

Frequently Asked Questions: Pedicab Business and Pedicab Driver Licenses

The information below is based on Local Law 19 of 2007, Local Law 53 of 2009, and the Rule published in The City Record on September 22.

GENERAL QUESTIONS

What is included in the new law?

The new law establishes an application period of 60 continuous calendar days during which the Commissioner accepts applications for pedicab registration plates with Pedicab Business license applications. After 60 days, no more applications to register additional pedicabs will be accepted. Each Pedicab Business license applicant may apply for no more than 30 pedicabs. Please visit www.nyc.gov/consumers to read sections of the New York City Licensing Law pertaining to pedicabs.

When will the 60-day application period begin?

The Department of Consumer Affairs (DCA) will begin accepting applications on Tuesday, September 22, 2009. We encourage you to apply as early in the 60-day period as possible so that all required inspections can be completed in a timely manner.

When will the 60-day application period end?

The last day that DCA can accept Pedicab Business applications is Friday, November 20, 2009. Beginning November 21, 2009, no pedicab can be operated without a DCA registration plate; no pedicab business can operate pedicabs without a DCA Pedicab Business license or operating letter; and no pedicab can be operated by anyone without a Pedicab Driver license.

Will the cap on the 60-day application period be permanent?

The new legislation provides that this cap will "sunset" (or end) in eighteen (18) months after the effective date of the bill. At that time, City Council and the Administration will have the opportunity to determine whether or not any limitations on the pedicab industry will be necessary.

How are pedicab drivers affected by the new law?

There will be no change from Local Law 19 of 2007. There is no limit on the number of Pedicab Driver licenses that may be issued. *The 60-day application period cap does not apply to pedicab drivers.*

Can I apply for a Pedicab Business license if I do not own a pedicab?

No. To apply for a Pedicab Business license, you must own a pedicab. You will need to list that pedicab on the Roster of Pedicabs you submit with your complete license application and meet all requirements of Pedicab laws and rules.

If I am a pedicab driver and own only one pedicab, do I need both a Pedicab Business license and a Pedicab Driver license?

Yes. You cannot drive a pedicab without a Pedicab Driver license and you cannot drive a pedicab that does not have a registration plate, which can be obtained only if you have a Pedicab Business license.

When can pedicab drivers begin to apply for Pedicab Driver licenses?

DCA will accept Pedicab Driver applications beginning September 22, 2009.

Will I be able to apply for a Pedicab Business or Pedicab Driver license online?

No. *All applications must be submitted in person at the DCA Licensing Center.* You may submit your completed application beginning September 22, 2009. Beginning September 15, 2009, Pedicab Business and Driver license applications will be available on the DCA Web site www.nyc.gov/consumers. You also will be able to obtain license application packets in person at the DCA Licensing Center or by calling 311 to request that applications be mailed to you.

Where is the DCA Licensing Center located?

The Licensing Center is located at 42 Broadway, 5th floor, in Manhattan. Days and hours of operation are: Monday, Tuesday, Thursday, and Friday from 9:00 a.m. to 5:00 p.m. and Wednesday from 9:00 a.m. to 5:30 p.m.

What if I previously applied for a Pedicab Business or Pedicab Driver license in 2007?

You must submit a new application. Please bring with you to the Licensing Center your receipts or other relevant documentation as proof of your previous application. Any fees which you paid in 2007 will be applied to your new application.

Can I submit my application during the 60-day application period even if I do not have all of the requirements of the law in place yet, like insurance or safety equipment for each pedicab I am seeking to register?

No. DCA will NOT accept incomplete applications. Businesses seeking a license and to register pedicab(s) must meet all requirements, including having required insurance policies, in order to submit their applications and have those applications accepted for review by DCA within the 60-day period. All pedicabs for which registration plates are requested must be ready for inspection when the complete application is submitted.

PEDICAB BUSINESS LICENSE APPLICATION REQUIREMENTS

Below are some of the documents you will need to submit. The full checklist, and copies of the forms, will be available online at www.nyc.gov/consumers and in the Licensing Center beginning September 15, 2009.

- A roster of no more than 30 pedicabs for which you are requesting registration plates. Each pedicab you list must have a unique and permanently affixed Pedicab Identifying Number (PID). You must mark your pedicab with a PID if a unique Pedicab Identifying Number is not already marked on your pedicab.
- Child Support Certification forms for the pedicab business owner and for each individual general partner
- Granting Authority to Act form, if the application is filed by someone other than the pedicab business owner

- A certificate of legally compliant insurance coverage
- A Pedicab Business License Application Certificate
- A license fee of \$110, valid through November 1, 2010. The license fee includes a registration plate for one pedicab. There is a fee of \$60 for each registration plate for additional pedicabs. License fees must be paid when the license application is submitted. Fees must be paid by credit card (Visa, MasterCard, American Express, Discover Card), check, or money order. Checks and money orders must be payable to NYC Department of Consumer Affairs.

Please note that when you submit your completed Pedicab Business application, you may be asked to show all applicable business certificates based on your business' legal structure. Your license will not be issued until all documents are reviewed and approved and until ALL of the pedicabs listed on your roster for which you are requesting registration plates pass inspection. However, you will be issued an operating letter if at least one of your pedicabs passes inspection. Pedicab Business licenses must be renewed annually.

REQUIRED INSURANCE FOR PEDICABS

All pedicab businesses must have liability insurance that insures the business and all pedicab drivers for that business, whether drivers are employees or otherwise have agreements to drive for that business. Insurance policies must provide liability coverage for injury or death of any person or persons, and damage to or destruction of any property in either a combined single limit amount of \$2 million with a maximum of \$1 million for each accident OR by insuring each cab for such liability in the amount of \$100,000 for personal injury or death to one person, \$300,000 for personal injury or death to all persons in one accident with a maximum of \$100,000 for each person, and \$50,000 for property damage. All insurance policies must name the City of New York as an insured party. If these policies lapse for any reason, the Pedicab Business license becomes void.

PEDICAB INSPECTIONS AND REQUIRED SAFETY EQUIPMENT AND SIGNAGE

After I submit a completed application, how will I get my pedicab(s) inspected?

Once you have submitted a completed application for review (see above), DCA will schedule an inspection of the pedicab(s) you listed in your application for registration plates. You must bring your pedicabs to a location designated by DCA at a date and time specified by DCA. If you are bringing more than 10 pedicabs for inspection, please arrive with additional staff from your business to help speed processing. Pedicabs that pass inspection will receive a numbered registration plate from DCA. The registration plate for one pedicab is included in the Pedicab Business license fee. There is a fee of \$55 for *each* pedicab that requires *reinspection*, as well as a fee of \$55 for *each* pedicab that requires inspection (if you fail to appear with your pedicab(s) at the scheduled appointment time—see below).

What if I fail to appear with my cab(s) for a scheduled inspection?

If you fail to appear with your pedicab(s) at a scheduled appointment, your pedicab(s) will be deemed by law to have failed that inspection. You must pay a fee of \$55 for *each* pedicab that requires inspection. **You must pay the fee at the DCA Licensing Center before a new inspection will be scheduled. You must also submit a Pedicab Reinspection Form.** Once payment is made, DCA will contact you to schedule

inspection of your pedicab(s). Your pedicabs must pass inspection to be issued pedicab registration plates by no later than December 21, 2009.

What if my pedicab(s) fails the inspection?

You must pay a \$55 fee for *each* pedicab that requires reinspection. **You must pay the fee at the DCA Licensing Center *before* a reinspection will be scheduled. You must also submit a Pedicab Reinspection Form and a copy of the Certificate of Inspection (received at the inspection site) for each pedicab listed on the Certificate and the inspection fee(s).** Once payment is made, DCA will contact you to schedule reinspection of your pedicab(s).

How much time do I have for my pedicab(s) to be inspected and receive the registration plate(s) for which I applied?

All of the pedicabs listed on your Pedicab Business license application must pass inspection to be issued registration plate(s) by no later than December 21, 2009. Any pedicab which does not pass inspection by this date will NOT be issued a registration plate, and the application for that registration plate becomes void.

What safety features will my pedicab(s) need to pass inspection?

- The Pedicab Identifying Number (PID) as listed on the Roster of Pedicabs included with the license application
- Three (3) or more wheels
- A unibody frame for the entire vehicle and a maximum width of 55 inches and a maximum length of 10 feet
- Seating for no more than three passengers and seat belts for all passengers (either one seat belt for each passenger or one seat belt that covers all passengers)
- An operational hydraulic, mechanical disc, or drum brake system
- An operational secondary or emergency brake system
- Operational battery-operated headlights
- Operational battery-operated taillights
- Operational turn lights that can be seen from the rear of the pedicab
- An audible signaling device
- Reflectors on the spokes of the wheels and on the wheel covers, if used

What other requirements will my pedicab(s) need to pass inspection?

- A sign posted inside the cab, easily viewed by passengers, indicating:
 - **Licensee:** (Insert name appearing on Pedicab Business license to which pedicab is registered or the Doing-Business-As—DBA—name of the licensee.)
 - **Business License Number:**
 - **Telephone Number:** (Insert phone number of licensee.)
 - **Pedicab Registration Number:** (Insert registration number of pedicab.)
 - “If you have a complaint about this business, contact the NYC Department of Consumer Affairs at 311 or www.nyc.gov/consumers.”

All text must be printed in at least 28 point type.

Note: A sample sign is available for [download](#)

- A rate sign, conspicuously posted on both sides of the pedicab exterior. All text must be printed in at least 28 point type and must include the basis for calculating rates.
- If rates are based on periodic use, you must affix a calibrated timer in clear view of passengers.
- If rates are calculated by distance, you must affix a distance calculating device (odometer) in clear view of passengers.
- Advertisements must be placed on a different panel from the panel that displays the rates or the method of calculating the rates. Advertisements must be non-reflectorized, non-illuminated, and non-animated and must not extend beyond the body of the panel to which they are affixed.

PEDICAB DRIVER LICENSE APPLICATION REQUIREMENTS

- A photo ID (driver's license, passport, alien card/green card, or City, State, or Federal employee ID card)
- Child Support Certification form
- Current driver's license that proves you are at least 18 years old and that is valid in New York State. Valid licenses include licenses issued by New York State and licenses issued by other U.S. states, U.S. territories, Federal districts, and other countries *unless you are or become a resident of New York State*.
 - **(if you are not a resident of New York State)** You must submit a Certified Abstract of your driving record with a raised seal issued within the last 30 days (or other certified proof issued within the last 30 days) from the State Department of Motor Vehicles, territory, district, or country that issued your license that demonstrates that the license is valid and in full force and effect.
- A license fee of \$35 for one year. License fees must be paid when the license application is submitted. Fees must be paid by credit card (Visa, MasterCard, American Express, Discover Card), money order, or check. Money orders and checks must be made payable to NYC Department of Consumer Affairs.

NEW REGULATIONS OF SPECIAL NOTE

- Pedicab businesses cannot operate without a license nor can their pedicabs be operated without valid registration plates. If a company operates an unregistered pedicab, the company's Pedicab Business license will be suspended for at least one month. If a pedicab company receives a violation for operating an unregistered pedicab three times in a 12-month period, the Pedicab Business license will be revoked for at least one year. Failure to display a registration plate will be evidence that a pedicab has not been inspected and is not properly registered, as required by law.
- If a pedicab driver receives a violation, the pedicab business for which he/she drives is allowed to participate in any hearing held on the violation.
- It is unlawful for pedicab businesses to fail to train pedicab drivers about the provisions of State and Local Law governing the operations of pedicabs.
- Pedicab businesses must require their pedicab drivers (whether those drivers are employees, lessees, or renters) to provide to the business copies of any

summonses, complaints, or notices of violation of any law or regulation they receive while operating their pedicabs within five business days after receiving such documents. Pedicab drivers must also provide pedicab businesses with copies of the disposition of such summonses, complaints, or notices of violation within five business days after drivers receive such documents.

- Pedicab drivers who are arrested or who receive summonses or complaints for traffic-related offenses or other notices of violation of any laws or regulations while operating pedicabs must provide copies of such documents to the pedicab businesses to which the pedicabs are registered within five business days. Similarly, pedicab drivers must provide to the pedicab businesses copies of the disposition of such arrests and violations within five days of receiving such documents.
- Pedicab businesses must maintain for three years complete and accurate records which provide information about each pedicab and pedicab driver, including, but not limited to: the PID and registration plate number; the driver's name and license number; and a daily log of the operation of each pedicab showing each time it leaves and is returned to the licensed business' premise and indicating the pedicab driver authorized to operate it.
- It is unlawful for pedicabs to operate in pedestrian plazas.
- All pedicab businesses and drivers must read and comply with all of the laws and regulations contained in Local Law 19 of 2007, Local Law 53 of 2009, and the Pedicab Rule, and must read and comply with all other relevant City, State, and Federal legislation.

For more information, please visit DCA's Web site at www.nyc.gov/consumers or contact DCA by e-mail at pedicabs@dca.nyc.gov