

CHAPTER 33 - VEHICLES FOR HIRE

ARTICLE II. Motorbike Sidecar Service

DIVISION 1. IN GENERAL

Sec. 33-210. Scope of instant article.

Holders of permits to operate Motorbike Sidecar Service and drivers of Motorbike Sidecars shall be governed by the provisions of Articles I and II of this chapter.

Sec. 33-211. Fees.

The following fees are hereby established:

- (1) Inspection. . . \$28
- (2) Re-inspection. . . \$28
- (3) Inspection no show. . . \$28
- (4) Drivers permit (two year permit). . . \$15
- (5) Replacement of lost drivers permit . . . \$15
- (6) Drivers permit transfer. . . \$15
- (7) Operating permit transfers (per vehicle) . . . \$25
- (8) Operating permit...\$110* per vehicle
- (9) Late permit payment...\$30
- (10) Permit application, per permit requested on the application. . . \$150

All fees are due upon request of service and non-refundable.

*Operating permit fees shall be paid to the city for each vehicle authorized by the permit agreement. The operating permit fees shall be paid in one payment or four quarterly payments, due on the first business day of the following months: January, April, July and October.

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Late permit payments shall be charged for all permit payments that are received after the close of business on the fifth business day of the month payment is due. Permits that do not have fees paid prior to 30 calendar days from the due date shall be suspended until all fees are paid. If the fees are not paid prior to 60 calendar days from the due date all permits shall be revoked.

Sec. 33-212. Amount of insurance.

Except as otherwise provided by the holder's operating permit, the public liability and property damage insurance required by this article shall be the minimum of \$1,000,000 per occurrence for each vehicle, to include the state minimum amount of commercial insurance for vehicle. These minimums shall be required to cover the following categories:

- (1) For damages arising out of bodily injury to or death of one person in any one accident;
- (2) For damages arising out of bodily injury to or death of two or more persons in any one accident; and
- (3) For damages arising out of injury to or destruction of property in any one accident.

Secs. 33-213 – 33-219, Reserved.

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DIVISION 2. OPERATING AUTHORITY

Sec. 33-220. Number of ground transportation vehicles authorized.

- (a) The total number of all vehicle permits issued among all operating permit holders shall be determined by the director, which may be modified by the director as the director determines to be appropriate.
- (b) A holder, within 90 days after receipt of an operating permit, shall operate and maintain a city approved fleet of vehicles for hire consisting of the number of vehicles authorized and required by the permit agreement. The number of vehicles authorized by the permit agreement and the number of vehicle permits issued pursuant thereto shall be reduced to reflect the actual number of vehicles the holder is able to operate and maintain in accordance with the provisions of this chapter, the operating permit, the permit agreement, and the rules and regulations of the director.
- (c) A holder may not hold more permits than are issued by the director.

Secs. 33-221 – 33-229, Reserved.

DIVISION 3. SERVICE REGULATIONS

Sec. 33-230. Hours of operation.

The director shall establish the hours during which a driver may operate a Motorbike Sidecar as a rule or regulation in accordance with Secs. 33-004 and 33-005 of this chapter.

Sec. 33-231. Areas of service.

- (a) Motorbike Sidecars shall only operate on streets that have speed limits of 35 MPH or lower.
- (b) Motorbike Sidecars shall not be operated on sidewalks.
- (c) Motorbike Sidecars shall operate only on streets and must obey all vehicle traffic laws.
- (d) The areas of service may be changed or removed by the director when the director determines it would be in the best interest of the public. This change or removal may be made with or without notice.

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Sec. 33-232. Passenger restrictions.

No sidecar shall transport more passengers than the Motorbike Sidecar is rated for.

Sec. 33-233. Standing or resting.

- (a) No Motorbike Sidecar shall stand or park on any public roadway, sidewalk, or walkway. The exception is commercial loading zones, curb cutouts, and vehicle parking spaces.
- (b) Motorbike Sidecars may utilize any unoccupied commercial loading zone to load and unload. All sidecars must give the right of way to commercial vehicles or other authorized motor vehicles to these commercial loading zones.

Sec. 33-234. Holder's duty to comply.

- (a) In the operation of a Motorbike Sidecar Service, a holder shall comply with the terms and conditions of the holder's permit agreement. Except to the extent expressly provided otherwise by the permit agreement, the holder shall comply with this chapter, the director's interpretations of the provisions herein, rules and regulations established by the director, and other laws applicable to the operation of a vehicle for hire.
- (b) Upon written notice by the director of a violation by a driver or employee, a holder who allows such driver or employee to operate a Motorbike Sidecar while in violation becomes responsible and liable to the city for all fees, penalties and license revocations incurred by the driver or employee because of a failure to comply with this chapter, rules and regulations established by the director, and other laws applicable to the operation of a sidecar.

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Sec. 33-235. Holder's duty to enforce compliance by drivers.

- (a) A holder shall establish a policy and take action to discourage, prevent and correct violations of this chapter by drivers who are employed or contracted by the holder.
- (b) A holder shall not permit a driver who is employed or contracted by the holder to operate any sidecar if the holder knows or has reasonable cause to suspect that the driver has failed to comply with this chapter, the rules and regulations established by the director, or other applicable law.

Sec. 33-236. Holders responsible for fitness of drivers.

- (a) Each holder operating a service in the city shall employ or contract as drivers only persons who are physically and mentally fit and who have sufficient experience and training to operate a sidecar in a safe and proper manner. It shall be the sole responsibility of the holder to employ or contract only those drivers who are qualified under this chapter to obtain a driver permit. The employment or contracting of any driver shall be subject to the driver obtaining a temporary or permanent driver permit.
- (b) Each holder is charged with knowledge of the contents of the file of all drivers the holder employs or contracts. The director shall consider a holder's continued employment or contracting of any driver whose file shows a lack of mental, emotional or temperamental capacity to be a safe and reliable driver, when reviewing such holder's request for a grant or renewal of an operating permit.

Sec. 33-237. Periodic appearance in person by holders and drivers.

- (a) Upon request and reasonable notice holders and drivers shall appear, in person, before the director and the director's representative.

Secs. 33-238 – 33-239, Reserved.

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DIVISION 4. FARES

Sec. 33-240. Fares.

- (a) The use of any type of meter or measuring device to calculate rate of fare is prohibited.

Secs. 33-241 – 33-249, Reserved.

DIVISION 5. VEHICLES AND EQUIPMENT

Sec. 33-250. Inspection Requirements:

- (a) Motorbike Sidecar shall be inspected yearly.
- (b) Motorbike Sidecars shall comply with all vehicle requirements outlined in rules and regulations established by the director as well as the requirements outlined in the sidecar vehicle inspection guidelines.

Secs. 33-251 – 33-299, Reserved.