AGENDA REQUEST

AGENDA HEADING: New Business
COMMISSION MEETING DATE: June 17, 2019
AGENDA ITEM NO: XIV.2.

BY Planning

Steven Cover
Mayor Alpert

Originating Department
Department Head
Presenter

SUBJECT:
Discussion Re: Pedal Tour Business

COMMISSION PRIORITIES:
Economic Development and Growth

EXPLANATION: (see next page for additional explanation)
Two pedal pub businesses have approached the City of Sarasota with the desire to operate a pedal pub tour in the downtown area. Florida State Statute 316.2069 gives municipalities the authority to authorize the operation of a commercial megacycle on roads or streets within their respective jurisdictions if they meet the requirements outlined in the statute, a copy of which is provided in the backup materials. The City no longer has any vehicle for hire regulations, and consequently the regulation of the business of Commercial Megacycles by issuing a permit does not appear to be a viable option. FS 316.2069 does allow the city the ability to identify which streets the Commercial Megaicycle can be operated on.

ADMINISTRATION’S RECOMMENDATION:
None.

APPROVAL SUMMARY:

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<td>06/06/2019</td>
<td>Steven Cover</td>
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AGENDA REQUEST

ADDITIONAL EXPLANATION:
The purpose of this item is to discuss whether or not the City Commission would like to direct staff to prepare an ordinance to enable Commercial Megacycles, or Pedal Pubs, to operate on certain routes within the downtown area of the City. Some other potential considerations regarding these types of businesses are the hours of operation, noise, loading, parking, and storage of the vehicle when it is not in use.

Included in the backup material for this agenda item, in addition to a copy of FS 316.2069, are St Petersburg's ordinance regulating "pedal buses," an image of the pedal tour vehicle, and a proposed route along low-speed streets as submitted by one of the potential pedal tour operators.

ADDITIONAL ADMIN RECOMMENDATION:

FUNDING SOURCE:  AMOUNT:

HOUSING IMPACT (Per House):  NEW CONSTRUCTION:  REHABILITATION:

$ 0  $ 0  $ 0

SUPPORT DEPARTMENTS:

AGENDA DISPOSITION

COMMISSION ACTION:
Final Action Motion:  
Motion By:  Second By:  Vote:
The 2018 Florida Statutes

Title XXIII  MOTOR VEHICLES

Chapter 316  STATE UNIFORM TRAFFIC CONTROL

316.2069  Commercial megacycles.—The governing body of a municipality, or the governing board of a county with respect to an unincorporated portion of the county, may authorize the operation of a commercial megacycle on roads or streets within the respective jurisdictions if the requirements of subsections (1)-(3) are met:

(1) Prior to authorizing such operation, the responsible local governmental entity must first determine that commercial megacycles may safely travel on or cross the public road or street, considering factors including, but not limited to, the speed, volume, and character of motor vehicle traffic using the road or street. Upon such determination, the responsible governmental entity shall post appropriate signs to indicate that such operation is allowed.

(2) The authorization by the governing body must clearly identify the roads or streets under the governing body's jurisdiction on or across which operation of commercial megacycles is permitted.

(3) The governing body's authorization, at a minimum, must require that a commercial megacycle be:
   (a) Operated at all times by its owner or lessee or an employee of the owner or lessee.
   (b) Operated by a driver at least 18 years of age who possess a Class E driver license.
   (c) Occupied by a safety monitor at least 18 years of age, who shall supervise the passengers while the commercial megacycle is in motion.
   (d) Insured with minimum commercial general liability insurance of not less than $1,000,000, prior to and at all times of operation, satisfactory proof of which shall be provided to the appropriate governing body.

(4) The Department of Transportation may prohibit the operation of commercial megacycles on or across any road under its jurisdiction if it determines that such prohibition is necessary in the interest of safety.

(5) Section 316.1936 does not apply to the passengers being transported in a commercial megacycle while operating in accordance with this section.

(6) This section does not prohibit use of an auxiliary motor to move the commercial megacycle from the roadway under emergency circumstances or while no passenger is on board.

History.—s. 7, ch. 2016-239.
St Petersburg, Florida City Ordinance

Chapter 28 - VEHICLES FOR HIRE

ARTICLE I. - IN GENERAL

Sec. 28-1. - Definitions.

As used in this article the following terms shall have the meanings ascribed to them:

**Driver** means an individual who operates or is in actual physical control of a public vehicle.

**Exempt vehicles** means one of the following:

1. Motor vehicles used exclusively in transporting children to and from schools under contract with school officials.
2. Hearse and ambulances when operated by licensed embalmers, morticians, or ambulance service companies or their agents or employees in this State.
3. Handicab means a vehicle designed, constructed, reconstructed or operated for the transportation of persons with nonemergency conditions where no medical assistance is needed or anticipated en route; or for persons who are unable to comfortably use a standard means of conveyance; or for persons who cannot enter, occupy or exit a vehicle without extensive assistance; or where specialized equipment is used for wheelchair or stretcher service; and where the driver serves as both a driver and attendant to assist in door-to-door or bed-to-bed service. No emergency equipment other than a fire extinguisher may be carried. The use of the term "ambulance" or "ambulatory service" may not be used and no representations may be made that any medical service is available.
5. Public sector buses which are used for the transportation of persons for compensation and which are owned, leased, operated or controlled by a municipal, county or state government, school board or a governmentally owned or managed nonprofit corporation.
6. Exclusive ride-sharing vehicles as defined in F.S. § 341.031.
7. Shuttle services owned and operated directly by a hotel or motel for transportation limited to registered guests thereof.
8. Vehicles used exclusively in transporting persons in a sight-seeing capacity with its primary purpose for tours of landmarks.
9. Transportation network company vehicles as defined in F.S. §627.748.

**Limousine/car service** means any motor vehicle not equipped with a taximeter, which provides seating accommodations for not more than 29 passengers, including the driver, not including exempt vehicles.

**Low speed vehicle** means a low speed vehicle as defined under Florida Statutes, as amended, governing motor vehicle licenses.

**Manifest** means a daily trip sheet completed by each driver listing the information required by the POD.

**Motor vehicle** means a vehicle that is motorized or self-propelled by power other than muscular power or by animals. The term "motor vehicle" does not include traction engines, road rollers, bicycles, mopeds, or motorcycles.

**New fares** means picking up any passenger from a location within the City.
Non-motorized vehicle means vehicles for hire designed to be propelled by humans or animals and which may or may not also have helper engines or motors installed so long as the helper engines or motors do not exceed the non-motorized vehicle speed of over 20 miles per hour on level ground.

Non-public sector bus means any motor vehicle with a capacity for no more than 29 passengers, including the driver but does not include public sector buses, school buses, and buses that transport passengers between a common carrier terminal station, or other exempt vehicles.

Operator means any person owning, leasing or controlling a taxicab, van, or limousine/car service. An operator may or may not be a driver.

Pedal bus means a non-motorized vehicle for hire with a seating configuration similar to that of a dinner table, seating on each side, and solely powered by humans using pedals.

Public street means any of the public streets, boulevards, avenues, drives, or alleys within the City.

Public vehicle means non-public sector buses, taxicabs, vans, limousines/car services and any other motorized and non-motorized vehicles, including vessels, for the transportation for hire of passengers where new fares begin within the City and includes low speed vehicles which operate in the same manner as transportation for hire but may or may not charge a fee to new fares.

Public vehicle certificate means the written authority issued pursuant to this article which grants the privilege to operate one public vehicle within the City.

Taxicab means any motor-driven vehicle, regardless of its power source, with a capacity for no more than nine passengers, including the driver, which is operated for compensation based upon rates reflected on a taximeter, not including exempt vehicles.

Taxicab meter means any mechanical, digital or electronic device which serves to monitor the distance, time, or mileage to determine the fare to be charged a passenger of a taxicab.

Van means any motor-driven vehicle with a capacity of not more than 29 passengers including the driver, not including exempt vehicles.

Vessel means any boat or watercraft designed for water travel, including, but not limited to, any kayak, canoe, boat, motorboat, air boat, or watercraft being propelled or powered by machinery, air or human power and designed for water travel and includes personal watercraft such as, but not limited to, jet skis, waverunners, wavejammers, and other similar vessels being propelled or powered by machinery, air or human power which transports passengers for compensation similar to a taxicab or other public vehicles. This definition does not include seaplanes or vessels rented for recreational purposes.


Sec. 28-2. - Penalty for violation.

Every officer, agent, or employee of any corporation, and every other person who violates or fails to comply with or who procures, aids, or abets in the violation of any provision of this article shall be guilty of a municipal ordinance violation and may have a penalty enforced upon said person.

(Code 1992, § 28-2; Ord. No. 107-G, § 2, 11-4-1993)

Secs. 28-3—28-13. - Reserved.

ARTICLE II. - REGULATIONS AND REQUIREMENTS FOR PUBLIC VEHICLES
Sec. 28-14. - Regulations and standards for public vehicles.

(a) All public vehicles which are regulated by this chapter except nonmotorized vehicles and low speed vehicles shall be equipped with the following:
   (1) A rear view mirror and a side view mirror on the driver's side;
   (2) A speedometer properly installed, in good working order;
   (3) Clean, sanitary interior, free from torn upholstery or floor covering and from damaged or broken seats;
   (4) Door hinges and latches in good mechanical working order and doors which operate easily and close securely;
   (5) Body, fenders, doors, trim and grill reasonably free from cracks, breaks, and dents that would impair the safety or appearance of the public vehicle;
   (6) Glass in the windshield and windows that shall be approved safety non-shatterable glass;
   (7) Tires of the size appropriate for the public vehicle and with no mismatched "sized" tires. There shall be no cuts into the tire cord or sidewall area or localized worn spots that expose the ply;
   (8) An operational horn with the activating button mounted in the location designated by the vehicle designed and assembled by the vehicle manufacturer;
   (9) Seat belts that are available for passengers in all seats except jump seats, spaces designed to accommodate wheelchairs or where the seat belts are not required by law. Seat belts in operating condition and easily accessible by all passengers. For the purpose of this section, seat belts which are placed under the seat or between the lower and upper portions of the seat are deemed not easily accessible;
   (10) Standard, operational windshield wipers for the entire front windshield which shall be controlled electronically or by vacuum and operated from the interior of the public vehicle. The wiper blades shall be in such a condition as to make firm contact with the windshield when operational, and shall not be torn or badly worn;
   (11) An operational parking brake and an operational primary brake system which acts on all of the vehicle's axles; and
   (12) An adequately operating air conditioning/heating system and windshield defrost or defogging system, which controls the temperature of the interior of the vehicle between 68 degrees Fahrenheit to 78 degrees Fahrenheit.

(b) The public vehicle shall be structurally sound and operate with a minimum of noise and vibration, and the driver's vision shall be unobstructed on all four sides of the public vehicle.

(c) There shall be a place provided for the driver's appropriate valid State driver's license to be prominently displayed.

(d) Additionally, for taxicabs, the items listed below shall be required:
   (1) A taximeter shall be installed and illuminated so as to be easily seen by a passenger sitting in any part of the taxicab.
a. The taximeter will be of such a type and design as will properly and accurately compute and display on its face the charge for distance traveled or the charge for waiting time.

b. The operation of any taxicab with a taximeter which is defective or which does not properly and accurately compute and display on its face the charge for distance traveled or the charge for waiting time shall constitute a violation of this article.

c. The taximeter shall be inspected each time a periodic inspection is made. The taximeter shall be inspected annually by the department of agriculture bureau of weights and measures and their seal affixed to the meter.

d. No taximeter shall be used between sunset and sunrise unless the face thereof shall be illuminated by a light so arranged as to give continuous light upon the taximeter.

e. The taximeter shall be one approved by the State department of agriculture bureau of weights and measures or such other enforcing department of the State.

f. There shall be a signal or other device affixed to the taximeter which indicates whether the taxicab is in use.

(2) Each operator shall have posted inside of each taxicab, in a conspicuous place, the detailed tariff charged or to be charged for transportation or the tariff must be readily available on any taxicab website or digital application. This tariff shall be printed in such a size as to allow it to be easily readable by persons sitting in the rear seat of the taxicab.

(3) The name of the driver shall be plainly posted on the inside of the taxicab and it shall also state whether the driver is the owner or lessee of the taxicab.

(4) The taxicab may have a roof identification device or a dashboard mounted identification device visible from the exterior indicating that the vehicle is a taxicab which may include a device to indicate whether the taxicab is available for hire or is vacant.

(5) In addition to any vehicle signs allowed by the sign section of the land development regulations, taxicabs shall be allowed one triangular or one two-sided sign on the roof of the taxicab which shall not exceed two feet in height (as measured from the roof) or one one-sided sign which shall be attached to the trunk or bumper and directed toward vehicles following the taxicab. No sign face shall extend beyond any side of the vehicle and no sign face shall exceed five feet in length. If vehicle or window wraps are used, the trade dress insignia must still be readily visible to the public.

(e) Exempt vehicles are not required to comply with this section.

(f) Non-motorized vehicles are required to comply with the following:

(1) Non-motorized vehicles shall be equipped with:

a. All safety equipment required for vehicles including horn, lights, reflectors and seatbelts, where applicable;

b. A signaling device, which may be human powered such as a whistle;

c. A clean, sanitary interior, free from torn upholstery or floor covering and from damaged or broken seats;

d. Doors which operate easily and close securely and door hinges and latches in good mechanical working order, if the vehicle is designed to have doors; and

e. Tires of the size appropriate for the vehicle, with no mismatched "sized" tires.

(2) Non-motorized vehicles may not be operated on any City sidewalk;

(3) Non-motorized vehicles shall comply with posted regulations for stopping and standing. Non-motorized vehicles may not stop or stand in on-street spaces reserved for bus stops and trolley stops;
(4) Non-motorized vehicles may use available public parking spaces for stopping or standing but shall comply with posted time requirements and are subject to ticketing for failure to comply with such requirement;

(5) There shall be a place provided in the vehicle for the public vehicle driver’s picture to be displayed;

(6) Non-motorized vehicles with passengers, except for pedal buses and horse carriages, may only operate between 9th Avenue South and 9th Avenue North and between 32nd Street and Tampa Bay;

(7) Non-motorized vehicles shall enter into a license agreement with the City prior to transporting passengers;

(8) A non-motorized vehicle shall have no more than one sign on each side of the vehicle, each not more than two square feet and one sign on the rear of the vehicle not more than four square feet;

(9) For pedal buses, the following additional requirements shall be met:

a. A public vehicle certificate shall be issued provided the applicant meets all the requirements set forth in this chapter and provides a copy of a current, valid license agreement with the City. The public vehicle certificate shall be visible from the exterior of the pedal bus on the rear of the vehicle. Failure to have a current, valid license agreement shall result in immediate revocation of the public vehicle certificate.

b. A public vehicle certificate holder shall operate the pedal bus within 30 days of obtaining a public vehicle certificate.

c. No alcoholic beverages other than beer, wine, hard cider or malt based beverages below 19 percent alcohol may be consumed by passengers on the pedal bus. No persons under the age of 21 are allowed on the pedal bus during a ride where alcohol is or is planned on being consumed.

d. All pedal buses shall require passengers to execute a waiver, approved by the City, prior to boarding the pedal bus. Licensee shall make available for inspection such executed waivers upon the City's request.

e. A pedal bus shall require all passengers under age 16 to wear helmets and offer helmets for all other passengers, regardless of age, at no cost.

f. All pedal buses may only be used on public streets designated with a speed limit of 35 miles per hour or less subject to the following exceptions:

1. Special events. Pedal buses shall not operate within half a mile of any boundary of any event declared to be a special event by a resolution adopted by the City Council during the event and for two hours prior to and two hours after the event. The resolution shall delineate the boundaries within which the special event declaration is to be effective.

2. The pedal bus shall not operate on December 31 and July 4 between and including 5th Avenue North to 5th Avenue South from Tampa Bay to Interstate I-275 after 5:00 p.m. The POD may increase or decrease the distance and time limitations as determined necessary to have unobstructed pedestrian and vehicular access.

3. Tropicana Field Events. Pedal buses shall not operate between and including 6th Street and 20th Street and Central Avenue to 5th Avenue South for 1.0 hour prior to and 1.0 hour after an event held at Tropicana Field.

4. Crossing streets. Pedal buses are allowed on streets designated with a speed limit of over 35 miles per hour for the sole purpose of crossing such portion where a 35 miles per hour or less speed zone is designated on both sides of the street. The pedal bus
shall obey all State laws with regards to road crossings and travelling upon State and county roads.

5. **Street closures.** Pedal buses are not allowed on streets which have been closed except that if such closure is in association with a parade permit and the pedal bus is an authorized participant in such parade.

g. **A pedal bus shall carry the following insurance at its own expense:**

1. **Commercial general liability insurance** in an amount of at least $5,000,000.00 per occurrence, with $5,000,000.00 aggregate, and $5,000.00 medical payments coverage. This policy shall include coverage for (i) personal injury or death or property damage or destruction; (ii) participant and passenger liability; (iii) contractual liability under this agreement, and (iv) customers who bring alcohol on the pedal bus.

2. **Automobile liability insurance of $1,000,000.00 combined single limit.**

3. **Workers’ compensation insurance** as required by Florida law and employers’ liability insurance in an amount of at least $100,000.00 each accident, $100,000.00 per employee, and $500,000.00 for all diseases.

h. Pedal buses shall obey all traffic laws and shall not obstruct pedestrian traffic.

i. No glassware of any kind shall be allowed on the serving area of a pedal bus including but not limited to bottles, receptacles or drinking glasses. Glassware may be allowed to be stored on a pedal bus as long as the glassware is empty, securely stored so as to be inaccessible while the vehicle is in motion, and wrapped in paper, padding, or some other covering to prevent breakage.

j. **A violation of the requirements in this section shall constitute a violation of this Code pursuant to Section 1-7 and may be grounds to revoke a public vehicle certificate.**

(g) **Low speed vehicles are required to comply with the following:**

1. **Low speed vehicles shall conform to all Federal and State regulations (currently Title CFR Part 571.500 and F.S. ch. 316).**

2. **Low speed vehicles shall have a clean, sanitary interior, free from torn upholstery or floor covering and from damaged or broken seats;**

3. **Low speed vehicles shall have the exterior parts free from cracks, breaks and dents;**

4. **Low speed vehicles shall be structurally sound and operate with a minimum of noise and vibration;**

5. **Low speed vehicles shall comply with posted regulations for stopping and standing and shall not stop or stand in on-street spaces reserved for, or marked as, bus stops and trolley stops, but may use on-street spaces reserved for taxicabs;**

6. **Low speed vehicles may use available public parking spaces for stopping or standing but shall comply with posted time requirements and meter charges and are subject to ticketing for failure to comply with such requirements;**

7. **There shall be a place provided in the vehicle for the public vehicle driver’s picture to be displayed which shall be readily visible to occupants;**

8. **Low speed vehicles shall comply with all traffic regulations and shall not be allowed on any sidewalk;**

9. **Low speed vehicles which may charge a fee shall be regulated as a taxicab but shall not be required to have a taxicab meter.**

10. **Notwithstanding the foregoing, City employees shall be allowed to operate low speed vehicles on any sidewalk or in any park provided such operation is necessary in carrying out their official duties.**
(h) Additionally for vessels the following shall be required:

1. Each vessel must display a registration number, and be registered as a commercial vessel if required to be so registered by the Florida Department of Highway Safety and Motor Vehicles.
2. All operators must be at least 18 years old.
3. All vessels shall carry and maintain all safety equipment required by the United States Coast Guard safety requirements.
4. All vessels under 26 feet in length shall require all passengers under the age of six to wear a Coast Guard approved personal floatation device.
5. All vessels over 14 feet in length must carry a life ring or other equivalent floatation device.
6. All vessels are required to have working navigation lighting.

(i) Non-public sector buses, limousines, and vans shall operate as a pre-arranged service and shall not solicit "walk up" passengers unless operating pursuant to a written agreement with the ownership or management of the location of the solicitation.

(j) Only a vehicle marked in compliance with this chapter as a taxicab may use the taxi stands.


Sec. 28-15. - Public vehicle certificate requirement.

(a) It shall be unlawful to operate any public vehicle which picks up a new fare within the City limits without a valid certificate affixed to the public vehicle.

(b) There shall be a rebuttable presumption that a public vehicle which does not have a valid certificate affixed to the vehicle is violating this provision.

(c) Each public vehicle shall have permanently affixed to the public vehicle a valid public vehicle certificate prior to each public vehicle beginning a new fare within the City limits. The public vehicle certificate shall be located on the driver's side of the vehicle on the lateral face of the bumper, trunk lid, or rear window and shall be visible from the exterior of the vehicle.

(d) Each certificate shall expire on September 30 and may be renewed upon payment of the prescribed fee prior to expiration.

(e) All public vehicle certificates fees for renewals shall be paid on or before September 30 of each fiscal year. If September 30 falls on a weekend or holiday, the renewal fee is due and payable on or before the first business day following September 30.

(f) For each new public vehicle certificate issued between October 1 and March 31, the full amount of the certificate shall be paid. For each new public vehicle certificate issued on or after April 1, one-half of the total amount of the public vehicle certificate shall be paid. This section does not apply to temporary 14-day certificates as set forth in this chapter.

(g) Upon the cancellation or lapse of any policy of insurance as required by this article, the certificate issued pursuant to this article shall be immediately revoked unless, before the expiration date of the policy of insurance, another policy of insurance containing all the requirements of the original policy of insurance is obtained. However, any holder of a certificate may make application to the POD for a voluntary suspension of the certificate for a term not to exceed six months and not to extend beyond the certificate term. The POD, in granting a voluntary suspension of a certificate, shall require the holder of the certificate to surrender possession of the certificate to the POD, but the surrender of possession of the certificate shall not be construed to be a cancellation thereof unless the holder of
the certificate shall fail to file with the POD a policy of insurance before the expiration date of the suspension period. During the time of the voluntary suspension of the certificate, the operator shall not be required to maintain the policy of insurance as required by this article. A public vehicle certificate may be transferred during the voluntary suspension period.

(h) The holder of any public vehicle certificate may assign the certificate to any person or any vehicle otherwise qualified under this article, however, a transfer fee of $25.00 must be paid to the City and the appropriate transfer application must be filed with the City before each certificate may be transferred. The person or vehicle that the certificate is to be transferred to must meet all the requirements for the issuance of a public vehicle certificate. The holder shall not transfer the certificate to any other vehicle without filing a transfer application and making payment of the transfer fee of $25.00 per certificate transferred. Each vehicle receiving a transferred certificate must meet all the requirements for the issuance of public vehicle certification.

(i) The applicant for a certificate required by this section shall make a notarized application therefor to the POD upon application blanks to be furnished by the POD, which application shall contain, but not be limited to, the following information:

1. The owner of the vehicle and, if not owned by the applicant, from whom the vehicle is leased or rented;
2. The make and model of the vehicle and the year of its manufacture, together with the serial number of the vehicle and the seating capacity thereof;
3. The State license plate number of the motor vehicle;
4. If the owner of the vehicle is a corporation, the officers thereof;
5. If the owner of the vehicle is a partnership, the name and residence of each partner;
6. The principal business location of the owner of the vehicle;
7. A detailed rate and fare schedule to be charged for the vehicle, if applicable;
8. Whether the vehicle is to be operated as a taxicab, van, limousine/car service, low speed vehicle, vessel or non-motorized vehicle; and
9. If the vehicle is a taxicab, taxicab parent company information including: name, address, and telephone number.

(j) In addition to the above required application information, the applicant shall:

1. State, declare and agree that the applicant will comply with all of the requirements of this chapter and that for a violation of any of the provisions of this chapter, the POD shall be at liberty to cancel and withdraw the certificate and terminate the right of the person to use the streets of the City to operate a public vehicle, upon notice and a reasonable opportunity to be heard regarding such proposed action;
2. Agree to maintain and keep in workable condition one vehicle for each certificate;
3. Low speed vehicles shall provide to the POD a copy of the certificate of title and registration from the State and any other document deemed necessary by the POD to show that the vehicle is a low speed vehicle including, but not limited to, a State approved inspection sheet;
4. State, declare and agree that the applicant and all employees will service all areas of the City. Non-motorized vehicles, vessels, and low speed vehicles are not required to comply with this provision; and

(k) Before a certificate required by this article shall be issued by the POD, the applicant for a certificate of the public vehicle shall conform to the following requirements:

1. Pay to the City the administrative certificate fee for each public vehicle certificate as set forth in chapter 12.
(2) File with the POD satisfactory evidence of holding a motor vehicle liability insurance policy insuring against loss from liability for bodily injury, death, and property damage, with coverage limits not less than the minimum amounts specified by F.S. § 324.032 or such greater minimum amounts as may be required by other provisions of F.S. ch. 324, applicable to the applicant. Notwithstanding the foregoing, non-motorized vehicles, except for pedal buses, shall be required to obtain general liability insurance in the amount of $300,000.00 per occurrence, pedal buses shall provide the insurance limits as set forth in this chapter (currently 28-14(f)), and the City shall be named as an additional insured on the insurance certificate. The policy of insurance shall provide that notice for the cancellation thereof shall be given not less than ten days in advance of the effective date of such cancellation to the POD. The insurance policy shall provide that the City shall receive all notices of any kind (termination, cancellation, renewal, nonrenewal, rate increase, etc.) which shall be sent to the POD.

a. If the holder of public vehicle certificates has more than one insurance policy for the holder's public vehicles, the policies shall have the same expiration date. Any exceptions must be approved in writing by the POD.

b. The holder of a public vehicle certificate shall provide a schedule issued by the insurance carrier of all vehicles covered by the certificate of insurance. A change of the certificate of insurance shall be provided to the POD from the authorized insurance representative when public vehicles are added or deleted from the policy. The City shall be named as a certificate holder on the insurance certificate of all insurance policies maintained to satisfy the requirements of this section.

(l) Non-motorized vehicles and low speed vehicles are required to comply with this section unless otherwise specifically exempted from a particular provision. All exempt vehicles are not required to comply with this section.

(m) A person who makes application for a public vehicle certificate shall be issued such a certificate upon a showing to the City, in the manner prescribed in this chapter of the Code that the person has met all the requirements for issuance of such a certificate.

(n) The public vehicle certificate is delinquent if not renewed by September 30 of each year. Any public vehicle certificate not renewed is deemed expired. Delinquent fees are subject to a delinquency penalty of ten percent for the month of October plus an additional five percent penalty for each month or portion thereof of delinquency thereafter until paid. The total delinquency penalty shall not exceed 25 percent of the fee due. The payment of this delinquency penalty is not in lieu of other penalties provided by this article. It is no defense of nonpayment of any public vehicle certificate that the business or person was not notified that payment was due to the City. Any holder of a public vehicle certificate for a previous year who does not renew by September 30 of the current year is subject to the delinquency penalty as set forth in this paragraph regardless of the subtraction or addition of new vehicles to their fleet. If a delinquent certificate holder adds or subtracts new vehicles to their fleet, a delinquency penalty shall be assessed on the total vehicles within their fleet at the time of reinstatement.

(o) The holder of any public vehicle certificate may purchase a temporary 14-day certificate for a replacement vehicle should an event occur rendering a vehicle assigned a public vehicle certificate to be disabled. A temporary 14-day certificate fee of $15.00 shall be paid to the POD. The temporary public vehicle certificate application must be filed with the City before a certificate may be issued. The person and/or vehicle that the certificate is to be issued must meet all the requirements for the issuance of a public vehicle certificate. Proof of the disabled vehicle is required to be provided to the POD. Failure to obtain a public vehicle certificate for the replacement vehicle after the expiration of the 14 days, or failure to obtain an additional temporary certificate, or failure to reinstate the original vehicle assigned a public vehicle certificate shall be a violation of this article. No more than two consecutive, temporary 14-day certificates may be issued for any single public vehicle.

(p) Any holder of a revoked public vehicle certificate must file a new application and pay all applicable fees for reinstatement of the public vehicle certificate.
ARTICLE III. - PUBLIC VEHICLE DRIVER REQUIREMENTS

Sec. 28-27. - Prohibited conduct of public vehicle drivers.

(a) Background check requirements for all public vehicle drivers:

(1) It shall be unlawful for any driver of a public vehicle to drive or operate a public vehicle within the City unless that person has first undergone a background check meeting the requirements of this Chapter. It shall be unlawful for any vehicle for hire parent company to allow a person who has not met the background check requirements of this Chapter to drive or operate a public vehicle for hire within the City, which is owned, leased, or contracted by the parent company.

(2) All drivers must have undergone a local and national criminal background check that includes:
   a. A search of the multi-state/multi-jurisdiction criminal records locator or other similar commercial nationwide database with validation of any records through primary source search; and
   b. A search of the National Sex Offender Public Website maintained by the U.S. Department of Justice; and
   c. A driving history report including driving history for the preceding three years.

(3) No driver may be permitted to drive or operate a public vehicle if any of the following conditions exists, as determined by the required background check:
   a. The driving history research report reveals that the individual has had more than three moving violations in the prior 3-year period.
   b. The individual has been convicted, within the past five years of:
      1. A felony;
      2. A misdemeanor for driving under the influence of drugs or alcohol, reckless driving, hit and run, or for fleeing or attempting to elude a law enforcement officer;
      3. A misdemeanor for a violent offense or sexual battery, or a crime of lewdness or indecent exposure under F.S. Chapter 800;
   c. Has been convicted within the past three years of driving with a suspended or revoked license;
   d. Is a match in the National Sex Offender Public Website maintained by the U.S. Department of Justice; or
   e. Does not possess a valid driver's license.
   f. Date of conviction means the date of adjudication and imposition of sentence.

(b) It shall be unlawful for any driver of a public vehicle to:

(1) Violate any of the terms, provisions or directions of this article;

(2) Fail to keep a written or digital manifest of all trips, which documents information as to the time of each trip, the starting and ending point of each trip, together with the number of persons
carried. Every driver shall maintain a daily manifest upon which they shall promptly and legibly record the following information: name of driver, vehicle number, year, month, date, and the starting time, place of origin and destination of each trip during a driver's operating period. All manifests shall be subject to inspection by the POD and law enforcement officials. The manifest shall be available for inspection at all times and shall be kept available for a period of not less than six months.

(3) Fail to report promptly all accidents to the Police Department;

(4) Operate any public vehicle when the individual's state driver's license required by State law has been revoked or during the time when the individual's driver's state driver's license is suspended;

(5) Fail to give a written or digital receipt for fares when requested by passengers. Such digital receipts must be provided within 24 hours of the end of the fare.

c) All public vehicle trips dispatched by the public vehicle dispatch service holder shall be immediately recorded on a dispatch ticket indicating the time, date and origin of each trip dispatched. All dispatch tickets shall be maintained by the public vehicle certificate holder for at least 30 days from the date of the dispatch ticket and shall be available for inspection at all times within that period. All dispatch tickets shall be subject to inspection by the POD and law enforcement officials. Such dispatch tickets may be kept and provided as digital records.

d) All public vehicle drivers shall comply with all applicable laws regarding non-discrimination against passengers or potential passengers on the basis of destination, race, color, national origin, religious belief or affiliation, sex, disability, age, sexual orientation, or gender identity.

e) All public vehicle drivers shall comply with all applicable laws relating to accommodation of service animals.

f) There shall be no additional charges for providing services to persons with disabilities because of those disabilities.

g) Public vehicle drivers shall provide passengers an opportunity to indicate whether they require a wheelchair-accessible vehicle. If a driver cannot arrange a wheelchair-accessible service, it shall direct the passenger to an alternate provider of wheelchair-accessible public vehicle services.


Sec. 28-28. - Reserved.


Sec. 28-29. - Reserved.

We have done parades, charity rides, city clean-up rides, real estate tours, history tours, bird watching tours, brunch rides, transportation to sporting events. Just to name a few.
Colleen,

Please see revised map. The route is the same with the exception of 41, instead we will be turning around and heading back East on 1st. As far as parking goes, no real issues with Mandeville since they have their own parking, Social or Sage (many parking lots surrounding), and O’Leary’s has ample parking. The Smokin’ Joe’s/Brewster’s stop doesn’t have any parking immediate to it, but there are usually options in front of the Public Library and near Whole Foods. Please let me know if this is all that you need or if any of these parking situations pose an issue and we can readdress. Thank you for getting this conversation started! We look forward to hearing how the meeting goes.

Claire Kobza
Birmingham Pedal Tours
O: 205-304-8687
C: 941-685-4416

On Apr 5, 2019, at 8:57 AM, Colleen McGue <Colleen.McGue@sarasotaFL.gov> wrote:

Good morning, Claire:
Would you please send me a map of your updated route? When we last spoke, I had mentioned that operation of the pedalbus on US 41 would be an issue because of the vehicle speeds. If you would send me a map that shows a route that does not include