative hearing officer compensation, preparation and service of notices and staff appearance in the appeal hearing. No appeal shall proceed without payment of the fee at the time the appeal is filed provided that the city manager may waive or defer the appeal fee upon written request for good cause shown. Good cause may include severe economic hardship, significant attempts to comply with this Chapter, and other factors indicating good faith attempts to comply.

E. Failure of any person to file a timely appeal in accordance with the provisions of this section shall constitute an irrevocable waiver of the right to an administrative hearing and a final adjudication.

F. Only those matters or issues specifically raised by the appellant in the appeal notice shall be considered in the hearing of the appeal.

G. Enforcement of any order of the city manager issued under this title shall be stayed during the pendency of an appeal there from which is properly and timely filed, except for a suspension or revocation under Section 5.94.280.B.

#### **5.94.310 Conduct of hearings.**

A. At the time set for hearing, the administrative hearing officer shall proceed to hear the testimony of the city manager, the appellant(s) and other competent persons respecting the reasons for the denial, suspension, modification or revocation of the permit, and other relevant facts concerning the matter.

B. The proceedings at the hearing shall be electronically recorded. Appellant(s) may provide a certified shorthand reporter to maintain a record of the proceedings at the appellant's own expense.

C. The administrative hearing officer may, upon request of either the appellant or the director, grant continuances from time to time for good cause shown, or upon his or her own motion.

D. The administrative hearing officer or designee shall administer the oath or affirmation.

E. The appellant may represent themselves, or be represented by anyone of their choice.

F. If the appellant does not proficiently speak or understand the English language, he or she may provide an interpreter, at the appellant's own cost, to translate for the appellant. An interpreter shall not have had any involvement in the issues of the case prior to the hearing.

G. In reaching a decision, official notice may be taken, either before or after submission of the case for decision, of any fact which may be judicially noticed by the courts of this state or which may appear in any of the official records of the city or any of its departments.

#### **5.94.320 Form and contents of decision.**

A. After hearing all the evidence, the administrative hearing officer shall issue a decision to sustain the appeal, affirm the decision of the city manager, or modify the

decision of the city manager, which shall be in writing and issued within ten (10) days of the date of the hearing.

B. Upon issuance of the decision, the director shall serve a copy of the decision by mailing it to the appellant's address as listed in the appeal form.

C. The decision of the administrative hearing officer shall be final.

#### **5.94.330 Enforcement of order of administrative hearing officer.**

After any decision issued pursuant to this Chapter shall have become final by failure to file a timely appeal or after administrative hearing officer's decision on appeal is rendered, no person to whom any such order is directed shall fail, neglect or refuse to obey any such order.

### **ARTICLE VIII. Enforcement**

#### **5.94.340 Enforcement Authority.**

The city manager is authorized to administer and enforce the provisions of this Chapter. The city manager may exercise any enforcement powers as provided in this code.

#### **5.94.350 Enforcement Remedies.**

Any person violating the provisions of this chapter shall be guilty of an infraction. The city may also impose administrative penalties pursuant to Chapter 1.28 of this code for violations of this Chapter. Additionally, the city attorney may seek injunctive relief and civil penalties in the superior court for violations of the provisions of this chapter. The remedies provided for in this Chapter shall be cumulative and not exclusive to any other remedies available under any other federal, state or local laws.

#### **5.94.360 Strict Liability Offenses.**

Violations of this Chapter shall be treated as strict liability offenses.

## **Draft City Manager's Pedicab Rules**

The purpose of the City Manager's Pedicab Rules is to provide restrictions pertaining to the operation of pedicabs, as authorized by Sacramento City Code Section 5.94.260(I). All holders of a pedicab owner, driver, and/or vehicle permit must have a signed copy of these Rules on file with the Revenue Division.

### **Driver Conduct**

While on duty as a pedicab driver, all drivers must:

- Act courteously and professionally, including refraining from soliciting business in an overly aggressive or abusive manner;
- Be neat and professional in dress and appearance;
- Take the most direct route to a passenger(s) destination, unless otherwise agreed to by the passenger(s);
- Agree to the fare with a passenger(s) prior to leaving for the passenger(s) destination;
- Make all reasonable efforts to ensure the safety of all occupants of the pedicab, as well as vehicular and pedestrian traffic, and to avoid accidents and collisions, including but not limited to:
  - Ensuring that all items transported in the pedicab are secured within the pedicab;
  - Not overloading the pedicab with passengers or other items; and
  - Carrying out a safety check of the pedicab, including inspecting the brakes, tires, steering, and lights, at the beginning of each shift.
- Refrain from smoking while driving the pedicab; and
- Wear a shirt, jacket, or other top that identifies the driver's company.

### **Parking and Standing**

- Pedicabs that are in service are not allowed to park or stand (wait for a fare) in metered spaces.
- Pedicabs may not be parked in other specially designated spaces, such as those for carriages, taxis, buses, handicapped drivers, and the like.

### **Passenger Pick up and Drop off**

- Passenger pick up and drop off is allowed at any location that does not impede pedestrian or vehicular traffic, except those locations in Old Sacramento noted below.
- Restrictions in Old Sacramento
  - There shall be two designated pedicab stands:
    - 1) The northwestern corner of Front and L Streets; and
    - 2) The corner of 2<sup>nd</sup> and J Streets;
  - Pedicabs that are parked at these stands must be fully within the lines marking the stand.
  - Passenger pick-up is allowed *only* at these two designated pedicab stands, with the exception that passenger pick-up is allowed elsewhere in Old Sacramento

*immediately* after dropping off a passenger(s) at a particular location. A pedicab driver may then immediately pick up a passenger(s) at that location.

### **Traveling**

- The City Manager has the right to restrict the use of pedicabs on designated streets and areas during special events.
- Pedicabs are allowed on all streets and at all times, with the following exceptions:
  - AM peak hours: 7:00 a.m. to 9:00 a.m., Monday through Friday:
    - J Street from 3<sup>rd</sup> to 16<sup>th</sup> streets
  - PM peak hours: 4:00 p.m. to 6:00 p.m., Monday through Friday:
    - I Street from 3<sup>rd</sup> to 16<sup>th</sup> streets
    - J Street from 3<sup>rd</sup> to 16<sup>th</sup> streets
  - 6:00 a.m. to 6:00 p.m., Monday through Friday:
    - 16<sup>th</sup> Street from Broadway to the American River
  - All times and all days:
    - 12<sup>th</sup> Street from Richards Boulevard to K Street, except in the bicycle lane between North B and E streets

### **Pedestrianways (Sidewalks, etc.)**

- Pedicabs must yield the right-of-way to pedestrians on all sidewalks and pedestrianways on which pedicabs are allowed.
- Pedicabs are restricted to a speed limit of ten miles per hour on pedestrianways.
- Pedicabs are allowed on the following pedestrianways:
  - K Street between 2<sup>nd</sup> and 4<sup>th</sup> streets
  - 4<sup>th</sup> Street between J and L streets
  - K Street Mall sidewalks from 7<sup>th</sup> to 14<sup>th</sup> streets, outside of the RT operating areas
  - The 11<sup>th</sup> Street pedestrianway between J and L streets
  - Capitol Park sidewalks as bounded by L, 10<sup>th</sup>, N, and 15<sup>th</sup> streets, and the L Street sidewalk between 9<sup>th</sup> and 10<sup>th</sup> streets
  - The Sacramento River waterfront promenade
  - Existing bike trails
- Pedicabs are not allowed on other sidewalks, including Old Sacramento boardwalks.

These restrictions are based on potential impact to traffic operations. There are not necessarily based on a judgment of safety. All restrictions shall be reviewed at the end of a one-year trial period.

### **To Be Signed by All Pedicab Owners and Drivers**

I have read and understand these City Manager's Pedicab Rules and Chapter 5.94 of the Sacramento City Code regarding the regulation of pedicabs. I understand that these Rules will be periodically updated and that failure to comply with them or the Sacramento City Code may result in the suspension, modification or revocation of my

pedicab owner permit and/or pedicab driver permit, as well as other enforcement as set forth in Sacramento City Code Section 5.94.350.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Permit type and number



## MEETINGS SUMMARY

### City of Sacramento Pedicab Ordinance Stakeholder Meetings

- Monday, June 12, 2006, 8:30 to 10:00 a.m.  
California State Railroad Museum, 111 I Street, Big Four Building
- Wednesday, June 21, 2006, 5:30 to 7:00 p.m.  
Hart Senior Center 915 27<sup>th</sup> Street, Cypress Room
- Thursday, July 13, 2006, 5:30 to 7:00 p.m.  
Starting at St. Rose of Lima Park at 7<sup>th</sup> and K Streets
- Monday, July 17, 2006, 8:30 to 10:00 a.m.  
Starting at Steamer's Café, 101 K Street

## PARTICIPANTS

Lolly Aita  
 JD Bamfield, Dept. of Transportation  
 Scott Beardsley  
 Mahesh Bhatt, Dept. of Transportation  
 Marc Christensen, Sac Valley Velocab  
 David Cook, Taxi Stand Newsletter  
 Ed Cox, Department of Transportation  
 Bill Dean  
 Celine Donaldson  
 Scott Edwards, Edwards Consulting  
 Shawn Eldredge, Midtown Bus. Assn.  
 Anne Fenkner  
 Dafna Gauthier, Revenue Division  
 Owen Howlett  
 Isaac Knutila, Police Department  
 Jonathan Law, Sac Young Professionals  
 Neil Lubin, Sac Rickshaw Company

Rebecca Markussen  
 Matt McCarter  
 Ralph Montano, Sacramento Bee  
 Dianna Newborn, Tophand Ranch  
 Rick Newborn, Tophand Ranch  
 Ramon Oseguera, Westfield Mall  
 Fred Pleines, Yellow Cab  
 Bob Rose, Code Enforcement Department  
 Dan Roth, Councilmember Thretheway's office  
 RT representative  
 James Smith  
 Julie Sontag, Neighborhood Services Dept.  
 Annabeth Stem, Old Sacramento Management  
 Ann Tatum, Classic Coach Carriages  
 Roelene Trumm, Westfield Mall  
 David Valdez, Police Department  
 Dee Wolverton, Wolverton Carriages

## PURPOSE OF THE MEETINGS

At its April 4<sup>th</sup>, 2006, meeting the City Council's Law and Legislation Committee directed staff to draft a pedicab ordinance if there seemed to be enough interest among would-be operators. Staff held a series of stakeholder meetings to share information and receive questions, concerns, and comments from stakeholders, particularly potential pedicab operators, taxicab and horse-drawn carriage operators, Old Sacramento representatives, and other City departments.

The purpose of the June meetings was for staff to provide background information and to hear stakeholders' concerns. The June 12<sup>th</sup> meeting focused on issues particular to Old Sacramento, and the June 21<sup>st</sup> meeting focused on areas outside of Old Sacramento, in mainly downtown.

The purpose of the July meetings was for interested stakeholders and staff to walk around areas where pedicabs might operate and to discuss issues that might arise. The July 13<sup>th</sup> meeting focused on issues outside of Old Sacramento, in mainly downtown. The July 17<sup>th</sup> meeting focused on Old Sacramento.

A number of people expressed interest in operating pedicabs and staff is proceeding with drafting an ordinance. The issues raised in the meetings will be considered in drafting the ordinance. A summary of ideas, comments, and questions raised in the meetings follows.

## MEETINGS SUMMARY: COMMENTS RECEIVED

### Likely pedicab destinations

Old Sacramento  
Restaurants  
Hotels  
The Capitol  
The K Street mall  
West Sacramento to Raley Field  
Possibly farther east, such as McKinley Park

### Pedicab regulations

#### Fares

- Minimum fare requirements could discourage short trips.
- Fares need to be regulated, or the competition will be too wild. Carriage operator Rick Newborn has found this to be the case with carriages. Self-regulation doesn't work well.
- Pedicabs could operate in particular zones, and fares could be charged accordingly.

- Neil Lubin of Sacramento Rickshaw Company said that \$1 per block is a standard fare.

### **Driver requirements and conduct**

- There should a pedicab driver's test. Carriage drivers must pass a written and driving test.
- Will the City train pedicab operators? (No)

### **Driver behavior**

- Soliciting customers: Will drivers be allowed to cruise in search of customers?
- The City of Denver has "comportment" regulations to address pedicab driver behavior.

### **Driver's license**

- A valid California driver's license will be required of pedicab drivers.
- Not everyone agreed with this requirement. Some thought that the city should accept another certification standard, such as the League of American Bicyclists' BikeEd training, which would show that participants understand the rules of the road.

### **Background check**

- Will the City require a background check for drivers and operators? Is one required for a business license?
- Denver requires a background check and drug test for pedicab drivers.

### **Insurance**

- Liability insurance will be required. Neil Lubin of Sacramento Rickshaw Company noted that he carries \$2,000,000 in insurance.

### **Safety**

- Machine inspections: Annual inspections will be required. There will be a fee to cover staffing costs.
- Bicycle trailers are not safe and should not be allowed.

### **Number of operators**

- The City should consider limiting the number of pedicab licenses issued.
- Carriage operator Rick Newborn has found from experience that a large number of operators leads to problems and disagreements. It undercuts prices and makes it difficult for legitimate operators.
- Denver apparently issues a limited number of pedicab licenses.
- Potential operator Scott Edwards stated that the City should allow one, or, at the most, a few operators to begin.
  - This would allow pedicabs to be phased in and ensure quality and consistency.
  - Pedicabs should be introduced slowly. Too many operators could cause drivers to vie for business.
- City staff said that there were **no** plans to regulate the numbers of pedicabs or companies.

### **Other regulations**

- Will pedicab courier service be covered under the ordinance?
- ADA: Will pedicabs be required to comply with the Americans With Disabilities (ADA) Act? Taxis are required to.
- Hours of operation: Pedicabs will be allowed to operate after dark with proper lights.

### Are pedicabs considered bicycles?

- Is a pedicab considered a vehicle or bicycle? Does the fact that a pedicab is for hire make a difference?
  - Pedicabs are bicycles and must follow the rules of the road. Bicycles are not considered vehicles by the vehicle code.
- Are bicycles allowed on sidewalks?
  - The City Code currently does not allow bikes on sidewalks in nonresidential districts. The City could issue permits allowing it.
- Do pedicabs belong in bike lanes?
  - Pedicab operators thought yes. Carriage operators disagreed.
  - Neil Lubin's Sacramento Rickshaw Company pedicabs are 48 inches wide. Bike lane width varies.
- Will pedicabs be allowed on bike trails? Are they too wide?
  - Quadracycles rented in Old Sacramento are taken on bike trails and don't seem to be a problem.
- Pedicabs can fit through the midtown traffic-calming barriers.

### Pedicab and taxi stands

- Where will pedicabs pick up riders?
- Don't discourage potential passengers by overly restricting pickup and drop-off zones.
- Taxi operators must sometimes stop at places that are less than ideal in order to drop off passengers where they want to go.
- There will be more and more valet parking in midtown.
- There should be pedicab and taxi stands along with valet stands.
- There should be queuing areas where pedicabs and taxis can await customers for a short time. This would differ from cab stands, where they wait for longer periods of time.

### Pedicab stand locations

- Pedicab operators would like them along Capitol Avenue.
- Carriage operators: Pedicab stands in Old Sacramento would be unfair. Parking's already scarce and there's not even enough for tour buses.

### Regulatory consistency among pedicabs, carriages, and taxis

#### **General**

- Fairness dictates that pedicab, carriage, and taxi regulations be consistent.

### **Weather restrictions**

- Carriages must stop operating when the ambient temperature exceeds 99 degrees Fahrenheit. Similar regulations should apply to pedicabs to protect drivers' health.

### **Pedicab stands**

- Carriages have fewer and fewer places to await passengers. Pedicabs shouldn't receive special treatment.

### **Americans with Disabilities ACT (ADA) requirements**

- Taxis must have 1 ADA-compliant vehicle per 25. Carriages are exempted because of historical accuracy requirements. Will pedicabs be required to comply?

### **Restricted streets**

- Carriages are not allowed on J Street during peak hours.

### **Events**

- Will pedicabs be allowed at events such as the Jazz Festival, even though carriages are not because it's too crowded?

### **Historical accuracy**

- Will pedicabs be held to the same standards as carriages?
- Carriage operators are required to wear period costumes and can have no advertising on carriages.
- Pedicabs should not be allowed to display advertising in Old Sacramento.

### **Drug testing**

- Cab drivers are drug tested. Will pedicab drivers be tested?

### **Driver training**

- Carriage drivers must be trained and certified. Will pedicab drivers?
- Tophand Ranch's carriage drivers receive 64 hours of training.

### **Pedicabs: For tours, transportation, or both?**

- Carriage operators: if they operate in Old Sacramento, pedicabs should be held to the same standards as carriages. Carriages are *required* to go on the cobblestoned section of First Street, near J Street, in their tours. Pedicabs should be subject to the same rules.
- Pedicab operators: pedicabs will be used more for transportation than tours and should not be held to the same standards as carriages, which give tours. Pedicabs and cobblestoned streets don't mix well.

### **Taxi operators' concerns**

- Yellow Cab's Fred Pleines contacted taxi operators in San Diego, where pedicabs have operated for a number of years. He summarized their concerns about pedicabs:

### **Behavior**

- Pedicab operators do *not* self-regulate. Problems result.
- Operators can be overly aggressive in soliciting customers.

### **Competition**

- Pedicabs park in taxi stands. There's already a shortage of stands.
- They hurt taxis' business by taking away short fares.

### **Regulation**

- Regulation is essential to protect the legitimate operators.
- Minimum and maximum fares should be regulated. Otherwise, operators may charge different rates depending on the time of day and other factors.
- Insurance must be required, both for liability and for the machines.
- How will consumers report, complain, or take action against drivers?

### **Enforcement**

- Regulations must be enforced.

### **Safety**

- Seat belts and helmets should be required.

### **Regulatory consistency between pedicabs and taxis**

- Cab drivers are drug tested. Will pedicab drivers be tested?
- The city of Sacramento requires taxi operators to comply with the ADA (Americans with Disabilities Act) by having ADA-compliant vehicles available. Will this be required of pedicabs?

### **Other issues**

- Don't over-regulate pedicabs.
- Will the City announce when pedicabs begin operating?
- Pedicabs operate in the Cal Expo parking lot during the state fair.
- Those working on drafting the ordinance should ride in a pedicab.
- Safety: The Police Department is concerned about potential conflicts and accidents involving pedicabs and pedestrians as well as autos.
- Will pedicabs scare carriage horses?
- A street's crown (the outward slope from the street's center) will affect a pedicab more than a bicycle. Drivers will need to adjust.
- Is there a city bike lane map? (Yes, at [http://www.cityofsacramento.org/transportation/dot\\_media/engineer\\_media/pdf/Citybikemap.pdf](http://www.cityofsacramento.org/transportation/dot_media/engineer_media/pdf/Citybikemap.pdf))

- Because of IRS rules, it's often easier for drivers to lease machines and pay flat rates to the machine owners.
- Carriage speed: the average carriage speed when the horses are walking is 3-5 miles per hour.
- Who controls the Amtrak station?
- Interjurisdictional issues: Will need to talk with West Sacramento about crossing the Tower Bridge
- Where will pedicabs be allowed? On city streets? Will they be restricted?
- Would the City own the machines? (No)
- How will people hail pedicabs? Will they flag them down? Call a telephone number?

### **Resources**

- Taxi and horse-drawn carriage regulations can be found in titles 5 and 10 of the city code: <http://www.qcode.us/codes/sacramento/>
  - Chapter 10.64 deals with horse-drawn carriages.
  - Chapter 5.136 addresses taxis.
- Pedicabs on the Web: <http://rickshawforum.com/forums/>
- David Cook publishes the Taxi Stand Newsletter, which serves the local taxi industry.

### **Next steps**

- There should be an advisory committee to serve as a sounding board as the ordinance is implemented.
  - The Sacramento City/County Bicycle Advisory Committee could fill that function.
- The staff report to the Mayor and City Council will note that this is a pilot project and that staff will revisit it.

## **POTENTIAL PEDICAB ISSUES OUTSIDE OF OLD SACRAMENTO**

### **General**

- Don't restrict pedicabs on J and other streets. Or at least allow them to pick up and drop off riders. Drivers will probably avoid busy streets anyway.
- Don't restrict where they can go outside of Old Sacramento.
- Don't assume that only tourists will ride in pedicabs and restrict where they can operate accordingly.

### **K Street from 7<sup>th</sup> to 14<sup>th</sup> streets**

- Bikes are not allowed on this section of K Street, although police officers patrol it on bicycle. Pedicabs could be allowed with a permit.
- This section of K Street is a pedestrian mall. The area between the yellow lines is under Regional Transit's (RT) control and they're not likely to allow pedicabs in it.

- Pedicabs may be allowed on the sidewalks if there's enough room to avoid conflicts with pedestrians.

### **Potential issues**

- Speed restrictions might minimize conflicts with pedestrians.
- Not everyone agreed that speeding would be a problem. Some thought that the presence of pedestrians would discourage speeding, but carriage operator Rick Newborn said that in his experience, if drivers can make more money by going faster, they will.
- Maybe K Street could be for pick-up and drop-off only.
- Sidewalk obstructions, such as the outdoor dining at Osteria at 915 K Street, could make it hard for pedicabs to get through. The sidewalk is wider on the street's southern side.
- Pedestrian patterns will change when RT completes its downtown light rail construction.

### **K Street: Regional Transit (RT)**

- RT does not want pedicabs operating in the areas that it controls. It's concerned about the safety of pedicabs operating near its trains and tracks.
- RT controls the area between the yellow lines on K and O Streets and at the Amtrak station.
- RT has installed new switches on its light rail tracks and doesn't want bicycles and pedestrians crossing over them because of safety concerns. It no longer runs trolleys on K Street because of this.
- There's a new switch on the tracks on K Street, between 9<sup>th</sup> and 10<sup>th</sup>. The tracks cross over and form a large "X" in front of Osteria at 915 K Street. The group looked at it and agreed that it would not be safe for pedicabs to cross.

### **I, J, and L streets**

- Pedicabs will be restricted on I, J, and L streets.
  - J and L streets are busy: they carry almost 10,000 cars per day. Their traffic lights are timed for about 25 miles per hour.
  - J Street is busier in the morning, while I and L streets are busier in the afternoon.
  - Peak traffic hours are from 6:30 am to 9:00 am and 3:30 pm to 6:00 pm. The city's DOT staff thinks that during these hours pedicabs would be unsafe and would interfere with auto traffic. They would therefore be restricted from these streets during peak hours.

### **The Capitol**

- The city controls the perimeter sidewalks and could allow pedicabs on them. This would allow pedicabs to go around the capitol. The sidewalks are about 10 feet wide and could be crowded at lunchtime.

- The state controls the land inside the perimeter sidewalks. Bollards blocking passage onto the grounds will help keep out pedicabs.
- 13<sup>th</sup> Street on the Capitol grounds (from L to N) is a designated bike route.

### Other streets and sidewalks

- 15<sup>th</sup> and 16<sup>th</sup> streets are busy during peak hours. 16<sup>th</sup> is nearly always busy.
- M Street is busy, but it is a designated bikeway.

### Capitol Avenue as a route to and from Old Sacramento

- Capitol Avenue from Front to 10<sup>th</sup> streets would be open to pedicabs without peak hour restrictions at this time. It's less busy than I, J, and L streets and could be a route for getting to and from Old Sacramento.
- Both K Street and Old Sacramento are likely pedicab destinations. They're separated by Downtown Plaza Mall on K Street from 4<sup>th</sup> to 7<sup>th</sup> streets, which will be closed to pedicabs.

### **Potential issues**

- The valet parking at Il Fornaio at 3<sup>rd</sup> and Capitol Avenue sometimes blocks traffic.
- Will pedicab stands be allowed on Capitol Avenue?
- Who owns the median strip?
- Pedicabs would not be allowed on Capitol Avenue sidewalks.
- The timing of the traffic lights on Capitol is questionable and will surely help pedicabs by slowing auto traffic.

## POTENTIAL PEDICAB ISSUES IN OLD SACRAMENTO

### General

- Pedicabs likely won't be based in Old Sacramento, but they might be able to pick up and drop off customers there.
- Where in Old Sacramento will the pick-up and drop-off points be? In San Diego, pedicabs wait at stands that are painted on the pavement.
- Bikes and traffic in Old Sacramento are already a problem.
- Carriages have a hard time in Old Sacramento as it is. Parking Services should help by enforcing the rules.

### Routes to and from Old Sacramento

#### **Westbound: Into Old Sacramento**

- Westbound pedicabs on Capitol can turn right onto Front Street into Old Sacramento.

#### **Eastbound: Out of Old Sacramento**

- Left (eastbound) turns from Front Street to Capitol are not allowed.
- Neasham Circle is an alternative, but pedicab operators don't see it as viable because of concerns about going down it with passengers.
- A route for leaving Old Sacramento could be through the K Street tunnel and onto 4<sup>th</sup>.

### K Street tunnel

- There's room for pedicabs.
- The City could require a permit to drive a pedicab through it.
- The Police Department is concerned about the safety of pedestrians if pedicabs are allowed in it because it can get crowded during certain events.
- The tunnel's incline is somewhat steep, but pedicab operators say that it would be no problem with their machines.

### Possible pedicab stands in or near Old Sacramento

#### **General**

- Carriage operators: Pedicab pickup points in Old Sacramento would be unfair. Parking's already scarce and there's not even enough for tour buses.

#### **In or near the K Street tunnel**

- At the tunnel's western entrance, in Old Sacramento:
  - Either on K Street, at the bollards to the north of Second Street, or on Second Street, just to the north of south of K Street.
  - A box marking an area could be painted on the pavement.
  - Carriages can only pick up and drop off here. They can't stop here, so why should pedicabs be allowed?
  - Taxis line up here, even though they're not supposed to.
  - Second Street is very busy. Put it at the tunnel's eastern entrance.
  - Placing it on Second Street would mean losing valuable auto parking spaces.
- Inside the tunnel
  - Would still be close to Old Sacramento but not compete for space with carriages.

#### **Near the Railroad Museum**

- On the eastern side of Second Street, where it meets I Street, or on the sidewalk, next to the eastern side of Second Street.
  - Second Street is too busy to have a pickup point.
- In front of the Railroad Museum.
  - Need to discuss with the state.

#### **At the dead end at 2<sup>nd</sup> and J streets**

- It's visible yet away from Second Street traffic.

- Space is tight. There used to be lots of carriage parking right in front of the Museum. This was taken away and now carriages have half the space across the street.

**At Front and L streets, near the docks**

- Within the bollards on the northern side of L Street.
  - This is a busy, crowded area at times. Carriages lose their spaces already because delivery vehicles, City vehicles, limousines, taxis, and valet parking all compete for space here.
  - Placing the pedicab pickup area within the bollards would allow them to wait there out of traffic.



## MEETINGS SUMMARY

### City of Sacramento Pedicab Ordinance Stakeholder Meetings

- Monday, December 11, 2006, 6:00 to 7:30 p.m.  
Clunie Center, 601 Alhambra Boulevard, East Sacramento Room
- Monday, December 18, 2006, 8:30 to 10:00 a.m.  
Railroad Museum, 111 I Street, Big 4 Conference Room, 2<sup>nd</sup> Floor

### PARTICIPANTS

Hector Barron, Department of Transportation  
 Bhupinder Bal, Regional Transit  
 Marc Christensen, Sac Valley Velocab  
 Ed Cox, Department of Transportation  
 Ramon Gibbons, Parking Services Division  
 Dafna Gauthier, Revenue Division  
 Paul Hammond, CA State RR Museum  
 Gus Johnson, Police Department

Neil Lubin, Sacramento Rickshaw Company  
 Brent Meyer, Police Department  
 Richard Reeves, Sac Valley Velocab  
 Dan Roth, Councilmember Tretheway's office  
 Julie Sontag, Neighborhood Services  
 Annabeth Stem, Old Sacramento Management  
 Julie Sontag, Neighborhood Services

### MEETINGS' PURPOSE

The meetings' purpose was for stakeholders and city staff to discuss the draft pedicab ordinance and draft City Manager's Pedicab Rules. The December 11<sup>th</sup> meeting focused on downtown, and the December 18<sup>th</sup> one focused on Old Sacramento.

### AGENDA

- |  |              |
|--|--------------|
| ▪ Welcome and introductions                                  | Julie Sontag |
| ▪ Overview of draft ordinance and draft City Manager's rules | Ed Cox       |
| ▪ Discussion   | Ed Cox       |
| ▪ Next steps   | Julie Sontag |

### MEETING SUMMARY: Monday, December 11: Downtown Issues

#### Traveling restrictions, K and L streets: pedicab operators

- City staff currently recommends limited pedicab access to I, J, K, and L streets.
  - Likely route from the Sheraton or convention center with currently proposed restrictions:
    - South on 13<sup>th</sup>
    - West on N Street Capitol Park sidewalk
    - South on 10<sup>th</sup> Street Capitol Park sidewalk or on 9<sup>th</sup> Street
    - West on Capitol Avenue
- Marc Christensen said that such restricted access to K and/or L streets will make going east to west (downtown to Old Sac) during PM peak hours extremely difficult.
  - The sidewalks on L and 10<sup>th</sup> streets are too crowded and narrow, making this route unworkable.

- His first choice would be to allow pedicabs on K Street, without the one-block restriction, from 13<sup>th</sup> to 7<sup>th</sup> streets, or at least from 13<sup>th</sup> to 9<sup>th</sup> streets.
  - Pedestrians are on K Street, and they're pedicab customers. Pedicab drivers will want to be visible there, and pedestrians will appreciate having convenient access to them.
- His second choice would be eliminating peak hour restrictions on L Street.

#### **Traveling restrictions, K Street: Regional Transit**

- RT representative Bhupinder Bal said that Regional Transit (RT) does not want pedicabs anywhere on the K Street mall. RT runs many trains on K Street and every added user there increases the chances of train delays. Bus delays can be made up, but train delays cannot.
- Even if pedicabs were prohibited from using the RT right-of-way, and were restricted to using only the sidewalks on K Street, RT would still prefer not allowing them on K Street.
- Trucks servicing K Street businesses often park on K Street, blocking the sidewalks. This would be an issue for pedicabs.

#### **Traveling restrictions: Police Department**

- Officer Brent Meyer said that the Police Department doesn't want pedicabs on sidewalks.
- The Police Department prefers having pedicabs on K Street than on H, I, and J streets and prefers not allowing pedicabs on Capitol Park sidewalks.

#### **Traveling restrictions: other issues**

- K Street
  - There's no light rail on K Street between 12<sup>th</sup> and 13<sup>th</sup> streets.
  - Could possibly allow more access during non-peak hours.
  - Could require pedicabs to be on the right side of K Street, with the flow of pedestrian traffic, although occasional construction might mean that pedicabs would have to go on the opposite side of street.
- L Street
  - Could allow pedicabs on the sidewalk on the southern side of L between 9<sup>th</sup> and 10<sup>th</sup> streets during the PM peak hours. This would allow them to get from Capitol Park to Capitol Avenue. But it could become too confusing.

#### **Parking and standing in metered spaces**

- Pedicabs would not be allowed to park or stand in metered spaces. The City is changing the taxi ordinance to require the same.

#### **Other**

- How many vehicles will there be initially? Probably no more than a dozen.
- Definition of pedicab: Neil Lubin of Sacramento Rickshaw Company noted that the ordinance's definition of pedicab could allow inferior and unsafe machines. He suggested changing the definition to specify single-frame construction.
- Equipment requirements: Neil asked that signal indicators be required.
- Seatbelts: Both Neil and Marc think that seatbelts are impractical, unlikely to be used consistently, and shouldn't be required.
- Neil said that Denver's ordinance does or will soon address the need for drivers' "comfort stops." How will we address it? Can drivers leave their vehicles on sidewalks for three minutes to use a nearby bathroom?

- Neil asked that when setting permit fees, the city recognize the challenges facing pedicab operators in starting a business that's new to the city.
- Will owners be required to also have driver permits? NYC will charge between \$25 and \$100 for permits.

**MEETING SUMMARY: Monday, December 18: Old Sacramento Issues**

- Neil Lubin suggested changing the section dealing with lights to allow detachable, rechargeable lights.
- Neil suggested adding a requirement for a bell.
- Discussion of helmet requirements: by state law, riders under eighteen must wear helmets. Should the ordinance address this? How will it be enforced?
- Staff will probably post the draft documents after taking them to L&L.
- Bob Rose will get a fee estimate from the Revenue Division.