

Policy on the licensing and regulation of Pedicabs in Glasgow

In terms of section 39 of the Civic Government (Scotland) Act 1982, any person who carries out, or offers to carry out, a service in exchange for money or money's worth requires to hold a Street Trader's Licence.

Pedicabs (sometimes referred to as rickshaws) are a non-motorised type of tricycle designed to carry passengers in addition to the driver. Where pedicabs are offered as a service to members of the public in exchange for money or money's worth, the person offering that service requires to obtain a Street Trader's Licence.

While the Licensing Authority recognises that pedicabs offer an alternative method of transport, it has adopted the following policy in the interests of public safety and prevention of undue public nuisance:-

Prior to a licence being granted the intended pedicab must be inspected by the Licensing Authority. Licensed Pedicabs will also require to be inspected every 6 months by the Licensing Authority to ensure that reasonable standards of safety are being maintained. In order to pass inspection, the pedicab must have a tested three point lap and diagonal belt for each passenger and have a roll cage fitted for the protection of passengers travelling in the pedicab.

An inspection of a pedicab will include, but will not be limited to ascertaining the condition of the following:

- Front and rear brakes
- Front and rear lights
- Operation of seats belts
- Condition of tyres, wheels, spokes and roll cage
- Reflectors
- Quick release mechanisms

The Licensing Authority will issue a Pass Certificate if the inspected pedicab complies with the Pedal Cycles (Construction and Use) Regulations 1983 and the requirements of its policy on the safety and condition of pedicabs.

This Pass Certificate, or a copy of same, must be retained by the driver of the pedicab. Licensed Pedicabs will also be subject to roadside inspections by the Licensing Authority.

The presence of a Licensed Pedicab on the road shall not cause an obstruction nor shall it compromise the safety of its passengers or other road users. Accordingly where available, bus and cycle lanes should be used and pedicabs shall not be used within any pedestrianised area, including the areas of Buchanan Street, Argyle Street and Sauchiehall Street, and must comply with Traffic Regulation Orders.

Public Liability Insurance of not less than £5million must be in force in order that any losses sustained in the event of an accident can be recovered, either by passengers or by the other third parties.

While this policy does not seek to limit the number of Street Trader licences issued in respect of the operation of pedicabs in the City, the Licensing Authority will keep the number of such licences under review and may in future determine such a limit, having regard to the possibility of undue public nuisance or public safety.

No advertising material shall be displayed on a Licensed Pedicab without the prior consent of the Licensing Authority.

Conditions for inclusion on a Street Trader's Licence where the licensed activity is the use of a Pedicab

- (1) The Licenceholder shall not carry more than two passengers at any one time, who must be safely restrained at all times while in the pedicab. The pedicab must have a tested three point lap and diagonal belt for each passenger and have a roll cage fitted for the protection of passengers travelling in the pedicab.
- (2) The Licenceholder shall ensure that the pedicab is properly maintained and complies with all relevant road traffic legislation including the Pedal Cycles (Construction and Use) Regulations 1983 and the Road Vehicles Lighting Regulations 1989. The Licenceholder shall maintain records of maintenance throughout the currency of the Licence and shall exhibit them to the Licensing Authority at any reasonable time on request.
- (3) The Licenceholder shall only use a pedicab in respect of which a Pass Certificate as to its condition has been issued by the Licensing Authority and which is detailed in this licence. The Pass Certificate, or a copy of the same, shall be retained by the Licenceholder.
- (4) The Licenceholder shall ensure that the pedicab undergoes and passes an inspection as reasonably required by the Licensing Authority.
- (5) The Licenceholder shall ensure that, while the pedicab is in use, any plate or other identification which has been issued by the Licensing Authority shall be clearly displayed on the front and rear of the pedicab at all times so that it may be easily visible to members of the public.
- (6) The Licenceholder shall ensure that the pedicab is fitted with adequate lighting and reflectors which may be used during bad light or inclement weather.

- (7) The Licenceholder shall ensure that the pedicab is fitted with adequate guards or other fittings so as to prevent loose garments or other material being caught in the pedicab's chain, spokes or other moving parts. No alterations shall be made to the pedicab without the prior approval of the Licensing Authority.
- (8) The Licenceholder shall not use, or permit the use of, the pedicab in any pedestrianised area, as set out in the Licensing Authority's policy on pedicabs from time to time.
- (9) The Licenceholder shall display safety instruction signage within the pedicab.
- (10) The Licenceholder shall maintain appropriate Public Liability Insurance, with an indemnity as set out in the Licensing Authority's policy, throughout the currency of the Licence and shall exhibit the Certificate of Insurance to the Licensing Authority at any reasonable time on request.
- (11) No notice, advertisement, printed bill or other thing shall be displayed on the outside or inside of the pedicab without the prior consent of the Licensing Authority.