

ORDINANCE NO. 12765

AN ORDINANCE TO AMEND PART II, CHATTANOOGA CITY CODE, CHAPTER 35, ARTICLE VII, DIVISION 2, SECTION 35-247, RELATIVE TO REQUIRED EQUIPMENT OF PEDAL CARRIAGE OR PEDICABS AND SECTION 35-252 RELATIVE TO THE RESTRICTIONS ON THE OPERATION OF PEDAL CARRIAGE OR PEDICABS.

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Part II, Chattanooga City Code, Chapter 35, Article VII, Division 2, Section 35-247, is amended by deleting the section in its entirety and inserting in lieu thereof the following language:

Sec. 35-247. Required equipment of pedal carriage or pedicabs.

(a) Each pedal carriage or pedicab operated in the City shall be equipped with the following features:

- (1) three (3) or more wheels;
- (2) a unibody frame for the entire vehicle;
- (3) seating for no more than fifteen (15) passengers;
- (4) hydraulic or mechanical disc or drum brakes, which are unaffected by rain or wet conditions;
- (5) a secondary or emergency brake system;
- (6) battery-operated headlights capable of projecting a beam of light for a distance of three hundred (300) feet;
- (7) battery-operated taillights which are visible from five hundred (500) feet;
- (8) turn lights;

- (9) an audible signaling device;
 - (10) reflectors on the spokes of the wheels of the pedal carriage or pedicab;
 - (11) a timer, of a type approved by the Taxi Inspector, affixed within clear view of passengers, if the rate charged is based on period of use;
 - (12) a sign attached to the interior of the pedal carriage or pedicab within view of passengers indicating the name and telephone number of the pedal carriage or pedicab business, the pedal carriage or pedicab's registration number and a telephone number that can be used to direct consumer complaints about such pedal carriage or pedicab to the department;
 - (13) each pedal carriage or pedicab must be equipped with a regulation size reflective slow moving triangle; and
 - (14) a sign conspicuously posted on the exterior of the pedal carriage or pedicab indicating the amount to be charged for the use of the pedal carriage or pedicab or the basis for calculating such amount.
- (b) The maximum width of a pedal carriage or pedicab shall be fifty-five (55) inches and the maximum length of a pedal carriage or pedicab shall be ten (10) feet, except as authorized by the Transportation Board;
 - (c) It shall be unlawful for a pedal carriage or pedicab business to operate or authorize the operation of, or for a pedal carriage or pedicab driver to operate, a pedal carriage or pedicab that does not comply with the requirements of this section.

SECTION 2. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Part II, Chattanooga City Code, Chapter 35, Article VII, Division 2, Section 35-252, Section (b) is amended by deleting said subsection in its entirety and substituting in lieu thereof the following:

Sec. 35-252. Restrictions on the operation of pedal carriage or pedicabs.

- (b) A pedal carriage or pedicab driver shall not:
 - (1) operate a pedal carriage or pedicab to transport more than fifteen (15) passengers.
 - (2) operate a pedal carriage or pedicab in motion while a passenger is standing in such pedal carriage or pedicab.

- (3) operate a pedal carriage or pedicab on any bridge or in any tunnel or in any bicycle lane.
- (4) permit a pedal carriage or pedicab to be operated simultaneously by anyone in addition to him or herself.
- (5) operate a pedal carriage or pedicab that is designed or constructed to permit propulsion by more than one (1) individual at any one time, except as authorized by the Transportation Board;
- (6) operate a pedal carriage or pedicab while such pedal carriage or pedicab driver's ability to operate such pedal carriage or pedicab is impaired by the consumption of alcohol, the use of any drug or by any other means or while such pedal carriage or pedicab driver is in an intoxicated condition. A pedal carriage or pedicab driver operating a pedal carriage or pedicab which has been involved in an accident or has been operated in violation of this section shall be deemed to have given consent to a breath test and shall, at the request of a police officer, submit to a breath test to be administered by the police officer. Failure to submit to such breath test shall serve as the basis for an immediate suspension of the pedal carriage or pedicab driver's license, subject to a prompt post-suspension hearing.
- (7) operate a pedal carriage or pedicab without a currently valid motor vehicle driver's license or while such pedal carriage or pedicab driver's State of Tennessee motor vehicle driver's license is suspended or revoked.

SECTION 3. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two

(2) weeks from and after its passage as provided by law.

Passed on second and final reading September 17, 2013.



 CHAIRPERSON

APPROVED: DISAPPROVED:



 MAYOR

KOF/mms