

BILL NUMBER: AB 2294 AMENDED
BILL TEXT

AMENDED IN ASSEMBLY APRIL 26, 2010

INTRODUCED BY Assembly Members Block and Fletcher
(Coauthor: Senator Kehoe
)

FEBRUARY 18, 2010

~~An act to amend Section 39000 of, to amend the heading of
Division 16.7 (commencing with Section 39000) of, and to add Section
39002.1 An act to add Section 21206.5 to
the Vehicle Code, relating to pedicabs.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 2294, as amended, Block. Pedicabs: licensing.

Existing law ~~authorizes a city or county that adopts a
bicycle licensing ordinance or resolution to prohibit the operation
of a bicycle on any street, road, highway, or other public property
within the jurisdiction of the city or county unless the bicycle is
licensed in accordance with this specified provision~~
regulates the operation of bicycles. Under existing law, local
authorities may regulate, by ordinance, the registration of bicycles
and the parking and operation of bicycles on pedestrian or bicycle
facilities provided the regulation does not conflict with the Vehicle
Code .

This bill would define the term "pedicab" and would authorize
~~a city or~~ the County of San Diego or a city
in the county to adopt a pedicab licensing ordinance or
resolution that includes, but would not be
limited to, a requirement that the operator of the pedicab obtain a
valid California driver's license.

*This bill would make legislative findings and declarations as to
the necessity of a special statute for the County of San Diego.*

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 21206.5 is added to the
Vehicle Code , to read:

21206.5. (a) For purposes of this section, "pedicab" means either
of the following:

(1) A bicycle that has three or more wheels, that transports, or
is capable of transporting, passengers on seats attached to the
bicycle, that is operated by a person, and that is used for
transporting passengers for hire.

(2) A bicycle that pulls a trailer, sidecar, or similar device,
that transports, or is capable of transporting, passengers on seats
attached to the trailer, sidecar, or similar device, that is operated
by a person, and that is used for transporting passengers for hire.

(b) The County of San Diego or a city within the county may adopt

a pedicab licensing ordinance or resolution that includes, but is not limited to, a requirement that the operator of the pedicab obtain a valid California driver's license, so as to ensure that the pedicab operator has demonstrated knowledge of the applicable requirements of this code before being allowed to transport passengers for hire.

SEC. 2. The Legislature finds and declares that a special law is necessary and that a general law cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the unique need to regulate the numerous pedicabs operating in the County of San Diego, and to ensure the safety of passengers and pedestrians.

~~SECTION 1. The heading of Division 16.7 (commencing with Section 39000) of the Vehicle Code is amended to read:~~

~~DIVISION 16.7. REGISTRATION AND LICENSING OF BICYCLES AND PEDICABS~~

~~SEC. 2. Section 39000 of the Vehicle Code is amended to read:~~

~~39000. For purposes of this division, the following terms have the following meanings:~~

~~(a) "Bicycle" means any device upon which a person may ride, which is propelled by human power through a system of belts, chains, or gears having either two or three wheels (one of which is at least 20 inches in diameter) or having a frame size of at least 14 inches, or having four or more wheels.~~

~~(b) "Pedicab" means either of the following:~~

~~(1) A bicycle that has three or more wheels, that transports, or is capable of transporting, passengers on seats attached to the bicycle, that is operated by a person, and that is used for transporting passengers for hire.~~

~~(2) A bicycle that pulls a trailer, sidecar, or similar device, that transports, or is capable of transporting, passengers on seats attached to the trailer, sidecar, or similar device, that is operated by a person, and that is used for transporting passengers for hire.~~

~~SEC. 3. Section 39002.1 is added to the Vehicle Code, to read:~~

~~39002.1. A city or county may adopt a pedicab licensing ordinance or resolution that includes, but is not limited to, a requirement that the operator of the pedicab obtain a valid California driver's license, so as to ensure that the pedicab operator has demonstrated knowledge of the applicable requirements of this code before being allowed to transport passengers for hire.~~