



## Traffic Engineering Division

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**Date:** March 16, 2011

**To:** Common Council, Transit and Parking Commission Members, and Mayor

**From:** David Dryer, City Traffic Engineer

**Subject:** Capitol Pedicycle d/b/a Capitol Pedaler Cab Application for a pedal-cab service operator license.

### **OVERVIEW**

On February 24, 2010, Capitol Pedicycle d/b/a Capitol Pedaler Cab (CP) applied for an initial pedal-cab service operator license.

In accordance with Madison General Ordinances, Traffic Engineering staff conducted an investigation of CP's qualifications to receive a pedal cab service operator's license. CP was required to answer a series of written questions based on criteria listed in MGO 11.06(4)(b). CP's response to these questions along with its application, map of its routes, Certificate of Liability Insurance and some photos of the unique multi passenger pedal-cab vehicle are attached.

### **INVESTIGATION**

**Type of Service:** CP plans to provide the driver and use of a 15-passenger pedal-operated vehicle to travel on fixed routes for reserved time intervals. The driver (employee) will steer and operate the vehicle's brake, and the passengers (customers-minimum of 6 to 8) will pedal the vehicle. The vehicle could be reserved for special events such as bachelorette or bachelor, birthday or other parties. **It is important to note that due to state and local ordinance as well as company policy, no alcohol will be sold to or permitted to be consumed by CP employees or customers while on the CP vehicle.**

**Taxicab Fleet:** CP initially plans to operate one vehicle. The vehicle is 17.5 feet long, 5 feet wide and 9.5 feet high. The City Risk Manager asked if this "unique" type of vehicle could legally operate on public streets. The Assistant General Counsel at the Wisconsin Department of Transportation stated that, generally, in simple legal terms, this vehicle should be considered a "huge slow bicycle", and therefore would be subject to all relevant state and local bicycle laws.

**Fixed Routes:** Traffic Engineering (TE) has worked with CP to make certain that the proposed routes include streets where a large slow-moving vehicle would not present an unreasonable danger to passengers or motorists. TE shall review and approve any CP fixed-route changes.

## **STAFF FINDINGS**

Following are the staff findings based on the criteria to be considered by Transit and Parking Commission per MGO 11.06 (4) (b) 1-8.

### **1) Financial Capability and Responsibility:**

All start-up costs and first-year expenses are being paid by the four partners. The vehicle and permit fees have already been paid.

### **2) The Applicants Prior Experience in Operating a Public Passenger Service:**

The four partners have a combined total of approximately 80 years of law enforcement experience, which includes extensive public customer service and emergency vehicle operation.

### **3) Level and Quality of Service: N/A**

### **4) The Experience and Competence of Applicants Drivers:**

The applicant's drivers are the owner/operators of the company and have law enforcement experience. Their law enforcement backgrounds include extensive vehicle operation training and knowledge in the enforcement of motor vehicle laws.

### **5) The Applicants Prior Record of Compliance with Applicable Regulatory Laws:**

The owner/operators don't have any complaints or enforcement actions against them.

### **6) The Applicants Prior Record of Service Complaints:**

None (see #5).

### **7) The Age and Condition of the Vehicles Proposed to be Licensed by the Applicant:**

The pedal-operated vehicle is "brand new".

### **8) The Applicant's Safety Record, Including Records of Accident Experience and Record of Safety Training:**

Applicants have no record of accidents and have had safety training as part of law enforcement employment.

## **RECOMMENDATION:**

After reviewing Capitol Pedaler's application materials, it appears that the applicants have taken this application process very seriously, and appear to be well-prepared for starting this unique new self-funded business venture.

It is recommended that the operating licenses for Capitol Pedaler's be issued and that the attached resolution be approved.