

Article 3: Alternative Transportation

(Retitled from “Pedicabs” to “Pedicabs, Pedestrians and Bicycles” on 11-1-1999 by O-18701 N.S.)

(Retitled from “Pedicabs, Pedestrians and Bicycles” to “Alternative Transportation” on 5-17-2019 by O-21070 N.S.; effective 6-16-2019.)

Division 1: Pedicabs - Operation, Parking, and Zone Restrictions

(“Pedicabs” added 11-1-1999 by O-18701 N.S.)

(Retitled to “Pedicabs - Operation, Parking, and Zone Restrictions” and amended 7-16-2015 by O-20515 N.S.; effective 8-15-2015.)

§83.0101 Purpose

The Council finds that *pedicabs* are a popular form of non-motorized transportation in San Diego. This Division is enacted in response to concerns due to the increasing prevalence of *pedicabs*. It is the intent of this Division to facilitate the safe, orderly flow of traffic and to relieve congestion and traffic hazards associated with *pedicab* use.

(“Purpose” added 11-1-1999 by O-18701 N.S.)
(Amended 9-11-2009 by O-19898 N.S.; effective 10-11-2009.)
(Amended 7-16-2015 by O-20515 N.S.; effective 8-15-2015.)

§83.0102 Definitions

Defined terms appearing in this Division are shown in italics. Words or phrases not defined in this Division but defined in the California Vehicle Code shall have the meaning set forth in the California Vehicle Code. For purposes of this Division:

Martin Luther King Promenade means the pedestrian right-of-way that runs parallel to Harbor Drive and north of the Metropolitan Transit System trolley tracks, between Market Street and Park Boulevard.

Operator has the same meaning as in San Diego Municipal Code (Municipal Code) section 33.4602.

Owner has the same meaning as in Municipal Code section 33.4602.

Pedicab has the same meaning as in California Vehicle Code section 467.5.

Pedicab Decal has the same meaning as in Municipal Code section 33.4602.

Pedicab Parking Zone means a parking area designated for the specific purpose of *pedicabs* waiting for, dropping off, or picking up passengers.

Pedicab Restricted Zone Decal has the same meaning as in Municipal Code section 33.4602.

Person has the same meaning as in San Diego Municipal Code (Municipal Code) section 11.0210.

Restricted Pedicab Zone means a geographical area listed in section 83.0107.

Seatbelt has the same meaning as in Municipal Code section 33.4602.

Special Event has the same meaning as that term is defined in Section 22.4003 of this Municipal Code.

Specialized pedicab shall have the meaning set forth in California Vehicle Code section 467.5(c).

Traditional pedicab shall have the meaning set forth in California Vehicle Code sections 467.5(a) and 467.5(b).

(“Definitions” added 11-1-1999 by O-18701 N.S.)
(Amended 6-22-2006 by O-19502 N.S.; effective 7-22-2006.)
(Amended 9-11-2009 by O-19898 N.S.; effective 10-11-2009.)
(Amended 7-16-2015 by O-20515 N.S.; effective 8-15-2015.)
(Amended 8-20-2018 by O-20982 N.S.; effective 9-19-2018.)

§83.0103 Other Laws Applicable to Pedicab Owners and Operators

- (a) *Operators and owners of traditional pedicabs* are subject to all applicable laws, rules, and regulations of the Municipal Code and the California Vehicle Code pertaining to the operation of bicycles upon streets, except those provisions that by their very nature can have no application.
- (b) *Operators and owners of specialized pedicabs* must comply with all the requirements set forth in California Vehicle Code section 21215.

(“Permit Requirement to Operate Pedicab” added 11-1-1999 by O-18701 N.S.)
(Amended 6-22-2006 by O-19502 N.S.; effective 7-22-2006.)
(Amended 9-11-2009 by O-19898 N.S.; effective 10-11-2009.)
(“Other Laws Applicable to Pedicab Owners and Operators” renumbered from former Section 83.0120 and amended 7-16-2015 by O-20515 N.S.; effective 8-15-2015. Former Section 83.0103 “Permit Requirement to Operate Pedicab” amended and renumbered to Section 33.4604.)
(Amended 8-20-2018 by O-20982 N.S.; effective 9-19-2018.)

§83.0104 Pedicab Parking

- (a) Every *owner* and every *operator* is subject to all applicable parking provisions of the California Vehicle Code and the Municipal Code. *Owners* and *operators* are subject to the same rights and responsibilities as a driver of a motor vehicle as it relates to parking violations.
- (b) To provide drop off and pick up areas for *pedicabs*, the Mayor may locate and designate *Pedicab Parking Zones* within the *Restricted Pedicab Zones*.
- (c) *Pedicab* parking violations will be issued to the *owner*. *Pedicab* parking violation fees will correspond with parking fees established for motor vehicles in the Municipal Code.
- (d) It is unlawful for an *operator* to leave his or her *pedicab* unattended in a *Pedicab Parking Zone*.
- (e) It is unlawful to park a *pedicab* in a metered or park pay display parking space.

*(“Application for Operating Permit” added 11-1-1999 by O-18701 N.S.)
(Amended 6-22-2006 by O-19502 N.S.; effective 7-22-2006.)
(Amended 9-11-2009 by O-19898 N.S.; effective 10-11-2009.)
(Amended 1-18-2011 by O-20014 N.S.; effective 2-17-2011.)
(“Pedicab Parking” renumbered from former Section 83.0110 and amended
7-16-2015 by O-20515 N.S.; effective 8-15-2015. Former Section 83.0104
“Application for Operating Permit” amended and renumbered to Section 33.4605.)*

§83.0105 Prohibitions on Where Pedicabs May Operate

- (a) It is unlawful to operate a *traditional pedicab* on a City street with a posted speed limit in excess of 25 miles per hour unless it is operated within a class II bike lane.
- (b) It is unlawful to operate a *specialized pedicab* on a City street with a posted speed limit in excess of 30 miles per hour.
- (c) It is unlawful to operate a *pedicab* on Garnet Avenue west of Ingraham Street; Pacific Beach Drive west of Riviera Drive; Riviera Drive; Sunset Cliffs Boulevard; Newport Avenue west of Sunset Cliffs Boulevard; Prospect Avenue between Coast Boulevard and Fay Avenue; Girard Avenue between Pearl Street and Torrey Pines Road.

- (d) It is unlawful to operate a *pedicab* on the *Martin Luther King Promenade*.
- (e) It is unlawful to operate a *pedicab* upon a sidewalk except as may be necessary to enter or leave adjacent property.

*(“Pedicab Operating Permit Fee” added 11-1-1999 by O-18701 N.S.)
(Amended 6-22-2006 by O-19502 N.S.; effective 7-22-2006.)
(Renumbered from Section 83.0125, retitled from “Prohibitions on the Manner of Operating Pedicabs” to “Prohibitions on Where Pedicabs May Operate” and amended 7-16-2015 by O-20515 N.S.; effective 8-15-2015. Former Section 83.0105 “Pedicab Operating Permit Fee” amended and renumbered to Section 33.4603.)
(Amended 8-20-2018 by O-20982 N.S.; effective 9-19-2018.)*

§83.0106 Pedicab Special Events Restrictions

It is unlawful to operate a *pedicab* within the perimeter of a permitted *Special Event* except where specifically authorized by the City.

*(“Duration of Validity of Operating Permit” added 11-1-1999 by O-18701 N.S.)
(Amended 6-22-2006 by O-19502 N.S.; effective 7-22-2006.)
(Amended 9-11-2009 by O-19898 N.S.; effective 10-11-2009.)
(“Pedicab Special Events Restrictions” renumbered from Section 83.0112 and amended 7-16-2015 by O-20515 N.S.; effective 8-15-2015. Former Section 83.0106 “Validity of Operating Permit” amended and renumbered to Section 33.4606.)*

§83.0107 Restricted Pedicab Zones

- (a) A *Pedicab Restricted Zone Decal* shall be required to operate a *pedicab* within a *Restricted Pedicab Zone*.
- (b) The following are *Restricted Pedicab Zones*:
 - (1) The Downtown Zone shall encompass the area bordered by the south curb line of Ash Street between San Diego Bay and 11th Avenue, the east curb line of 11th Avenue between Ash Street and C Street, the north curb line of C Street between 11th Avenue and 14th Street, and the east curb line of 14th Street between C Street and San Diego Bay.
 - (2) The Ocean Beach Zone shall encompass the area bordered by the south curb line of Voltaire Street between the Pacific Ocean and Sunset Cliffs Boulevard, the east curb line of Sunset Cliffs Boulevard between Voltaire Street and Narragansett Avenue, and the north curb line of Narragansett Avenue between Sunset Cliffs Boulevard and the Pacific Ocean.

- (3) The Mission Beach/Pacific Beach Zone shall encompass the area bordered by the south curb line of Beryl Street and its extension between the Pacific Ocean and Ingraham Street, and the east curb line of Ingraham Street between Beryl Street and the Mission Bay Channel.
 - (4) The La Jolla Zone shall encompass the area bordered by the south curb line of Camino del Collado between the Pacific Ocean and La Jolla Shores Drive, the west curb line of La Jolla Shores Drive between Camino del Collado and Torrey Pines Road, the north curb line of Torrey Pines Road between La Jolla Shores Drive and Girard Avenue, the east curb line of Girard Avenue between Torrey Pines Road and the extension of the north curb line of Marine Street, and the north curb line of Marine Street and its extension between Girard Avenue and the Pacific Ocean.
 - (5) The Petco Ballpark Zone shall encompass the area bordered by the south curb line of Island Ave between Sixth Avenue and 14th Street, the east curb line of 14th Street between Island Avenue and Commercial Street, the north curb line of Commercial Street between 14th Street and Harbor Drive, the north curb line of Harbor Drive between Commercial Street and Sixth Avenue and the west curb line of Sixth Avenue between Harbor Drive and Island Avenue.
- (c) It is unlawful to operate a *pedicab* in a *Restricted Pedicab Zone* without a valid *Pedicab Restricted Zone Decal*.
 - (d) It is unlawful to operate a *pedicab* within the Petco Ballpark Zone three hours before the scheduled start time and one hour after the conclusion of any Padres games, event, or *City Special Event* occurring at Petco Park.

*(“Operating Permit Renewal” added 11-1-1999 by O-18701 N.S.)
(Amended 6-22-2006 by O-19502 N.S.; effective 7-22-2006.)
(Amended 9-11-2009 by O-19898 N.S.; effective 10-11-2009.)
(“Restricted Pedicab Zones” renumbered from Section 83.0113 and amended 7-16-2015 by O-20515 N.S.; effective 8-15-2015. Former Section 83.0107
“Operating Permit Renewal” amended and renumbered to Section 33.4607.)*