

RECOMMENDED BY: PUBLIC SAFETY AND TRANSPORTATION COMMITTEE

SUBMITTED BY: THE CITY ATTORNEY

ORDINANCE NO. 17-48

An Ordinance to amend Title 12, "Licensing and Regulations", Chapter 16, "Taxicabs and Vehicles for Hire", of the General Code of the City of Birmingham, 1980, to amend Section 12-16-1 to add definitions of "Pedal Bus" and "Pedal Bus Service" and to add Article H to provide for Pedal Bus Services in specific areas of the city.

SECTION 1. BE IT ORDAINED by the Council of the City of Birmingham, an Title 12, "Licensing and Regulations", Chapter 16, "Taxicabs and Vehicles for Hire", Section, "Definitions" of the General Code of the City of Birmingham, and so be hereby enacted to add definitions of "Pedal Bus" and "Pedal Bus Service" as follows:

**"ARTICLE A
"GENERAL PROVISIONS**

Section 16 Definitions.

Unless otherwise expressly provided, the following definitions shall apply to the provisions herein indicated:

"Accessible vehicle: A minivan or other motor vehicle that meets the requirements of the Americans with Disabilities Act ("ADA") and is equipped with the following:

(1) a lift chair or other device that is capable of lifting a passenger into the vehicle or from the vehicle in a suitable manner for the passenger to enter the vehicle safely;

(2) the most efficient type of a compact wheel chair for passengers confined to a wheelchair;

(3) wheelchair ramps, but shall not include transportation for passengers in wheelchair positions outside the vehicle.

"Airport shuttle service: Transportation exclusively to or from Birmingham and Shuttlesworth International Airport in Birmingham, Alabama, by a motor vehicle registered under "CANC" to provide airport shuttle service is prohibited from any other service defined herein.

"Automobile: A passenger minivan sport utility vehicle (SUV) or van designed to seat five or fewer persons.

"Bus: A passenger vehicle designed to transport persons.

"Bus Terminus means a station serving and destination with accessibility, a scheduled route of ingress/egress approved by the City of Birmingham and Department of Engineering.

"Business: single act of transporting a passenger or passengers for hire.

"Business licenses: The licenses required for any business to operate within the City by the City Council.

"Call or demand: Transportation arrangement indiscriminately made available only with a request for service which is intended to be eliminated upon the following facts: a) it is a service vehicle of one type which is not to be used for any other type of service from such vehicle from any street location or within a roadway or public vehicle area as the public service vehicle of another type, and it is a service vehicle of one type which is not to be used for any other type of service.

"Certificate of public necessity and convenience (referred to as "CPNC"): The authorization permitting an activity to be conducted on any location to be a public service vehicle in the City which authorization shall be eliminated for any type of service defined herein unless and whenever also determined that it is a public service vehicle.

"Chauffeur: A person employed to transport others of their own volition.

"City Hall referring to the City of Birmingham, Alabama and when referring to the City of Birmingham, Alabama and the jurisdiction thereof.

"City Center: The established City Center Plaza.

"City Council: The Council of the City of Birmingham.

"Commercial passenger vehicle means a vehicle for hire service (25) or more passengers.

"Compensation means any money, thing of value or any other consideration granted or provided to the driver for any reason in exchange for transportation for persons or property, a written and solicitation and contract or verbally, in any manner or form.

"Cruising: Driving or role playing in a public place for the purpose of soliciting passengers for hire or for the purpose of soliciting for sex.

"Courtesy vehicle service: Any vehicle used for public transportation which is provided for the purpose of transporting guests to any

passengers in connection with the driver's business situation. State of Alabama services shall be provided to the driver's employer by the driver's employer. This service is provided only to those employees whose service is defined herein.

"*D* *time* as provided for service in the request for a vehicle for use received by the employee in the request for a vehicle for use in connection with the employee's service shall be provided for the employee's use only for the purpose of the service defined herein.

"*D* *driver* shall be provided for the driver's use only for the purpose of the service defined herein.

"*H* *mile* as provided for use of any vehicle in the request for a vehicle for use in connection with the driver's service shall be provided for the driver's use only for the purpose of the service defined herein.

"*E* *necessity* shall be provided for use of any vehicle in the request for a vehicle for use in connection with the driver's service shall be provided for the driver's use only for the purpose of the service defined herein.

"*Executive sedan service:* A sedan, such as a Lexus, Mercedes, Chevrolet or Ford, with a passenger seat capacity of not less than six, shall be provided for use of the driver's service only for the purpose of the service defined herein.

"*Family bus service:* All family members shall be provided for use of any vehicle in the request for a vehicle for use in connection with the driver's service shall be provided for the driver's use only for the purpose of the service defined herein.

"*Group ride as provided for use of any vehicle for hire in the request for a vehicle for use in connection with the driver's service shall be provided for the driver's use only for the purpose of the service defined herein.*

"*Group riding or carpooling* shall be provided for use of any vehicle in the request for a vehicle for use in connection with the driver's service shall be provided for the driver's use only for the purpose of the service defined herein.

"H ighway The use for a taxicab or passenger without a sign that it is."

"H ighway taxicab: A passenger vehicle with a sign that it is a taxicab, with a driver or chauffeur, which is used for hire for a fee or other consideration, and which is licensed by the Birmingham Police Department to (24) hours of use."

"J unction: A passenger vehicle which is used for hire for a fee or other consideration, and which is licensed by the Birmingham Police Department to (24) hours of use, and which is used for hire for a fee or other consideration, and which is licensed by the Birmingham Police Department to (24) hours of use."

"L icense: A motor vehicle which is used for hire for a fee or other consideration, and which is licensed by the Birmingham Police Department to (24) hours of use, and which is used for hire for a fee or other consideration, and which is licensed by the Birmingham Police Department to (24) hours of use."

"L icense service: A passenger vehicle which is used for hire for a fee or other consideration, and which is licensed by the Birmingham Police Department to (24) hours of use, and which is used for hire for a fee or other consideration, and which is licensed by the Birmingham Police Department to (24) hours of use."

"L icense utility service: A passenger vehicle which is used for hire for a fee or other consideration, and which is licensed by the Birmingham Police Department to (24) hours of use, and which is used for hire for a fee or other consideration, and which is licensed by the Birmingham Police Department to (24) hours of use."

"L icense as a six-passenger motor vehicle with a driver included, for hire or use, and which is licensed by the Birmingham Police Department to (24) hours of use."

