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**AN ORDINANCE  
of the  
CITY OF  
MINNEAPOLIS**

**By Hofstede**

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**Amending Title 13 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations, by adding a new Chapter 306 relating to Commercial Pedal Car.**

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That the Minneapolis Code of Ordinances be amended by adding thereto a new Chapter 306 to read as follows:

**CHAPTER 306. COMMERCIAL PEDAL CAR**

**306.10. Definitions.** As used in this chapter, the following terms shall mean:

*Commercial pedal car:* A pedal car is a non-motorized four (4) or more wheeled bicycle-like vehicle that is human powered that transports passengers on bicycle-like seats and is propelled by five or more passengers not including the operator. A pedal car may have a maximum length of twenty (20) feet, a maximum width of eight (8) feet six (6) inches and a maximum height of twelve (12) feet. A pedal car may not be power assisted.

*Commercial pedal car business:* The business of operating one (1) or more commercial pedal car vehicle(s) for profit or not-for-profit.

*Commercial pedal car driver:* Any person who is responsible for the safe operation of a commercial pedal car, including but not limited to the steering and braking and maintaining compliance with all state and local traffic regulations.

*Commercial pedal car driver license:* A license granted in accordance with this chapter.

*Street:* Any street or roadway under the jurisdiction of the city.

*Vehicle* means every device in, upon, or by which any person is or may be transported or drawn upon a highway or street.

**306.20. License required.** (a) No person shall engage in the activity of operating of a commercial pedal car business without a license as required under this chapter.

(b) No person shall operate a commercial pedal car without a commercial pedal car driver license as required under this chapter.

**306.30. License fee.** (a) The annual fee for a commercial pedal car business license shall be as established in the License Fee Schedule, and based on the number of commercial pedal car(s) in operation on the streets at any time during the license year.

(b) The annual fee for a commercial pedal car driver license shall be as established in the License Fee Schedule.

**306.40. When licenses expire.** Licenses issued under this chapter shall expire on May first of each year.

**306.50. License number.** All commercial pedal cars shall be assigned a number or number series by the department of licenses and consumer services. The number assigned shall be displayed at least two (2) inches to the right of the rear left hand turn signal but no further than the center of the commercial pedal car and shall be a minimum of three (3) inches in height and in a contrasting color that does not blend into the paint color of the commercial pedal car.

**306.60. License application.** (a) Application for a license under this chapter shall be made on forms provided by the department of licenses and consumer services and shall contain any information the department may require, including the name, address and telephone number of the applicant; whether the applicant is a natural person, partnership, corporation or unincorporated association; the names and addresses of all partners, if a partnership, or of all officers and directors, if a corporation; and the names and addresses of all persons authorized to operate a commercial pedal car on behalf of the licensee.

(b) Application for a pedal car driver license under this chapter shall be made on forms provided by the department of licenses and consumer services and shall contain such information as the department may require, including the name, telephone number, date of birth, current address and all residing addresses within the previous five (5) years of the applicant. Each pedal car driver license shall indicate the name of the pedal car business for which the driver works. No pedal car driver shall drive for a different pedal car business without first notifying the licensing department and obtaining a new driver's license indicating the new pedal car company. Every pedal car driver shall meet and maintain the following requirements in order to hold a pedal car driver license:

- (1) Possess a valid Minnesota driver license or a valid driver license from their home state. Those with out-of-state driver licenses must not have a currently cancelled, revoked or suspended Minnesota driver license. Those with out-of-state driver licenses must provide a certified copy of their driving and criminal history from their home state.
- (2) Be a minimum of eighteen (18) years old.
- (3) Shall not have had more than three (3) moving violations in the last three (3) years and no more than two (2) moving violations in the last year.
- (4) Shall not have been convicted of careless or reckless driving or any violation of Minn. Stat. 169A (driving while impaired) within the past three years.
- (5) The provisions of Minnesota Statutes, Chapter 364 shall govern the eligibility of an applicant or license holder to acquire or maintain a pedal car driver license based on a prior or present criminal conviction or convictions.

**306.70. Insurance required.** No license shall be issued or renewed without proof of general liability insurance in the minimum amount of two million dollars (\$2,000,000.00). Proof of insurance shall comply with section 259.160 of this Code.

**306.80. Approved tour assembly sites required.** All commercial pedal car businesses shall operate tours only from approved commercial locations on private property. These sites shall be used by the licensed business as the locations for patrons to gather and assemble prior to embarking on a commercial pedal car tour and to disembark at the conclusion of the tour. Approved sites shall provide patron access to restroom facilities and a minimum of three (3) off street customer parking spaces per pedal car operated from the site. Any approved assembly site located in the B4 Downtown Business District shall be exempt from the restroom facilities and the customer parking requirements. Any assembly site utilized three (3) or fewer times during the annual license period shall be exempt from all requirements of this section.

**306.90. Commercial pedal car inspections.** (a) Initial inspections. All commercial pedal cars must pass an initial inspection of condition and compliance with safety and equipment standards under this chapter before a commercial pedal car license is issued.

(b) Annual inspections. The director of licenses shall require an annual commercial pedal car inspection and may designate minimum safety standards for equipment and body defects. A separate fee as established in the License Fee Schedule may be required for an annual inspection. Commercial pedal cars found to not meet minimum inspection standards may be identified as "out of service" and shall not operate until such defects have been repaired and approved by the director or the director's designee.

(c) Periodic inspections. The director of licenses shall have the right to examine and inspect any licensed commercial pedal car at any reasonable time in order to ensure compliance with all applicable ordinances, laws and rules.

(d) In-operation inspections. If an inspector finds a commercial pedal car in operation exhibiting continuing and present safety concerns, the commercial pedal car may be immediately ordered out of service until necessary repairs are made or the safety concerns are resolved. Qualifying safety concerns may include but are not limited to the loss of control of passengers or their failure to abide by applicable ordinances, laws or rules, flat tires, inoperable head lights or tail lights, or other mechanical or operational issues making the vehicle presently unsafe to operate.

**306.100. Hours of operation.** Hours of operation shall be from 10:00 a.m. to 10:00 pm. No person shall operate a commercial pedal car on a public street during the hours of 3:30 pm to 5:00 pm on any weekday, excluding national holidays, in the Downtown Business Improvement Special Service District, as described in section 442.10 of this Code. Upon the approval of a written request made to the department of licenses and consumer services, the prohibitions of hours of operation may be waived for special events.

**306.110. Vehicle operation.** Every commercial pedal car shall be operated in compliance with all applicable federal, state and local traffic laws, and in a manner so as to assure the safety of persons and property.

**306.120. Operating restrictions and conditions.** (a) No commercial pedal car shall be operated or parked on a public sidewalk.

(b) No commercial pedal car shall use any public street or other public property as a waiting area unless such area is a legal motor vehicle parking area or as permitted pursuant to section 482.30 of this Code. No pedal car shall park or wait in a taxi stand as defined in section 482.10 of this Code.

(c) No commercial pedal car driver shall consume any alcoholic beverages while on duty or operate a commercial pedal car while impaired in any manner to any threshold provided by Minn. Statute Section 169A.20(1), as amended.

(d) All commercial pedal cars shall be clean and maintained in a good state of repair. All commercial pedal cars shall be maintained by the commercial pedal car business so as to be well painted and have an appearance free of damage or deterioration, and a safe operational condition. Commercial pedal cars shall be, at all reasonable times, subject to inspection by the department of licenses and consumer services or the police department.

(e) All commercial pedal cars shall display a valid license decal conspicuously displayed, issued by the director of licenses and consumer services.

(f) All commercial pedal cars shall have the trade name and phone number of the licensee conspicuously displayed on the pedal car.

(g) All commercial pedal car passengers consuming alcohol shall be of legal age as established pursuant to Minn. Statute Section 340A.503, as amended.

(h) Commercial pedal car drivers shall have in their possession proof of insurance, valid state driver's license and a commercial pedal car drivers license while in control of any commercial pedal car and shall operate the pedal car in compliance with all applicable federal, state, and local traffic laws, ordinances, or other applicable regulations and in a manner so as to assure the safety of persons and property. These documents shall be made available upon request of law enforcement, an authorized city license inspector or traffic control agent.

(i) All commercial pedal car drivers shall obey and comply with any lawful order or direction of any police officer, traffic control agent, or license inspector, and shall refrain from the use of any profane language or from interference with such officials while in the performance of their duties.

(j) No commercial pedal car driver shall permit more passengers to be carried in a commercial pedal car than the commercial pedal car's normal seating capacity and no more than two (2) persons in addition to the driver may be in the center aisle while vehicle is in motion.

(k) No commercial pedal car driver shall allow a passenger or other individuals to drive their commercial pedal car unless that individual also holds a commercial pedal car driver's license.

(l) Commercial pedal cars may operate on Minneapolis Park and Recreation property only with prior written approval from the Minneapolis Park and Recreation Board.

(m) No glassware of any kind shall be allowed on a commercial pedal car including but not limited to bottles, receptacles or drinking glasses.

(n) No music or amplified sound shall be played, nor yelling or conversation be conducted, in such a manner that the sound of which carries to points of habitation or adjacent properties and is audible above the level of conversational speech at a distance of fifty (50) feet or more from the point of origin of the sound.

(o) No alcoholic beverages other than beer, wine, hard cider, or malt-based beverages below six (6) percent alcohol may be consumed by passengers of a commercial pedal car.

(p) It is the responsibility of the commercial pedal car driver to properly dispose of all trash.

(q) A commercial pedal car driver must be properly attired with a shirt, pants, skirt or shorts and secure footwear.

(r) A commercial pedal car driver shall not stop to load or unload passengers or their belongings in the intersections of any street, crosswalk or in any manner or other location that would be considered unsafe. No commercial pedal car driver shall load or unload in any such manner that will in any way impede or interfere with the orderly flow of traffic on the streets.

(s) It shall be unlawful for any commercial pedal car driver to allow or cause to be operated a pedal car in any unsafe manner or operating condition.

(t) It is the responsibility of the commercial pedal car driver to actively and affirmatively manage the behavior of the passengers of the commercial pedal car so that that their behavior remains law-abiding during the excursion, both while the pedal car is in motion and at a stop. Behavior which shall be prohibited and prevented includes specifically, but is not limited to, violations of Minn. Statute Sections 617.23 (indecent exposure) and 609.72 (disorderly conduct), and sections 227.180 (public urination) and 225.10 (littering) of this Code.

(u) Any commercial pedal car not in compliance with the minimum requirements of section 306.130 may be cited and placed immediately-out-of-service. Any vehicle which has been so removed from service shall not be returned to service until such vehicle has been approved by the department of licenses and consumer services for resumption of service.

**306.130. Vehicle safety and equipment standards.** (a) No commercial pedal car owner or driver shall operate or allow the operation of a commercial pedal car on any street unless the commercial pedal car meets the following equipment and safety standards:

(b) Tires. Tires shall be of a size appropriate for the commercial pedal car with no mismatched tires per the design of the vehicle. There shall be no cuts to the tire, localized worn spots that expose the ply, or visible tread wear indicators.

(c) Operational horn. The commercial pedal car shall be equipped with a fully operational horn or bell.

(d) Brakes. It shall be unlawful to operate, or cause to be operated, a commercial pedal car that is not equipped with a front and rear braking system capable of being manipulated by the driver from driver's normal position of operation and capable of causing a commercial pedal car with a loaded passenger compartment to come to a complete stop in a linear path of motion when each wheel of the commercial

pedal car is in contact with the ground on dry, level, clean pavement. The braking system controlling the rear wheels shall be hydraulic or mechanical disc or drum brakes, which are unaffected by rain or wet conditions.

(e) Headlights, tail lights, mirrors, turn signals, and other requirements. Every commercial pedal car shall be equipped with the operational equipment set forth in the subsections below:

- (1) A headlight capable of projecting a beam of white light for a distance at a minimum of three hundred (300) feet which shall be clearly visible during darkness and must be illuminated at all times during darkness.
- (2) A side mounted mirror or a wide-angle rear view mirror affixed to the pedal car to reflect to the pedal car driver a view of the street for a distance of at least two hundred (200) feet from the rear of the pedal car.
- (3) A red light and brake light affixed to the rear of the pedal car which must be visible for a distance of at least two hundred (200) feet from the rear of the pedal car and must be illuminated at all times during darkness. Turn signals must be affixed to the front and rear of the vehicle.
- (3) All pedal cars shall have reflectors on the frame and a red reflector mounted on each side of the rear of the pedal car, at least one (1) inch from the outer edge and centered. In addition, the international slow moving triangle must be displayed on the rear of the pedal car.

**306.140. Advertising on commercial pedal cars.** Advertisements shall only be allowed on the manufactured body of the commercial pedal car as permitted by this article. No banners, poles, flags, detached signs, or any other addition or object will be permitted.

**306.150. Commercial Pedal Car Company Licenses.** Every licensed pedal car company shall:

- (a) Take affirmative measures to insure that all of its owners and drivers comply with the terms of this chapter.
- (b) Be responsible for the operation of an unlicensed pedal car driver.
- (c) Insure that no pedal car is operated in unsafe mechanical condition or continues to operate after it has been ordered out of service.
- (d) Promptly respond to all requests for information from the department of licenses and consumer services.

(e) Promptly report any and all accidents involving pedal cars operating in Minneapolis to the department of licenses and consumer services.

(f) Every licensed pedal car company shall be deemed the agent of service of all notices, orders, and other correspondences from the City of Minneapolis to pedal car drivers operating under their company license.

**306.160. Revocation or suspension.** In addition to all other penalties, any violation of the terms of this chapter shall be grounds for revocation, suspension, or non-renewal of the license provided for in this chapter.