

NEW HAVEN CITY PLAN COMMISSION ADVISORY REPORT

RE: **ORDINANCE AMENDMENT**, Amend Code of Ordinances to add new Section regulating the Operation of Pedal Cabs (Alderwoman Sturgis-Pascale).

REPORT: 1433-10

ADVICE: Approval, review operations after one year.

BACKGROUND

Erin Sturgis-Pascale, alderwoman of the 14th ward, has proposed an ordinance which would govern the operation of pedal cabs (pedicabs) in the City. As an advocate of complete streets and clean air, Alder Sturgis-Pascale believes that pedicabs will provide a fuel efficient, environmentally sound mode of short distance transportation which may provide significant benefit to New Haven residents. This type of transportation has been used in numerous other cities about the country (New York, Portland, Boston, San Diego, Austin, and Chicago to name a few).

The pedicabs would be operated under the State of Connecticut laws governing bicycles (CGS Section 14-288) on the public highways and would be required to comply with numerous safety requirements, such as to have a rear light, turn signal lamps, acceleration minimum, disk brakes, spoke reflectors and rear view mirrors.

They would be required to operate in accordance with CGS Section 14-286a and 14-288 at all times, proper use of turn signals, pickup and discharge of passengers close to the curb line, seated passengers while the cab is in motion, a maximum of 3 passengers, obligation to pay for use of parking meters, posting of fare schedules, and compliance with regulations regarding operation under the influence of alcohol or controlled substances.

The Ordinance requires persons operating the pedicabs to be licensed and the cabs themselves to be registered, both with the Police Department. License fees would be \$25 per year; registration fee for each cab would be \$50 per year. Owners may be individuals or LLC or corporations, and may own more than one cab, but for each cab the owner would be responsible for posting a \$200 cash bond per cab and for maintaining liability insurance and worker's compensation insurance if applicable. Only 10 pedicab registrations would be active at any one time. Pedicab operators' licenses could only be held by individuals, and would not be issued to LLCs or corporations. There are provisions for revocation of registration or license and penalties and fines for violation of the ordinance to be administered by the Police Chief or the Director of Transportation, Traffic and Parking.

New Haven's relatively flat geography is conducive to non-motorized transport, however there is no provision in the ordinance to prohibit pedicabs from operating in certain areas, such as the steep drives in East and West Rock Park, or Forest Road or Fair Haven Heights where braking could be difficult or inadequate even with the required mechanical or hydraulic brakes.

The Aldermanic Committee hearing of October 15, 2009 saw testimony by Alderwoman Sturgis-Pascale and four other individuals, two persons interested in operating or promoting operation of pedicabs, one person generally in favor and a fourth person with some cautionary word concerning safety, as she was involved in a pedicab accident, and knew of others. She suggested requiring seatbelts, helmets and mandatory driver training.

PLANNING CONSIDERATIONS

It should be noted that the New Haven Code of Ordinances is silent on taxicabs except for Art. III Sec. 4-51 & 52 regulating taxi operation at the airport. Bicycle speed is controlled by the Board of

Aldermen (Art. IX Sec. 48). Motorized bikes are covered under Article VI, Sec. 29. Under the proposed ordinance, pedicabs are considered as bicycles (non-motorized) in accord with State law.

The proposed ordinance does not indicate if livery laws apply, pedicabs would be for hire by the public and therefore might be subject to other aspects of state transportation regulation.

The ordinance does not indicate whether they would be allowed to use taxi-stands, nor does it require any special training for operators, nor does it require seat belts for passengers or helmets for either the operator or the passengers.

The administrative process is spread between the Police Department, the Transportation Department and the Traffic Authority, with the Mayor authorized to set insurance dollar requirements. It is not clear from the submission whether these departments have been consulted for their advice, or to assess their capacity to process the operator licenses, cab registrations and fine processes.

ADVICE

Pedicabs would be a positive addition to the array of transportation options in New Haven, particularly since they are non-motorized and therefore have no harmful emissions. Given the questions raised above, and at the hearing, if the Board of Alderman enacts the Ordinance, thorough review should be required after one year to assess its administrative consequences, safety issues and to address any other concerns.

ADOPTED: October 21, 2009
Edward Mattison
Chair

ATTEST: 
Karyn M. Gilvarg, AIA
Executive Director