
CHAPTER 78. PEDICABS

7.225. Finding of Fact. The City Council finds and declares that it is in the public interest and public welfare that pedicabs be regulated under the police power of the City of Frankenmuth in order to promote the safety and welfare of the citizens and visitors to the City of Frankenmuth; to reduce interference with the flow of traffic through the City of Frankenmuth, that it is in the public interest that pedicab drivers be properly qualified persons; that the pedicabs be fit for their intended purpose; and that the safety and welfare of passengers be protected in the operation of pedicabs. The City Council further finds that these aforementioned conditions may be adversely affected with the unregulated use of pedicabs on a regular basis on the public streets of the City of Frankenmuth.

7.226. Definitions. The following words, terms, and phrases, when used in this Chapter, shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning:

(1) *Pedicab* has the same meaning as a "commercial quadricycle" as defined in Public Act 127 of 2015 that is a vehicle that satisfies all of the following:

- (a) The vehicle has fully operative pedals for propulsion entirely by human power.
- (b) The vehicle has at least 4 wheels and is operated in a manner similar to a bicycle.
- (c) The vehicle has at least 6 seats for passengers.
- (d) The vehicle is designed to be occupied by a driver and powered either by passengers providing pedal power to the drive train of the vehicle or by a motor capable of propelling the vehicle in the absence of human power.
- (e) The vehicle is used for hire.
- (f) The vehicle is operated by the owner of the vehicle or an employee of the owner of the vehicle.

(2) *Pedicab owner* means a person that is the owner of a pedicab, which offers to transport passengers for hire on predetermined routes in the City.

(3) *Pedicab driver* means a person who drives a pedicab.

(4) *Operating license* means a written license issued by the City Clerk authorizing a person to operate a pedicab.

7.227. License Required. No pedicab owner shall allow a pedicab to be driven upon any street, alley, highway or road within the City of Frankenmuth until a license has been issued by the City Clerk in accordance with and subject to Chapter 71.

7.228. Temporary Permit. A pedicab owner may receive from either the Chief of Police or Clerk a temporary permit, valid for up to fourteen (14) days, for the use of a route other than that regulated by Section 7.229.

7.229. Limitation on Use of Public Streets. Use of the public streets of the City of Frankenmuth by pedicabs shall be limited as follows:

- (1) No such vehicle shall be allowed to travel north on Main Street from Cass Street to Tuscola Street, without motor assistance.

(2) No such vehicle shall be allowed to cross Main Street except at intersections controlled by traffic signals.

(3) The route to be taken by such vehicles, together with locations of parking spaces to pick up and discharge passengers, shall be subject to approval by the City Clerk. No such vehicle shall be allowed to stop for the purpose of picking up or discharging passengers at any point on Main Street.

7.230. Application for License.

(1) In addition to any other facts required by the Clerk pursuant to Chapter 71, the application shall request at least the following information:

- a. The applicant's full name and residence address;
- b. The applicant's date of birth;
- c. The applicant's driver's license and number;
- d. A certificate of insurance satisfying the requirements of section 7.236;
- e. A map of the city showing proposed location, routes, and pick up points;
- f. A description of the pedicab, including at least the trade name, number of seats, serial number, if any, and body style; and

(2) If the applicant is not a natural person, the natural person who will be acting as principal in charge of the licensee shall sign the application, and all owners of the applicant shall meet all of the requirements for individual applicants.

7.231. Review of Application. See Chapter 71.

7.232. Validity of Operating License.

(1) The licensee is responsible for maintaining a list of all employees or contractors including the licensee who will drive the pedicab. The list will include the driver's name, address, date of birth, and driver's license number.

(2) The driver of each pedicab is responsible to control litter on the vehicle and from its passengers so that it does not become windborne or is not deposited onto the streets or upon private property whereby it is licensed to operate.

7.233. License Fee. A fee in the amount specified by City Council pursuant to Chapter 72 shall be filed with the license application.

7.234. Operating Regulations.

(1) Pedicabs are only licensed to be driven in the city on designated routes.

(2) No person under the age of 18 shall drive a pedicab.

(3) No person shall drive a pedicab unless that person has a valid driver's license.

(4) No person shall drive a pedicab in an unsafe manner.

(5) All pedicab drivers are subject to all applicable traffic laws, rules, and regulations of the City and the State of Michigan.

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- (6) Pedicabs shall not be parked on streets, highways, or thoroughfares and in all cases pedicabs shall be parked in a location that does not impede pedestrian or vehicular traffic, unless otherwise authorized.
 - (7) No person shall drive a pedicab under the influence of alcohol or a controlled substance.
 - (8) No person shall drive a pedicab when the number of passengers exceeds the number of available seats. No person shall drive a pedicab unless all passengers are seated in a seat designed for that purpose.
 - (9) Each pedicab owner shall adopt and operate a system for the collection, storage, and return of personal property left in a pedicab.
 - (10) Pedicabs shall be allowed to operate on the streets of the City of Frankenmuth during the hours from 8:00 A.M. to 12:00 midnight local time.

7.235. Fares. Fares to be charged for passenger service shall be established by the licensee. Said fares shall be posted in a conspicuous place on each vehicle, or in lieu thereof said fare sign may be posted at the pick-up location(s).

7.236. Insurance Requirements.

- (1) The owner of every pedicab shall procure for each such vehicle a general liability policy written by a reputable company authorized to do business in Michigan with a minimum Best rating of A and satisfactory to the City Clerk. The policy shall be in the amount of \$1,000,000 per occurrence with a \$2,000,000 aggregate. The policy shall provide that thirty (30) days written notice be given to the City Clerk before a policy is canceled, materially changed or not renewed. The City shall be named as an additional insured. A certificate of insurance shall be filed with the City Clerk at the time the application for license is filed and include a copy of the additional insured endorsement.
- (2) Termination of Insurance. In the event of cancellation of the policy of insurance required above, it shall be unlawful for the owner of any pedicab to allow said vehicle to be driven upon the streets, roads, alleys or highways of the City of Frankenmuth.

7.237. Consumption of Alcohol, Glass Containers.

- (1) A passenger in a pedicab may possess beer, wine, spirits, or a mixed spirits drink, in accordance with State law.
- (2) No beverage shall be transported or possessed in a glass container.

7.238. Vehicle Regulations.

- (1) All vehicles shall be equipped with such safety devices as are required by the State of Michigan.
- (2) All pedicabs must be constructed for and have the structural integrity to support pedicab operations. Each pedicab vehicle must be equipped with the following:
 - (a) Front and rear turn signals;
 - (b) Headlights;

- (c) Taillights;
- (d) Rearview mirror;
- (e) A bell or horn;
- (f) Reflectors placed on each wheel and at each corner of the body of the pedicab;
- (g) A proper braking system; and
- (h) Any other equipment required to comply with all applicable federal and state laws.
- (i) A pedicab must not have any cracks, broken or missing parts, or other visible damage. All wheels must be firmly attached to the hub of a vehicle and all springs, axles, and supporting structures of each pedicab vehicle must be intact.
- (j) A sealed refuse container for use by passengers thereon.

(3) Each pedicab driver at all times shall keep each pedicab vehicle clean and free of refuse and in safe operating condition. Prior to the operation of any pedicab and at the beginning of each shift or each day of operation, the pedicab driver shall thoroughly inspect the pedicab for safe operating conditions and shall maintain records of such inspection. For any condition found then or at any other time that will prevent the safe operation of the pedicab, the pedicab driver shall immediately remove the pedicab from service and correct the condition before the pedicab is in operating service.

(4) Each pedicab shall have a unique, nontransferable vehicle identification number at least four inches in height visible on both sides of the vehicle.

(5) Each pedicab owner shall prepare a training program for pedicab drivers covering, at a minimum, the safe operation of pedicab vehicles, customer service policies, and the requirements of this Chapter.

(6) If a pedicab is involved in an accident or collision, the pedicab driver shall immediately notify the pedicab owner and the police department and remain at the scene until the police investigate the accident or collision.

(7) All pedicab drivers must display an identification badge. Each identification badge must contain the following information:

- (a) Name; and
- (b) Photograph.

7.239. Grounds for Suspension or Revocation of Operating License. See Chapter 71.

7.240. Violations; Municipal Civil Infractions. A person who violates any provisions of this Chapter is responsible for a municipal civil infraction, subject to payment of a civil fine of not less than \$100.00 nor more than \$500.00, plus costs and other sanctions, for each violation. Repeat offenses under this Chapter shall be subject to increased fines as provided by section 1.12(3)(b) of this Code. The Chief of Police or his/her designee is hereby designated as the authorized City official to issue municipal civil infraction violation notices (directing alleged violators to appear at the City of Frankenmuth Municipal Ordinance Violations Bureau) for violations under this Chapter as provided by this Code.

7.241. Number of Annual Licensees Permitted. Only two (2) operators may be annually licensed to operate pedicabs within the City of Frankenmuth for each six thousand (6,000) of permanent population in the City of Frankenmuth as established by the immediately preceding Federal census. Applications for new licenses and renewals will be accepted between November 1st and November 30th. Preference will be given to existing operations in good standing.

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