

GREAT Committee
Amendment Summary Form

Legislation: "A BILL FOR AN ORDINANCE AMENDING CHAPTER 5.22, MAUI COUNTY CODE, RELATING TO BICYCLE TOUR BUSINESS.

Proposer: Yuki Lei Sugimura, Councilmember.

Description: Prohibit unguided tours

Motion: Move to amend the definition for "Bicycle Tour" in Section 5.22.010 by removing "unguided tours".

and, further, to amend Section 5.22.020 by inserting a new Subsection B to read: Bicycle tour business permits must be issued for guided tours only. It is unlawful for any business or person to conduct an unguided commercial bicycle tour on County and state property.

and, further to amend Section 5.22.020.B.3 by removing "whether the tours are guided or unguided" and inserting "confirmation that all tours will be guided".

and, finally, to amend Section 5.22.020 by making the appropriate subsequent adjustments to Subsections B-F to be renumbered as Subsections C-G.

Effect: The changes are highlighted as follows:

5.22.010 Definitions...

"Bicycle tour" includes guided bicycle tours [and unguided bicycle tours].

5.22.020 Unlicensed bicycle tour business prohibited; application for permit. A. It is unlawful for any business or person to conduct a commercial bicycle tour on County and state property without first obtaining a bicycle tour business permit issued by the director in accordance with this chapter.

B. Bicycle tour business permits must be issued for guided tours only. It is unlawful for any business or person

to conduct an unguided commercial bicycle tour on County and state property.

[B] C. The application [shall] must be in writing, properly verified under oath and filed with the director, and [shall set forth and] include the following:

1. The applicant's name, [place of residence,] mailing address, business location address, email address, and telephone number [of the applicant].

2. The names, [and] addresses, email addresses, and phone numbers of all [corporations, partnerships, associations, person or persons for whom the applicant in acting;] authorized agents for the applicant.

3. A description of the [areas, locations, or routes to be utilized for the proposed bicycle tour business;] proposed schedule; maximum number of participants per tour group; ~~whether the tours are guided or unguided~~ confirmation that all tours will be guided; and routes, including community plan areas.

4. [A description and the] The registration numbers of all motor vehicles and bicycles to be used by the business;

5. A description of any structure[,] or [other] personal property to be used in conjunction with the bicycle tour business[;].

6. Any other information [which may be] required by [rules adopted by] the director [to enforce the requirements and rules of this chapter; and].

7. An application fee as [set forth] indicated in the annual budget ordinance

8. State and federal tax clearance certificates.

[C] D. [No permit shall be issued to a bicycle tour business, unless the bicycle tour business:] All permits are subject to the following conditions: ...

[D] E. [Review of Application.] Within...

[E] F. [Issuance or Denial of Permit—Appeal.] The director...

[F] G. An applicant must notify the director...