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ANCHORAGE, ALASKA
AO No. 2013-109(S)

AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING ANCHORAGE MUNICIPAL CODE CHAPTERS 11.10, 11.20, 11.30, AND 11.40 REGARDING REGULATION OF THE PERMITTING OF TAXICABS, LIMOUSINES AND VEHICLES FOR HIRE, AND LICENSING OF CHAUFFEURS AND DISPATCH SERVICES; AMENDING ANCHORAGE MUNICIPAL CODE SECTION 14.60.030, FINE SCHEDULE; AMENDING ANCHORAGE MUNICIPAL CODE OF REGULATIONS SECTION 11.10.009, RATES AND FARES; AND RELATED MATTERS.

WHEREAS, at the April 9, 2013 Anchorage Assembly meeting, the governing body referred proposed AO 2013-36 to the Public Safety Committee and the Anchorage Transportation Commission for review, consideration and recommendations; and

WHEREAS, the Anchorage Transportation Commission held special meetings on April 30, 2013, May 1, 2013 and May 2, 2013 in accordance with that directive, and subsequently proposed a substitute ordinance in place of AO 2013-36 presented to the Assembly on June 25, 2013; and

WHEREAS, taxicab, limousine, and vehicle for hire services are important transportation options for Anchorage residents and visitors and should be regulated sufficiently to ensure quality minimum standards of service as well as provide a viable livelihood to chauffeurs and healthy competition among providers; and

WHEREAS, additional recommended amendments were provided by the Anchorage Taxicab Permit Owners Association and other stakeholders and incorporated in this ordinance for the Assembly's consideration; now, therefore

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. Anchorage Municipal Code chapter 11.10 is hereby amended to read as follows (*the remainder of the chapter is not affected and therefore not set out, omitted text indicated by asterisks, language indicating no amendment is included for context only*):

Chapter 11.10 General Provisions

- 11.10.010 Definitions.
- 11.10.020 Anchorage Transportation Commission.
- 11.10.030 Anchorage Transportation Commission--Powers and duties.
- 11.10.040 Anchorage Transportation Commission--Regulations.
- 11.10.050 Anchorage Transportation Commission--Rates.

- 11.10.055 Anchorage Transportation Commission--Complaints and civil and criminal citations.
- 11.10.060 Hearing officer.
- 11.10.070 Powers and duties of transportation inspector.
- 11.10.080 Vehicle inspections, mechanical equipment standards and accident reporting.
- 11.10.085 Drug and alcohol testing.
- 11.10.090 Enforcement authority.
- 11.10.100 Hearings--Appeals.
- 11.10.110 Denial, suspension or revocation of license or permit.
- 11.10.120 Repealed.
- 11.10.130 Penalties and remedies.
- 11.10.140 Renewal of license or permit.
- 11.10.150 Duty to maintain current application, compliance with applicable laws and regulations.
- 11.10.160 Fees, rates and fares.
- 11.10.170 Review and certification of application.
- 11.10.180 Compliance with AS 28.05.095(b) required.
- 11.10.185 Surveillance system required for regulated vehicles.

11.10.010 Definitions.

When used in chapters 11.10--11.40:

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- I. Fuel efficient vehicle means a motor vehicle satisfying vehicle requirements of chapters 11.10-11.40 and a hybrid vehicle or alternative fuel vehicle (AFV), as defined by the Energy Policy Act of 1992 (EPA Act), as amended, including any dedicated, flexible-fuel, or dual-fuel vehicle designed to operate on at least one alternative fuel.

Alternative fuels include but are not limited to the following:

- a. Compressed natural gas (CNG).
- b. Biodiesel (B20 blend or higher),
- c. Propane,
- d. Hydrogen, or
- e. Electricity.

- J. Hybrid vehicle means a commercially available, mass-produced vehicle originally equipped by the manufacturer with a combustion engine system and an electric propulsion system that operate in an integrated manner.

- K. Limousine means a luxury vehicle designated by its manufacturer as a limousine and used to transport passengers for hire by means of a chauffeur over unfixed and undefined routes based upon hourly rates. Limousines shall include executive sedans specifically approved as luxury vehicles by the commission. Executive sedans are further defined as four-door luxury vehicles each having a seating capacity of

not more than five passengers, which capacity does not include the driver. Executive sedans shall be permitted only to a bona fide luxury limousine company.

L. **[Non-emergency]** *Medical Transport vehicle for hire* means any motor vehicle or **wheelchair accessible vehicle [stretcher van]** designed or used to transport passengers, on a pre-arranged basis by a **certified [medically licensed]** care coordinator for visits to medical care providers or other destinations related to health and welfare that require “protective oversight” of passengers with special needs; but shall not mean an ambulance.

M. *Non-motorized vehicle* means any type of passenger conveyance which is moved by means other than motorized means and is operated on municipal rights-of-way and is offered for hire. A non-motorized vehicle includes a vehicle drawn by one or more horses.

S [P]. *Regulated vehicle* means any vehicle regulated by this title. Vehicles with reconstructed titles shall not be permitted as regulated vehicles.

I [R]. *Taximeter* means an unaltered instrument or device attached to a taxicab and by means of which the charge for such vehicle is mechanically or electronically calculated and displayed in dollars and cents. Such calculations may be premised upon the distance traveled or waiting time, or both.

T. *Vehicle for hire* means any form of motorized chauffeured passenger transportation offered for hire having a manufacturer's stated seating capacity of 15 or fewer persons, which capacity includes the driver, and does not mean **an ambulance**, a horse-drawn vehicle, a taxicab, limousine or a vehicle owned or leased by the Municipality and used to transport passengers for hire in connection with the Municipality's operation of its mass transit system. A vehicle for hire is intended to satisfy a demonstrated, specific public need by offering and providing limited purpose and shared or exclusive public transportation services as may be authorized by the commission.

(AO No. 57-75; AO No. 78-177; AO No. 80-19(S); AO No. 81-149; AO No. 84-18; AO No. 87-8; AO No. 87-126(S); AO No. 94-21(S), § 1, 4-12-94; AO No. 97-134(S-1), § 1, 12-9-97; AO No. 98-51(S), § 1, 5-4-99; AO No. 2011-91(S-2), § 1, 9-27-11)

11.10.020 Anchorage Transportation Commission.

The commission shall be composed of seven [five] members appointed by the mayor and confirmed by the assembly. Two of the members shall have

experience working in, or specialized knowledge of, the passenger transportation for hire industry. The Transit Director or his or her designee shall serve as an ex officio member of the commission.

(AO No. 57-75; AO No. 78-177; AO No. 87-126(S); AO No. 98-51(S), § 1, 5-4-99)

Cross references: Appointment of boards and commissions, Ch. 4.05; transportation commission, § 4.40.120.

11.10.030 Anchorage Transportation Commission—Powers and duties.

- A. The commission shall regulate all regulated vehicles that transport persons on request for a fee or charge for such transportation, chauffeurs, and dispatch services in accordance with this title except for those vehicles for hire which the commission determines to be subject to a comprehensive regulatory program established by Alaska or federal law. No motorized vehicle may be offered for hire to transport passengers in Anchorage without being a regulated vehicle, or a vehicle owned or leased by the Municipality and used to transport passengers for hire in connection with the Municipality's operation of its mass transit system. The commission shall not regulate amusement or novelty rides; courtesy vehicles; buses or bus service[; OR VEHICLES WITH A MANUFACTURER'S RATED SEATING CAPACITY OF 16 OR MORE PERSONS, WHICH CAPACITY INCLUDES THE DRIVER]; unless the operation of the vehicle is the same as or substantially similar to the operation of a limousine, a courtesy vehicle which derives its revenue from or on behalf of a passenger, or a taxicab, as those terms are defined in section 11.10.010, which shall be subject to regulation by the commission. Vehicles with a manufacturer's rated seating capacity of 16 or more persons, which capacity includes the driver, shall not be regulated by the commission. The purpose of the regulations set forth in this chapter or adopted by the commission shall be to protect the public's interest with respect to the price and quality of service provided by regulated vehicles. Such regulations may set maximum charges for service and minimum standards for service.
- B. The commission shall hold at least one [TWO] public hearing[S] **biennially** [ANNUALLY] to investigate the quality of services rendered by regulated vehicles and their permittees and shall make such recommendations to the assembly as it deems necessary for the improvement of such service. The commission may make recommendations to the municipal traffic engineer regarding the location and hours of taxicab and vehicle for hire stands, passenger loading zones, and freight loading zones that are available for regulated vehicle use.

* * *

D. [THE COMMISSION MAY PROVIDE FOR A HEARING OFFICER TO CONDUCT HEARINGS, TO MAKE RULINGS REGARDING THE ADMISSION OF EVIDENCE AND PROCEDURE, AND TO PREPARE A PROPOSED DECISION, WITH FINDINGS OF FACTS AND CONCLUSIONS OF LAW, WHICH MAY BE ADOPTED BY THE DESIGNATED MEMBER OF THE COMMISSION CHARGED WITH MAKING SUCH DECISIONS UNDER THIS SECTION. THE DESIGNATED MEMBER OF THE COMMISSION MAY ADOPT THE HEARING OFFICER'S DECISION OR DECIDE THE MATTER HIMSELF OR HERSELF BASED UPON THE RECORD. DELEGATION OF HEARING OFFICER RESPONSIBILITIES UNDER THIS SECTION MAY BE TO THE ADMINISTRATIVE HEARING OFFICER CREATED UNDER AMC 14.20.010.]

(AO No. 57-75; AO No. 78-177; AO No. 81-149; AO No. 85-87; AO No. 87-8; AO No. 88-21; AO No. 93-220, § 1, 2-22-94; AO No. 98-51(S), § 1, 5-4-99)

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11.10.040 Anchorage Transportation Commission--Regulations.

Pursuant to Chapter 3.40 of this Code, the commission may promulgate regulations relating to chauffeurs, the operation of regulated vehicles, and dispatch services. Such regulations may not be inconsistent with the provisions of chapters 11.10--11.40, **and are subject to approval by the Assembly pursuant to section 3.40.040.**

(AO No. 57-75; AO No. 78-177; AO No. 81-149; AO No. 85-87; AO No. 98-51(S), § 1, 5-4-99)

11.10.050 Anchorage Transportation Commission--Rates.

A. [SUBJECT TO ASSEMBLY APPROVAL, T] The commission ~~may~~ ~~shall~~ promulgate regulations for implementation and enforcement ~~establishing, and~~ [IS AUTHORIZED TO] [IMPLEMENT AND ENFORCE] through the transportation inspector **of** :

1. Maximum rates to be charged for taxicab service;
2. Dispatch service rates;
3. Rates for vehicles for hire;
4. Minimum rates for limousine service;
5. Maximum lease rates between permittees and lease operators of taxicab service, including daily lease rates for taxicab chauffeurs; and
6. Allowable fuel surcharge amounts which may be added to taxicab rates, and the duration of the surcharge period.

B. Charging a rate other than as provided by the regulations adopted pursuant to subsection A. is prohibited and a violator is subject to a penalty as set forth in section 11.10.130.

C. All rates shall be nondiscriminatory.

D [C]. A statement of actual taxicab rates charged by a taxicab, other than flat or group rates established by contractual agreement between dispatch service companies and individuals or other businesses, shall be conspicuously posted on the interior and exterior of every taxicab in a manner prescribed by the transportation inspector. The interior sign shall include contact information for the transportation inspector's office or transportation commission, as directed by the transportation inspector.

E [D]. No person may require payment of taxicab rates greater than those implemented by the commission pursuant to this section. No person may require payment of dispatch service rates other than those implemented by the commission pursuant to this section.

E [E]. Regulated vehicle services and limousine services may establish their own individual rates, subject to rates established by **regulation** **[ORDINANCE]** or as a condition [OR AS A CONDITION] of the issuance of the permit. Each vehicle operated as a vehicle for hire shall conspicuously post a sign on each side of the vehicle, such sign stating the full name of the vehicle for hire service and, if required by the transportation inspector, the fare to be charged. The transportation inspector may require an interior sign which shall include contact information for the transportation inspector's office or transportation commission, as directed by the transportation inspector.

(AO No. 57-75; AO No. 78-177; AO No. 79-58; AO No. 81-149; AO No. 84-18; AO No. 85-87; AO No. 87-8; AO No. 89-63; AO No. 89-97; AO No. 98-51(S), § 1, 5-4-99; Ord. No. 2011-105(S), § 1, 10-25-11)

Cross references: Rates, fares and fees, AMCR section 11.10.009.

11.10.055 Anchorage Transportation Commission—Complaints and civil and criminal citations.

A. The commission, through the transportation inspector, shall:
* * * * *

3. Require that within all regulated vehicles, **except for limousines**, a commission-approved notice of the telephone numbers required for the filing of complaints with the commission and the number of the vehicle utilizing the permit shall be prominently displayed in a manner, size, and location designated by the transportation inspector. This notice shall be at least 6 by 8 inches in size, clearly visible to passengers, and protected from accidental damage.

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(AO No. 93-220, § 2, 5-23-94; AO No. 98-51(S), § 1, 5-4-99)

11.10.060 Hearing officer.

A. The commission may conduct hearings and make rulings regarding the admission of evidence and procedure, or the chairman of the commission may appoint a hearing officer to do so without a quorum of the commission being present. This subsection applies [DOES NOT APPLY] to matters heard [BY THE CHAIRMAN OF THE COMMISSION OR HIS OR HER DESIGNEE] pursuant to Section 11.10.030.[D. THE MUNICIPAL ADMINISTRATIVE HEARINGS OFFICER MAY BE DESIGNATED AS THE HEARING OFFICER UNDER THIS SECTION.]

B. A municipal hearing officer appointed under Title 14 of this Code is empowered to conduct the following administrative hearings or quasi-judicial proceedings and the decision issued by the hearing officer shall constitute the final municipal decision in the matter:

1. Appeals of a decision to deny a license or permit under section 11.10.110A.
2. Appeals of the transportation inspector's decision to suspend or revoke a chauffeur's license under section 11.10.110B.
3. Administrative hearings to determine whether to suspend or revoke a permit, following an accusation filed by the transportation inspector under section 11.10.110C.
4. Other administrative or **quasi-judicial** hearings provided for in chapters 11.10 through 11.40.

[IF A MATTER IS HEARD BY A HEARING OFFICER ALONE, HE OR SHE SHALL PREPARE A PROPOSED DECISION IN A FORM, INCLUDING FINDINGS OF FACT AND CONCLUSIONS OF LAW , WHICH MAY BE ADOPTED BY THE COMMISSION AS ITS DECISION. THE HEARING OFFICER WHO PRESIDED AT THE HEARING SHALL BE PRESENT DURING THE CONSIDERATION OF THE CASE BY THE COMMISSION TO ASSIST AND ADVISE THE COMMISSION.]

C. Except for appeals of citations issued for violations which subject the violator to a civil penalty as set forth on the fine schedule in section 14.60.030, matters heard by a hearing officer shall be conducted under the procedures set forth in chapter 3.60. [IF THE PROPOSED DECISION OF THE HEARING OFFICER IS NOT ADOPTED, THE COMMISSION SHALL DECIDE THE CASE UPON THE RECORD. THE RECORD SHALL INCLUDE TAPES OR TRANSCRIPTS OF ANY HEARINGS.]

(AO No. 78-177; AO No. 84-18; AO No. 88-21; AO No. 98-51(S), § 1, 5-4-99)

11.10.070 Powers and duties of the transportation inspector.

A. In addition to the other duties and powers granted by this title, the transportation inspector shall:

- 1 [A]. Act as recording secretary to the commission;
- 2 [B]. Keep records relating to regulated vehicles, chauffeurs, and dispatch services licensed under this title;
- 3 [C]. Investigate, inspect and examine vehicles, drivers, records and any and all other things related to the operation of regulated vehicles, and to issue citations and commence actions to deny, suspend or revoke licenses and permits [when warranted TO ASSURE THAT THE PROVISIONS OF CHAPTERS 11.10 THROUGH 11.40 ARE ENFORCED AND OBEYED];
- 4 [D]. Receive and process all applications for permits and licenses; [AND]
- 5 [E]. Administer contracts and serve as the municipal representative for outsourced services such as drug testing and vehicle inspection; [PERFORM THOSE ADMINISTRATIVE DUTIES OF THE COMMISSION WHICH ARE DELEGATED TO HIM OR HER BY THE COMMISSION.]
6. Identify and refer license and permit applicants to specialized training providers and resources, as needed, to assist with the special needs of accessible transportation for the disability community;
7. Identify and require vehicle inspections, as needed, to protect the health and safety of persons and property;
8. Identify and require licensee and permittee recordkeeping protocols and record submission schedules; and
9. Provide a current checklist for reference by an applicant, licensee, permittee, and the public of the notices and information required by code for display on the interior and exterior of regulated vehicles.

(AO No. 78-177; AO No. 80-19(S); AO No. 81-149; AO No. 84-18; AO No. 98-51(S), § 1, 5-4-99)

11.10.080 Vehicle inspections, mechanical equipment standards and accident reporting.

A. Periodic inspections: Vehicles shall be inspected twice annually with the exception that limousines shall be inspected annually or at 10,000

1 miles, whichever occurs first. One of the two semi-annual inspections
2 shall occur during the month of the vehicle registration and the other
3 semi-annual inspection shall occur during the month which is six
4 months from the month of the vehicle registration. The
5 permittee/vehicle owner will be responsible for scheduling the
6 inspections. The transportation inspector will designate the location,
7 scope of inspection, and vendor with qualified persons to inspect the
8 regulated vehicles. Additional random inspection resulting in a passing
9 score shall be counted toward the number required under this section.
10 A maximum of twenty-five (25) percent of the regulated vehicles may
11 be on an annual basis selected randomly by computer and required to
12 undergo an inspection by the vehicle inspection contractor. The cost for
13 the random and reasonable cause inspections will be the responsibility
14 of the permittee/vehicle owner.

15
16 B. Review by transportation inspector: When a regulated vehicle has
17 been permitted for two years or has accumulated a total of 200,000
18 miles, the inspection frequency may be increased to a total of four
19 inspections annually. The transportation inspector shall be responsible
20 for notifying the permittee or vehicle owner of the increased
21 inspections. The transportation inspector may make a determination
22 [PURSUANT TO REGULATIONS ADOPTED BY THE COMMISSION,] that the
23 regulated VEHICLE[S] is mechanically unsound or does not present a
24 proper appearance to continue in service. In the event a vehicle is
25 determined to no longer be suitable for service, the permittee or vehicle
26 owner shall take the vehicle out of service immediately. The
27 transportation inspector shall not permit a vehicle with a reconstructed
28 title as a regulated vehicle of any type.

29
30 C. Accident and damage reporting; use of substandard repair parts
31 prohibited: The owner of a damaged regulated vehicle shall notify the
32 permittee and transportation inspector of the damage sustained no
33 later than 5:00 p.m. of the next Municipal workday and arrange for an
34 inspection of the regulated vehicle. The operator of a regulated vehicle
35 in a collision of any type shall notify the transportation inspector of a
36 collision immediately, or no more than 8 hours following the accident.
37 No person may operate a vehicle as a regulated vehicle unless such
38 vehicle is in a safe, clean condition and in compliance with all
39 applicable laws. No person shall authorize or perform the installation of
40 substandard parts in the repair and maintenance of a regulated vehicle.

41
42 D. Out of service parked vehicle: The transportation inspector may
43 require a regulated vehicle to be parked until such time as it has been
44 inspected if he or she has reason to believe that the regulated vehicle
45 poses a threat to the safety of persons or property.

46
47 E. Mechanical equipment standards: No person may operate a regulated
48 vehicle unless it complies with these mechanical equipment standards:
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1. The steering mechanism shall be in good mechanical working order and wheel play does not exceed two inches.
2. All door hinges and latches shall be in good mechanical working order so that doors open easily and close securely. All door locks shall function with key-activated locks placed on the outside of doors.
3. All windows shall be fully operable, free from cracks ~~or chips~~ and composed of approved safety glass. Interior and exterior mirrors shall be attached securely to the vehicle.
4. All brakes shall be in good mechanical working order. When pressed the brake pedal shall be not less than 1¾ inches from the floorboard. Brake linings shall not be less than 1/32 of an inch at any point. Brake drums shall not exceed 40/1000 in excess of factory specifications.
5. The exhaust system, gaskets, tailpipes and mufflers shall be in good condition. Exhaust fumes shall not penetrate into the interior of the vehicle.
6. The vehicle shall be equipped with four tires each of which shall have depth tread measurements at approximately every 120 degrees of its circumference not less than 2/32 of an inch. Each wheel shall be aligned so as to prevent unusual tire wear.
7. The speedometer shall be properly installed, maintained in good working order and exposed to view.
8. The interior of the vehicle shall be clean, free from torn upholstery and from damaged or broken seats.
9. All exterior and interior lights and turn signals shall be in good mechanical order. Headlights shall be properly aligned for both high and low beam use and shall not be fogged.
10. The horn and two windshield wipers shall be in good mechanical working order.
11. All wire connections shall be permanent and located out of the way of the driver and passengers.
12. The taximeter shall be connected, fully functional and sealed. This paragraph does not apply to limousines or vehicles for hire.
13. The vehicle shall be structurally sound and operate within the noise and vibration limits permitted by Section 15.70.090.

14. Springs and shackles shall be free from cracks and breaks. Shocks shall be securely mounted and functional. Fluid leakage shall not exceed light dampness.
 15. The vehicle shall not have cracked, broken or badly dented fenders and shall be painted so as to provide reasonable protection against structural deterioration. Body and sheet metal should have all the manufactured parts securely mounted with no dangerous protuberances.
 16. The vehicle shall be washed daily, and the interior shall be maintained in a clean, sanitary and smoke free condition.
 17. The vehicle shall meet all applicable vehicle emissions standards.
 18. Defrosting and heating systems shall be operational.
 19. There shall be no leakage of fluids or oil from any part of the vehicle.
 20. The vehicle shall be equipped with accessible and operable seat belts for all seats.
 21. Taxicabs shall be equipped with an operational radio identifier and silent electronic alarm.
 22. Taxicabs shall be equipped with a surveillance system meeting the requirements of section 11.10.185.
 23. Specialized equipment in vehicles permitted under subsection 11.20.037F. shall be in safe, operable condition, as intended by the original manufacturer or approved after market conversion.
- F. All taxicabs, limousines and vehicles for hire shall be subject at all times to an inspection by the transportation inspector or [,] a designee. **All regulated vehicles are subject to inspection by [or] a police officer who has reason to believe that the vehicle does not comply with all federal, state and local vehicle equipment laws or regulations, including vehicle requirements of this code and regulations.**
- G. Inspection fees for regulated vehicles shall be established in the inspection service provider contract administered by the Transportation Inspector.

(AO No. 57-75; AO No. 78-177; AO No. 80-19(S); AO No. 81-149; AO No. 84-18; AO No. 87-126(S); AO No. 93-220, § 3, 2-22-94; AO No. 98-51(S), § 1, 5-4-99)

11.10.085 Drug and alcohol testing.

A. The commission shall:

1. Cause to be established a [COMMISSION-APPROVED] drug and alcohol testing program for chauffeurs of regulated vehicles. The program shall:

a. include chauffeur applicant drug screening tests, [RANDOM TESTS,] reasonable cause tests, post-accident drug and alcohol tests, and post-citation tests. [THE TESTING PROGRAM SHALL BE ADMINISTERED BY THE TRANSPORTATION INSPECTOR.]

b[2]. Provide for the immediate denial, suspension, or revocation of the chauffeur's license by the transportation inspector of any [SUCH] chauffeur failing, or failing to submit to, [SUCH] a chauffeur application drug screening test, [A RANDOM DRUG OR ALCOHOL TEST,] a reasonable cause drug or alcohol test, a post-accident drug or alcohol test, a post-citation drug or alcohol test. [,] The denial, suspension, or revocation shall be for a period of not less than six (6) months for a first offense. In the case of a suspension or revocation under this section, the period [REVOCATION] may continue beyond six (6) months until such time as the chauffeur shall submit evidence of successful completion of a drug or alcohol abuse treatment program.

c[3]. Provide for the immediate revocation by the transportation inspector of the chauffeur's license of any chauffeur failing or failing to submit to [SUCH] a [RANDOM,] reasonable cause, post-accident, or post-citation test, for a period of not less than two years for a second or subsequent failure or refusal to submit to a required drug and/or alcohol test within a ten year period [OFFENSE].

2[4]. Establish [PROVIDE FOR] fees to pay for drug and alcohol testing, [WITH] Costs of testing shall be borne by applicants for chauffeur's licenses and costs of subsequent testing shall be borne by permittees.

B. A design, cost structure, and fee determination for the drug and alcohol testing program shall be developed and implemented by the transportation inspector [COMMISSION AND SUBMITTED TO THE ASSEMBLY FOR APPROVAL] subject to the following conditions:

1. Costs for the initial [A] drug screening shall be borne by

applicants for chauffeur's licenses.

2. Direct operational costs for the [RANDOM,] post-accident, post-citation, and reasonable cause drug and alcohol testing program shall be borne by permittees [THROUGH AN INCREASE IN THE ANNUAL PERMIT RENEWAL FEE].

(AO No. 93-220, § 4, 5-23-94; AO No. 94-93(S), § 1, 5-16-94; AO No. 97-79, § 1, 6-3-97; AO No. 97-92, § 1, 7-1-97; AO No. 98-51(S), § 1, 5-4-99)

11.10.090 Enforcement authority.

The mayor or his or her designee shall have the power of a peace officer to enforce the terms of this Code and to enforce the terms of chapters 11.10 through 11.40 by issuing citations, permit and license denials, suspensions, revocations, penalties and [OR, WHERE AUTHORIZED,] filing complaints with the municipal administrative hearings officer under Title 14. The Transportation Inspector is the designee for enforcement of chapters 11.10 through 11.40, and police officers may enforce said chapters.

(AO No. 80-19(S); AO No. 84-18; AO No. 98-51(S), § 1, 5-4-99)

11.10.100 Hearings—Appeals.

A. [IF THE TRANSPORTATION INSPECTOR DETERMINES THAT AN APPLICATION FOR A CHAUFFEUR'S LICENSE DOES NOT MEET THE REQUIREMENTS OF THIS TITLE, THE TRANSPORTATION INSPECTOR SHALL DENY THE APPLICATION. THE TRANSPORTATION INSPECTOR SHALL ISSUE A WRITTEN DECISION TO THE APPLICANT WHICH SHALL STATE THE SPECIFIC REASONS FOR THAT DENIAL. SUCH WRITTEN DECISION WILL BE ISSUED NO LATER THAN SEVEN WORKING DAYS OF THE DENIAL.]

[B. IF THE COMMISSION DETERMINES THAT AN APPLICATION FOR A REGULATED VEHICLE PERMIT OR DISPATCH SERVICE LICENSE DOES NOT MEET THE REQUIREMENTS OF THIS TITLE, THE COMMISSION SHALL DENY THE APPLICATION. THE COMMISSION SHALL ISSUE A WRITTEN DECISION TO THE APPLICANT WHICH SHALL STATE THE SPECIFIC REASONS FOR THAT DENIAL.]

[C.] A person aggrieved by the denial, suspension, or revocation of a **[chauffeur's] license, or the denial of a permit or dispatch service license** by the transportation inspector under provisions of chapters 11.10—11.40 [PURSUANT TO SUBSECTION A. OF THIS SECTION, SECTION 11.10.110.A., OR SECTION 11.10.085] may, within 15 days of the denial, suspension, or revocation decision, and upon payment of the filing fee required by Section 11.10.160, appeal that decision to the administrative hearing officer appointed under this chapter.

B. In addition to sustaining the denial, suspension, or revocation of a chauffeur's license by the transportation inspector, [or determining

~~whether to suspend or revoke a permit under section 11.10.110C.,~~
the hearing officer may [CHAIRMAN OF THE COMMISSION OR HIS OR HER
DESIGNEE. AFTER A HEARING CONDUCTED PURSUANT TO CHAPTER 3.60 OF
THIS CODE, THE CHAIRMAN OF THE COMMISSION OR HIS OR HER DESIGNEE
MAY] authorize the conditional or unconditional issuance or
reinstatement of a denied, suspended, or revoked license ~~[or permit]~~
upon the hearing officer's finding, by a clear and convincing evidence,
any one or more of the following: [AN AFFIRMATIVE SHOWING AT A HEARING
BY]

1. The appellant fully meets the requirements of this title, and
denial of the license or permit by the Transportation Inspector is
in error.
2. The appellant [THAT HE OR SHE] has been rehabilitated and
demonstrates [HAS] the ability to responsibly exercise the
benefits and obligations of a licensee or permittee under
chapters 11.10 --11.40. [ASSUME THE RESPONSIBILITIES OF A
CHAUFFEUR, OR THAT]
3. The transportation inspector exceeded his or her authority. [, OR
THAT]
4. Continued suspension of or refusal to issue or reinstate the
license ~~[or permit]~~ would otherwise work a substantial injustice
contrary to the provisions of chapters 11.10 -- 11.40.

C[D]. An appeal from any final decision of the hearing officer [COMMISSION
MADE] under this title shall be made to the Superior Court, Third Judicial
District, Anchorage, Alaska, no later than 30 days following service of
that decision upon the affected chauffeur or permittee or dispatch
company at their last known address. Review by the court shall be
limited to determining whether the decision of the hearing officer
[APPEALED] is supported by substantial evidence.

D[E]. A permittee, a chauffeur or a dispatch service who has been issued a
civil citation imposing a fine set forth in section 14.60.030 may request
a hearing under the procedures set forth in chapter 14.30. [, INCLUDING
REVOCATION FOR A VIOLATION OF A PROVISION OF CHAPTERS 11.10 THROUGH
11.40, OR A PERMITTEE] A person who has been subjected to a penalty
under the provisions of chapters 11.10 through 11.40 for which no fine
is included in section 14.60.030 may appeal that penalty to the
administrative hearings officer designated in this chapter and the
appeal shall be conducted under the provisions of chapter 3.60. [,
INCLUDING REVOCATION UNDER SECTION 11.10.110.B, MAY CONTEST THAT
CITATION OR PENALTY BY FILING A NOTICE OF APPEAL WITH THE
TRANSPORTATION INSPECTOR. THE APPEAL SHALL BE MADE ON A FORM
PROVIDED BY THE TRANSPORTATION INSPECTOR. NO LATER THAN 15 DAYS
AFTER THE DAY THE CITATION HAS BEEN ISSUED , OR, IN THE CASE OF

IMPOSITION OF A PENALTY AGAINST A PERMITTEE UNDER SECTION 11.10.110.B, NO LATER THAN SEVEN DAYS AFTER NOTICE OF A PENALTY IS PERSONALLY SERVED UPON OR MAILED TO THE PERMITTEE. A HEARING CONDUCTED PURSUANT TO THIS SECTION SHALL BE CONDUCTED IN ACCORDANCE WITH CHAPTER 3.60 BY THE CHAIRMAN OF THE COMMISSION OR HIS OR HER DESIGNEE, AS PROVIDED IN SECTION 11.10.030.D. IN AN APPEAL FROM A PENALTY ISSUED TO A PERMITTEE PURSUANT TO SECTION 11.10.110.B, THE COMMISSION SHALL REVIEW ALL ISSUES RELEVANT TO IMPOSITION OF THE PENALTY, INCLUDING ANY CITATION UPON WHICH IT IS BASED, THE TRANSPORTATION INSPECTOR'S DETERMINATION THAT THE CITATIONS DEMONSTRATE USE OF THE PERMIT CONTRARY TO THE PUBLIC SAFETY AND WELFARE, AND ANY REMEDIAL ACTION TAKEN BY THE PERMITTEE AS DESCRIBED IN SECTION 11.10.110.B.]

E [F]. A permittee, a chauffeur or a dispatch service who seeks to appeal a [CIVIL] citation, penalty, denial, suspension, or revocation after expiration of the appeal filing period [SET OUT IN SUBSECTIONS C. AND E. OF THIS SECTION HAS CLOSED] shall file a letter with the transportation inspector within 30 days from the date of the close of the applicable appeal period stating the reasons with good cause why he or she did not appeal within the applicable period. The transportation inspector shall forward the letter to the commission for consideration at its next regularly scheduled meeting.

1. The Transportation commission shall consider each letter as a request to waive for good cause strict enforcement of the filing deadline. The transportation commission shall not waive the filing deadline unless good cause is shown and the commission finds waiver of strict enforcement will not promote use of the permit contrary to the public safety and welfare, or prejudice the Municipality's enforcement of chapters 11.10 – 11.40. [THE TRANSPORTATION COMMISSION SHALL ONLY CONSIDER REASONS THE APPELLANT DID NOT COMPLY WITHIN THE APPLICABLE APPEAL PERIOD AND SHALL NOT CONSIDER EVIDENCE REGARDING THE MATTER UNDER APPEAL.]

2. The Transportation commission's determination shall be based on the letter and supporting documentation on whether the deadline for appealing the transportation inspector's determination to the hearing officer should be waived for good cause [DOCUMENTS].

3. An applicant for waiver of the appeal deadline [APPELLANT] must demonstrate [TO THE TRANSPORTATION COMMISSION] compelling reasons or circumstances which would prevent a reasonable person under the circumstances from filing a timely appeal.

4. The transportation Inspector shall notify the applicant of the decision on the waiver within 5 days of receipt of the request. If

the request is granted, the waiver applicant [APPELLANT] may
[SHALL] file a notice of appeal with the transportation inspector
[IN ACCORDANCE WITH SUBSECTION E. OF THIS SECTION]. If the
request is denied, the transportation commission's denial may
be appealed to the administrative hearing officer [INSPECTOR
SHALL NOTIFY THE APPELLANT OF THE TRANSPORTATION
COMMISSION'S DECISION].

(AO No. 57-75; AO No. 78-177; AO No. 79-58; AO No. 80-19(S); AO No. 81-
149; AO No. 84-18; AO No. 85-87; AO No. 87-126(S); AO No. 88-21; AO No.
93-220, § 5, 2-22- 94; AO No. 98-51(S), § 1, 5-4-99; AO No. 2011-72, § 1, 6-
28-11; AO No. 2011-91(S- 2), § 2, 9-27-11)

11.10.110 Denial, suspension, or revocation of license or permit.

A. If the transportation inspector determines that a license application for
a chauffeur's license or the application for a regulated vehicle permit or
dispatch service license does not meet the requirements of this title,
the transportation inspector shall deny the application. The
transportation inspector shall issue a written decision to the applicant
which shall state the specific reasons for that denial. Such written
decision will be issued no later than seven working days of the denial.

B. The transportation inspector shall have the power to suspend or revoke
a chauffeur's license.

1. The transportation inspector shall suspend or revoke a
chauffeur's license if a chauffeur is convicted by a court of
competent jurisdiction of an offense set forth in Section
11.30.040.

2. The transportation inspector may suspend or revoke a
chauffeur's license upon receipt of evidence sufficient to cause
the transportation inspector to conclude by a preponderance of
the evidence (i.e., that it is more likely than not) that a chauffeur
is incapable of controlling a motor vehicle safely. Such evidence
may include violation of this title, Title 9 of this Code, and/or any
relevant medical or psychological evidence presented.

3. ~~The transportation inspector shall suspend a chauffeur's
license for a 24-hour period when a preponderance of the
evidence supports a conclusion that the chauffeur knew or
should have known upon reasonable inspection of the
regulated vehicle required by section 11.30.070D. that a
safety or mechanical deficiency existed, and the chauffeur
failed to report the deficiency to the vehicle owner.~~

[4.] The transportation inspector shall deny, suspend, or revoke the

chauffeur's license of any chauffeur failing or refusing to take a drug and/or alcohol test as authorized by Section 11.10.085.

~~5~~ [4]. The transportation inspector may suspend or revoke the chauffeur's license of a chronic violator. As used in this section, "chronic violator" means a chauffeur who accumulates [FOR WHICH] four or more citations [HAVE BEEN] issued under authority of Section 11.10.090 during a period of 12 consecutive months [, REGARDLESS OF WHETHER EACH OF THE FOUR CITATIONS CONCERNS THE SAME OR DIFFERENT PROVISIONS OF THIS TITLE OR REGULATIONS ENACTED THEREUNDER]. Citations which have been dismissed on appeal do not count towards the sum of the four citations. When two or more citations are issued for separate violations related to a single incident on the same date, the incident shall count as one citation toward the sum of four. This paragraph does not preclude suspension of a license on other grounds, when less than four citations have been issued in a 12 month period.

~~6~~ [5]. The transportation inspector shall suspend the chauffeur's license upon receipt of a criminal charging document or verifiable information disclosing the circumstances of an arrest sufficient to cause the transportation inspector to conclude by a preponderance of the evidence (i.e., that it is more likely than not) the chauffeur used a regulated vehicle, chauffeur license, or uniform to gain physical proximity or the trust of the victim for criminally offensive sexual behavior by the chauffeur. The suspension shall be immediate. The suspension shall continue until final judicial adjudication of the arrest, unless the transportation inspector makes a written finding that restrictions have been judicially imposed on the chauffeur for the period until final judicial adjudication of the arrest is complete, the public is best protected by the judicially imposed restrictions, and the public trust is preserved. For purposes of this subsection, final adjudication of the arrest includes a dismissal or withdrawal of the criminal charges, with or without prejudice.

~~6~~ [7]. Upon suspension or revocation of a chauffeur's state driver's license, his or her chauffeur's license shall simultaneously and automatically become void. [A chauffeur shall surrender such license to the transportation inspector within three days after suspension or revocation of his or her state driver's license.] Such a chauffeur shall not thereafter operate a vehicle for which a chauffeur's license is required unless he or she is first issued a new chauffeur's license in accordance with Section 11.30.040.

~~7~~ [8]. A chauffeur must surrender his or her chauffeur's license to the

transportation inspector within three days of any suspension or
revocation **of the chauffeur's license.**

C[B]. Actions against permits.

1. The transportation inspector may serve a permittee with an
accusation or notice stating the intent to [COMMISSION SHALL]
suspend or revoke a permit in accordance with section 3.60.025.
The municipal administrative hearing officer appointed under
this chapter is the official empowered to issue the final
determination to suspend or revoke a permit [UPON FINDING]
after an administrative hearing. A permit may be suspended or
revoked upon a finding that:

a. No regulated vehicle [TAXICAB] has been operated
pursuant to the permit for 45 consecutive days or for 90
days in any 12-month period, provided that such failure to
operate is not caused by strike, public catastrophe, or
other act beyond the control of the permittee, but not
including insolvency or temporary revocation of a permit
pending determination of an appeal of such revocation;

b. The permittee has sold or otherwise lost the use of the
vehicle which was being operated pursuant to the permit
and has failed to replace it within 60 days after the date
of such sale or loss;

c. A preponderance of the evidence supports the
conclusion that the permittee has committed an offense
set forth in chapters 11.10 – 11.40; [SECTION
11.30.040.E,]

d. A preponderance of the evidence supports the
conclusion that the permittee has failed to use the permit
in a manner and fashion consistent with the public safety
and welfare [or the public trust]; or

e. Continued operation of the permit will result in substantial
risk to the public health or welfare.

[i. IN EVALUATING WHETHER THE PERMITTEE HAS FAILED
TO USE THE PERMIT AS REQUIRED BY THIS
SUBSECTION, THE COMMISSION SHALL CONSIDER THE
FOLLOWING:

(1) CITATIONS FOR CIVIL VIOLATIONS OF SECTIONS
11.10.150 THROUGH 11.30.140, OR OF
REGULATIONS ADOPTED BY THE COMMISSION
UNDER SUCH ORDINANCES, BY A PERMITTEE OR

1 BY A PERMITTEE'S AGENT OR LEASE OPERATOR
2 WITH WHOM THE PERMITTEE HAS ENTERED AN
3 AGREEMENT WHICH ALLOWS SUCH AGENT OR
4 LEASE OPERATOR TO PROVIDE TAXICAB
5 SERVICE PURSUANT TO THE PERMITTEE'S
6 AUTHORITY. UPON ISSUANCE OF A CIVIL
7 CITATION THE TRANSPORTATION INSPECTOR
8 SHALL DETERMINE WHETHER THE CITATION
9 DEMONSTRATES USE OF THE PERMIT
10 CONTRARY TO THE PUBLIC SAFETY AND
11 WELFARE, AND, IF SO DETERMINED, SHALL
12 NOTIFY THE PERMITTEE OF THIS
13 DETERMINATION AT THE TIME THE PERMITTEE IS
14 PROVIDED NOTICE OF THE CITATION.

15 (2) THE THIRD CIVIL CITATION WITHIN A 12-MONTH
16 PERIOD TO A CHAUFFEUR OPERATING UNDER A
17 PERMITTEE'S PERMIT FOR VIOLATIONS OF
18 SECTIONS 11.10.150 THROUGH 11.30.140, OR
19 OF REGULATIONS ADOPTED BY THE
20 COMMISSION UNDER AUTHORITY OF SUCH
21 ORDINANCES. UPON ISSUANCE OF A CIVIL
22 CITATION THE TRANSPORTATION INSPECTOR
23 SHALL DETERMINE WHETHER THE CITATION
24 DEMONSTRATES USE OF THE PERMIT
25 CONTRARY TO THE PUBLIC SAFETY AND
26 WELFARE AND, IF SO DETERMINED, SHALL
27 NOTIFY THE PERMITTEE OF THIS
28 DETERMINATION AT THE TIME THE PERMITTEE IS
29 PROVIDED NOTICE OF THE CITATION.
30

31 (3) CRIMINAL CONVICTIONS AGAINST A PERMITTEE
32 OR AGAINST A CHAUFFEUR OPERATING UNDER
33 THE PERMITTEE'S PERMIT, FOR OFFENSES
34 OTHER THAN THOSE SET FORTH IN SECTION
35 11.30.040.E, FOR ILLEGAL VEHICULAR
36 OPERATION OR FOR OTHER ILLEGAL ACTIVITY
37 DIRECTLY SUPPORTED OR ENHANCED BY AN
38 ILLEGAL UTILIZATION OF THE PERMITTEE'S
39 PERMIT WHICH SUPPORTS THE CONCLUSION
40 THAT THE PERMIT IS BEING OPERATED IN A
41 MANNER AND PATTERN INCONSISTENT WITH
42 THE PUBLIC SAFETY AND WELFARE.]
43

44 [II. A DETERMINATION TO REVOKE A PERMIT UNDER THIS
45 SUBSECTION SHALL BE BASED UPON THE TOTAL
46 NUMBER OF SUCH CIVIL CITATIONS AND CRIMINAL
47 CONVICTIONS DURING A PERIOD OF 12 CONSECUTIVE
48 MONTHS. A CONCLUSION THAT THE PERMITTEE HAS
49 FAILED TO USE THE PERMIT IN A MANNER AND FASHION

CONSISTENT WITH THE PUBLIC SAFETY AND WELFARE
MAY FURTHER BE SUPPORTED OR AMELIORATED BY:

(1) A REVIEW OF THE RECORD OF THE PERMITTEE
FOR THE PRECEDING 18 MONTHS FOR PRIOR
CIVIL AND CRIMINAL CONVICTIONS BY A
PERMITTEE OR CHAUFFEUR(S) OPERATING
UNDER A PERMITTEE'S PERMIT OF SECTIONS
11.10.150 THROUGH 11.30.140, FOR
OFFENSES OTHER THAN THOSE SET FORTH IN
SECTIONS 11.10.150 THROUGH 11.30.040.E,
FOR ILLEGAL VEHICULAR OPERATION OR FOR
OTHER ILLEGAL ACTIVITY DIRECTLY SUPPORTED
OR ENHANCED BY AN ILLEGAL UTILIZATION OF
THE PERMITTEE'S PERMIT, OR OF REGULATIONS
ADOPTED BY THE COMMISSION UNDER
AUTHORITY OF SUCH ORDINANCES;

(2) EVIDENCE CONCERNING THE CIRCUMSTANCES
AND NATURE OF THE CIVIL CITATION(S) OR
CRIMINAL CONVICTIONS(S) INDICATING
WHETHER THEY DEMONSTRATE USE OF THE
PERMIT IN A MANNER INCONSISTENT WITH THE
PUBLIC SAFETY AND WELFARE; OR

(3) EVIDENCE OF REMEDIAL ACTIONS TAKEN BY A
PERMITTEE IN RESPONSE TO A CHAUFFEUR'S
CIVIL OR CRIMINAL CITATION, SUSPENSION OF
CHAUFFEUR'S LICENSE, OR CRIMINAL
CONVICTION. FOR PURPOSES OF THIS SECTION,
THE TERM "REMEDIAL ACTION" MEANS ACTION
REASONABLY CALCULATED TO PREVENT
RECURRENCE OF THE SAME OR SIMILAR
VIOLATIONS BY CHAUFFEURS OPERATING
UNDER THE PERMITTEE'S PERMIT, AND MAY
INCLUDE ACTIONS TAKEN BY THE PERMITTEE
EITHER BEFORE OR AFTER NOTIFICATION OF A
CHAUFFEUR CITATION OR CONVICTION.]

[2. REVOCATION OF A PERMIT FOR VIOLATIONS DESCRIBED IN SUBSECTION
B.D.1. OF THIS SECTION SHALL OCCUR ONLY AFTER THE
TRANSPORTATION INSPECTOR HAS IMPOSED THE FOLLOWING
PROGRESSIVE PENALTIES UPON PERMITTEES FOR OFFENSES
DESCRIBED IN SUBSECTION B.D.I. OF THIS SECTION:

A. FIRST CIVIL CITATION OR CRIMINAL CONVICTION: A WRITTEN
NOTICE WARNING OF ADDITIONAL AND/OR INCREASED FINES
FOR SUBSEQUENT VIOLATIONS IN ACCORDANCE WITH THIS
SUBSECTION OR A FINE NOT TO EXCEED \$100.00 AND A

WARNING OF THE CONSEQUENCES OF FURTHER VIOLATIONS.

B. SECOND CIVIL CITATION OR CRIMINAL CONVICTION: A FINE NOT TO EXCEED \$300.00 AND A WARNING OF THE CONSEQUENCES OF FURTHER VIOLATIONS.

C. THIRD CIVIL CITATION OR CRIMINAL CONVICTION: A FINE NOT TO EXCEED \$750.00 OR REVOCATION OF THE PERMIT, PLUS A WARNING OF THE CONSEQUENCES OF FURTHER VIOLATIONS.

D. FOURTH CIVIL VIOLATION OR CRIMINAL CONVICTION: ANY OF THE ABOVE PENALTIES OR REVOCATION OF THE PERMIT.]

[3. UPON ISSUANCE OF A CIVIL CITATION OR A CRIMINAL CONVICTION AGAINST A CHAUFFEUR, THE TRANSPORTATION INSPECTOR SHALL DETERMINE WHETHER THE CITATION OR CONVICTION DEMONSTRATES USE OF THE PERMIT CONTRARY TO PUBLIC SAFETY AND WELFARE AND, IF SO, SHALL NOTIFY THE PERMITTEE OF SUCH DETERMINATION, AT THE TIME THE PERMITTEE IS PROVIDED NOTICE OF THE CITATION OR CONVICTION.]

[4. NO PENALTIES SHALL BE IMPOSED FOR A PERIOD OF AT LEAST TEN DAYS FOLLOWING EITHER:

A. PERSONAL SERVICE UPON THE PERMITTEE OF NOTICE OF PENALTY BY THE TRANSPORTATION INSPECTOR STATING THAT THE CIVIL CITATION OR CRIMINAL CONVICTION HAS BEEN DETERMINED TO DEMONSTRATE USE OF THE PERMIT CONTRARY TO PUBLIC SAFETY AND WELFARE; OR

B. MAILING OF SUCH NOTICE OF PENALTY TO THE PERMITTEE'S ADDRESS ON FILE WITH THE TRANSPORTATION INSPECTOR, WHICHEVER OCCURS FIRST, SO AS TO FURNISH THE PERMITTEE A REASONABLE OPPORTUNITY TO TAKE REMEDIAL ACTION.]

[5. THE TRANSPORTATION INSPECTOR MAY RELAX OR SUSPEND PERMITTEE PENALTIES SET FORTH IN THE PENALTY SCHEDULE FOR CIVIL CITATIONS OR CRIMINAL CONVICTIONS ACQUIRED BY CHAUFFEURS OPERATING UNDER THE PERMIT TO THE EXTENT THAT THE PERMITTEE HAS TAKEN REMEDIAL ACTION FOR CHAUFFEUR-CAUSED OFFENSES. THE TRANSPORTATION INSPECTOR MAY RELAX OR SUSPEND PERMITTEE PENALTIES FOR CIVIL VIOLATIONS BY THE PERMITTEE'S AGENT OR LEASE OPERATOR WITH WHOM THE PERMITTEE HAS ENTERED AN AGREEMENT, TO THE EXTENT THAT THE PERMITTEE HAS TAKEN REMEDIAL ACTION FOR OFFENSES CAUSED BY THE AGENT OR LEASE OPERATOR. RELAXATION MAY INCLUDE A REDUCTION OR WAIVER OF THE PRESCRIBED FINE OR REVOCATION PENALTY.]

[6. I. REVOCATION PENALTIES UNDER SUBSECTION B.2. OF THIS

SECTION SHALL NOT BE IMPOSED, EXCEPT AS PROVIDED UNDER SUBSECTION B.7. OF THIS SECTION, FOR TEN DAYS FOLLOWING SERVICE OR NOTIFICATION BY MAIL TO THE PERMITTEE OF THE CIVIL CITATION OR CRIMINAL CONVICTION, IN ORDER TO PROVIDE AN OPPORTUNITY FOR THE PERMITTEE TO APPEAL FOR A REVIEW BY THE COMMISSION OF THE IMMEDIATE PENALTY TO BE IMPOSED.]

2. ~~[a.]~~ [ii.] Except where a permit suspension or revocation is based on imminent and substantial risk to the public health or welfare, [SHOULD SUCH AN APPEAL BE SUBMITTED] the penalty of suspension or revocation shall not be imposed when the permittee contests it or enters an appearance with the hearing officer [, EXCEPT AS PROVIDED UNDER SUBSECTION B.4. OF THIS SECTION,] until the hearing officer [COMMISSION] has an opportunity to determine whether to suspend the permit during the administrative hearing process pending the final decision in accordance with this subsection [subparagraph b] [REVOCATION ACTION PENDING THE COMMISSION'S DECISION ON THE APPEAL]. If the permittee fails to contest the notice or appear, the hearing officer may immediately suspend or revoke the permit.

~~[b.]~~ [iii.] The hearing officer [COMMISSION] shall address the question of [IMMEDIATE] suspension or revocation pending a final decision [APPEAL] at its first hearing [MEETING] following the filing of the accusation or notice of suspension or revocation [BY THE PERMITTEE OF THE APPEAL], and may [SHALL] defer the effective date of suspension or revocation action until the matter [APPEAL] is decided. If, at its first hearing in the matter, the hearing officer [, unless it] finds that continued operation of the permit during the appeal process presents substantial further risk to the public health or welfare, or of continuing violations of chapters 11.10 through 11.40, the hearing officer may order the immediate suspension of the permit.

3. [7. i.] The transportation inspector may immediately suspend or revoke a permit upon service on the permittee [ISSUANCE] of a notice of revocation under section 3.60.025 [THIS SUBSECTION] if the transportation inspector determines that continued operation of the permit will result in immediate and substantial risk to the public health or welfare. An immediate suspension or revocation notice shall state the justification for immediate action and the hearing officer shall, at the first hearing in the matter, determine whether to continue that suspension or

revocation pending the final adjudication of the matter.
The hearing officer shall set a date for the first hearing at
the earliest possible time in accordance with section
3.60.040A.

[ii. IF THE TRANSPORTATION INSPECTOR REVOKES A PERMIT
BASED UPON SUCH DETERMINATION, THE REVOCATION ACTION
SHALL EXPIRE IN TEN DAYS, UNLESS WITHIN THIS TIME THE
COMMISSION HOLDS A HEARING AND DETERMINES THAT A
CONTINUED EMERGENCY REVOCATION WARRANTED UNTIL
SUCH TIME AS THE COMMISSION MAKES A DECISION ON AN
APPEAL TO THE REVOCATION, SHOULD SUCH AN APPEAL BE
FILED BY THE PERMITTEE.]

4 [8]. The transportation inspector may [COMMISSION SHALL] reverse or
revise a penalty, including a revocation, [TO THE EXTENT
APPROPRIATE,] if a civil or criminal conviction contributing
substantially to the determination of revocation of a permit is
reversed on appeal to court.

[9. THE COMMISSION MAY SUSPEND OR REVOKE A PERMIT UPON FINDING
AFTER A HEARING THAT FOR A PERIOD OF 30 DAYS AFTER NOTICE BY
THE TRANSPORTATION INSPECTOR THE PERMITTEE IS IN
NONCOMPLIANCE FOR FAILURE TO MAINTAIN OR PARTICIPATE IN
MAINTENANCE OF A CHAUFFEUR TRAINING PROGRAM AS REQUIRED
UNDER SECTION 11.20.130, THE PERMITTEE FAILS TO FURNISH
EVIDENCE OF PERMITTEE'S MAINTENANCE OR PARTICIPATION IN
MAINTENANCE OF SUCH TRAINING AND TESTING PROGRAM; PROVIDED
THAT THE PERMITTEE MAY OBTAIN REISSUANCE OF THE PERMIT WITHIN
30 DAYS FOLLOWING REVOCATION UPON COMPLIANCE WITH ALL
REQUIREMENTS FOR APPLICATION FOR A PERMIT, INCLUDING A
DEMONSTRATION OF THE PERMITTEE'S MAINTENANCE OR
PARTICIPATION IN MAINTENANCE OF AN APPROVED DRIVER TRAINING
AND TESTING PROGRAM.]

D [C]. The transportation inspector [COMMISSION] may suspend or revoke a
dispatch service license by the same process as that for permits in
subsection C., upon a finding after a hearing that:

1. Such dispatch service has not commenced operation within 90
days after issuance of the license;
2. Such dispatch service has failed to provide dispatch services for
a period of 90 consecutive days, provided that such failure to
operate is not caused by strike, public catastrophe or other act
beyond the control of the dispatch service licensee, but not
including insolvency; or
3. During a period of 12 consecutive months, such dispatch service

has been issued four citations. As used in the preceding sentence, the term "citation" means a civil citation issued for violation of any requirement of this title [PURSUANT TO SECTION 11.10.090] which has either been confirmed on appeal or was never appealed within the time limit imposed by law for such an appeal.

E [D]. Violation of the terms of a suspension or revocation imposed by this section is a separate violation of this title.

[E. UPON SUSPENSION OR REVOCATION OF A CHAUFFEUR'S STATE DRIVER'S LICENSE, HIS OR HER CHAUFFEUR'S LICENSE SHALL SIMULTANEOUSLY AND AUTOMATICALLY BECOME VOID. A CHAUFFEUR SHALL SURRENDER SUCH LICENSE TO THE TRANSPORTATION INSPECTOR WITHIN THREE DAYS AFTER SUSPENSION OR REVOCATION OF HIS OR HER STATE DRIVER'S LICENSE. SUCH A CHAUFFEUR SHALL NOT THEREAFTER OPERATE A VEHICLE FOR WHICH A CHAUFFEUR'S LICENSE IS REQUIRED UNLESS HE OR SHE IS FIRST ISSUED A NEW CHAUFFEUR'S LICENSE IN ACCORDANCE WITH SECTION 11.30.040.]

[F. A CHAUFFEUR MUST SURRENDER HIS OR HER CHAUFFEUR'S LICENSE TO THE TRANSPORTATION INSPECTOR WITHIN THREE DAYS OF ANY SUSPENSION OR REVOCATION.]

F. A decision by the transportation inspector to deny, suspend, or revoke a license or permit, or to seek such action in an accusation or notice served on the licensee or permittee, shall be issued in writing separately from any citations or other penalty, and may be appealed in accordance with section 11.10.100.

(AO No. 57-75; AO No. 78-177; AO No. 80-19(S); AO No. 81-149; AO No. 84-18; AO No. 85-87; AO No. 87-8; AO No. 87-126(S); AO No. 88-21; AO No. 92-50; AO No. 93- 220, § 6, 5-23-94; AO No. 93-220, § 7, 2-22-94; AO No. 93-220, §§ 8, 9, 8-21-94; AO No. 94-93(S), § 2, 5-16-94; AO No. 98-51(S), § 1, 5-4-99; AO No. 2011-91(S-2), § 3, 9-27-11)

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11.10.130 Penalties and remedies.

A. The violation of any provision of chapters 11.50, Port of Anchorage, and 11.60, Municipal Airports, or any municipal regulation promulgated pursuant thereto shall be an infraction, and any person convicted of such a violation shall be subject to a fine of not more than \$300.00.

B. In addition to any other remedy or penalty provided by this section, a person or permittee who violates a provision of this title or a municipal regulation promulgated under this title shall be subject to a civil penalty as set forth in Section 14.60.030, or, if no penalty is set forth in that section, a civil penalty of not more than \$1,000.00 for each offense, or

injunctive relief to restrain the person from continuing the violation or threat of violation, or both such civil penalty and injunctive relief. Upon application by the Municipality for injunctive relief and a finding that a person or permittee is violating or threatening to violate a provision of this title or a municipal regulation promulgated under this title, the Superior Court shall grant injunctive relief to restrain the violation.

C. Unless a different penalty amount is set forth in this Code, a[A]ny violator of any provision of chapters 11.10 through 11.40 or a regulation promulgated pursuant thereto [, OTHER THAN A VIOLATION BY A PERMITTEE,] shall be subject to a civil penalty, which, except for suspensions and revocations, may be issued as a citation in accordance with Title 14 of this code, for such violations as follows:

1. First violation. A warning notice warning of additional and/or increased fines for subsequent violations in accordance with this subsection or a fine not to exceed \$100.00 or both, plus a warning of the consequences of further violations;
2. Second violation. Suspension of the violator's [CHAUFFEUR'S] license or permit for a period not to exceed 15 days or a fine not to exceed \$300.00 or both, plus a warning of the consequences of further violations;
3. Third violation. Suspension of the [CHAUFFEUR'S] license or permit for not to exceed 30 days or a fine not to exceed \$750.00 [SEVEN HUNDRED FIFTY DOLLARS] or both, plus a warning of the consequences of further violations;
4. Fourth violation. Any of the above penalties or revocation of the [CHAUFFEUR'S] license or permit, or both. A person whose license or permit is revoked under this subsection shall not be eligible to apply for a new [CHAUFFEUR'S] license or permit for a period of six (6) months after the date the [A CHAUFFEUR'S] first license or permit revocation becomes effective and for a period of two years after the date the [A CHAUFFEUR'S] second or subsequent license or permit revocation becomes effective.

Only violations occurring within the twelve (12) months immediately preceding the most recent citation shall be considered for purposes of this subsection, except violations occurring within the prior five years may be considered when imposing penalties for violations of section 11.30.150, tampering with safety equipment, which penalties shall apply the fine amounts set forth in section 14.60.030.

D. Upon issuance of a civil citation or a criminal or quasi-criminal conviction against a chauffeur, the transportation inspector shall determine whether the citation or conviction demonstrates use of the permit contrary to public safety and welfare and, if so, shall notify the

permittee of such determination.

E. The transportation inspector may relax or suspend, in whole or in part, penalties against a permittee for the conduct, actions or omissions of a chauffeur ("chauffeur-caused penalties") set forth for offenses under a permit, but only upon a clear and convincing showing by the permittee that:

1. The chauffeur-caused offenses were through no contributory fault of permittee in lack of oversight or control of operations under the permit; and

2. The permittee has no history of similar penalties within the most recent 5-year period; and

3. The permittee has taken appropriate remedial action to prevent the same violation from recurring.

F. The transportation inspector may relax or suspend, in whole or in part, penalties against a permittee for civil violations by the permittee's agent or lease operator under contract upon a clear and convincing demonstration by the permittee that:

1. The offenses were through no contributory fault of permittee in lack of oversight or control of operations under the permit; and

2. The permittee has no history of similar penalties within the most recent 5-year period; and

3. The permittee has taken appropriate remedial action to prevent the same violation from recurring.

G. Change of personnel in the chauffeur, agent, or lease operator, taken alone, shall not constitute clear and convincing demonstration that appropriate remedial action has been taken to prevent the same violation from recurring.

H. Each day during which a violation described in this section occurs shall constitute a separate offense. A citation [FOR OPERATING WITHOUT A VALID CHAUFFEUR'S LICENSE OR A CITATION FOR OPERATING WITH AN EXPIRED CHAUFFEUR'S LICENSE] shall be effective [NOT CITE ANYONE] for violations of operation as of the [ON A] date [BEFORE] the citation is served.

I [E]. All civil penalties collected shall be dedicated to the operations of the Transportation Inspection Office.

J [F]. Fines shall be paid within thirty (30) days of service of the citation or within thirty (30) days after any appeal is denied. The previous sentence applies to fines levied before, on, and after the effective date

of this ordinance. Failure to pay fines within the established times will result in immediate suspension of license or permit until such time as the fine has been paid. The above requirement applies to chauffeurs, permittees and dispatch service licenses.

(AO No. 57-75; AO No. 78-177; AO No. 80-131; AO No. 84-18; AO No. 85-87; AO No. 93-167(S-1), § 10, 4-13-94; AO No. 93-220, § 10, 8-21-94; AO No. 94-170, § 1, 9-20-94; AO No. 98-51(S), § 1, 5-4-99; AO No. 98-51(S), § 1, 5-4-99)

11.10.140 Renewal of license or permit

- A. A permit or dispatch service license issued pursuant to chapters 11.10 through 11.40 of this title, other than a vehicle for hire permit issued for a designated period of six (6) months or less by the applicant, shall be valid until December 31 immediately following the date of its original issuance. Thereafter such a permit or dispatch service license shall be renewable for a term of one year, commencing on January 1. A chauffeur's license issued pursuant to Chapter 11.30 shall be valid for two (2) years from the date of issuance. A temporary vehicle for hire permit issued for a designated period of six (6) months or less shall expire at the end of that period. A permit, dispatch service, or chauffeur's license shall expire automatically unless an application for its renewal is received by the transportation inspector before its expiration date.
- B. An application to renew a taxicab, limousine or vehicle for hire permit, or to renew a chauffeur's license or a dispatch license shall be made to the transportation inspector [OR COMMISSION] in the same manner as an original application and shall be treated in the same manner as an original application except that for license renewal, a chauffeur need not comply with subsection 11.30.020[.]B.3.
- C. If a permittee, chauffeur or dispatch service is no longer qualified to hold his or her taxicab, limousine, or vehicle for hire permit or license at the time of renewal, the transportation inspector shall not renew the permit or license, and it shall lapse and become ineffective.
- D. Any person who has forfeited a license or taxicab, limousine or vehicle for hire permit pursuant to Section 11.10.110 may not apply for a new license or taxicab, limousine or vehicle for hire permit for a period of one (1) year.
- E. An application to renew a taxicab, limousine or vehicle for hire permit shall be accompanied by evidence the applicant maintains or participates in maintenance of an approved [COMMISSION-APPROVED] chauffeur training program pursuant to Section 11.20.130.

(AO No. 78-177; AO No. 80-19(S); AO No. 81-149; AO No. 87-8; AO No. 87-126(S); AO No. 88-21; AO No. 93-220, § 11, 8-21-94; AO No. 94-214(S), § 2,

12-13-94; AO No. 95-219(S), § 1, 12-31-95; AO No. 98-51(S), § 1, 5-4-99)

11.10.150 Duty to maintain current application, compliance with applicable laws and regulations.

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C. A permittee, chauffeur or dispatch service shall comply with all federal, state and local laws applicable to the operation of their business or provision of the service, **including worker's compensation insurance laws.**

(AO No. 78-177; AO No. 80-19(S); AO No. 84-18)

11.10.160 Fees.

A. The commission shall promulgate regulations establishing the amount of a fee for:

1. The issuance and renewal of permits and licenses;
2. Transfer of a general permit under section 11.20.040;
3. Appeals of a civil penalty or the denial of a license or permit;
4. Inspection, certification and sealing or resealing of a taximeter;
5. Vehicle inspections for compliance with this title;
6. Substitution or change of vehicle operated under a permit;
7. Other privileges or services provided by the municipality as deemed necessary by the commission.

[THE FOLLOWING FEES SHALL BE PAYABLE TO THE MUNICIPALITY AT THE OFFICE OF THE TRANSPORTATION INSPECTOR:

1. FIFTY DOLLARS (\$50.00) SHALL ACCOMPANY ANY APPLICATION TO CHANGE THE VEHICLE OPERATED AS A TAXICAB, LIMOUSINE OR VEHICLE FOR HIRE, TO CHANGE THE OWNER OF A TAXICAB, LIMOUSINE, OR VEHICLE FOR HIRE, OR TO CHANGE THE DISPATCH SERVICE USED BY A TAXICAB.
2. ONE THOUSAND FOUR HUNDRED TWENTY-FIVE DOLLARS (\$1,425.00) SHALL BE PAID FOR THE ISSUANCE OR ANNUAL RENEWAL OF A TAXICAB, LIMOUSINE, OR VEHICLE FOR HIRE PERMIT, EXCEPT THAT THE FEE SHALL BE REDUCED TO SEVEN HUNDRED NINETY DOLLARS (\$790.00) WHEN:

A. THE ORIGINAL PERMIT FOR A TAXICAB, LIMITED TAXICAB, OR

LIMOUSINE IS ISSUED AFTER JULY 1; OR
B. THE ORIGINAL PERMIT FOR A VEHICLE FOR HIRE IS ISSUED FOR
ANY PERIOD OF SIX (6) MONTHS OR LESS, AS DESIGNATED BY
THE APPLICANT.

TAXICAB PERMITS SHALL ORIGINALLY BE ISSUED FOR THE SUCCESSFUL
BID PRICE PURSUANT TO SECTION 11.20.030D. AND THEREAFTER IN
ACCORDANCE WITH THIS SECTION.

3. TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00) SHALL BE PAID
FOR THE ISSUANCE OR ANNUAL RENEWAL OF ANY DISPATCH LICENSE.
4. FIFTY DOLLARS (\$50.00) SHALL BE PAID FOR THE ISSUANCE OR
BIENNIAL RENEWAL OF A CHAUFFEUR'S LICENSE.
5. THIRTY-FIVE DOLLARS (\$35.00) SHALL BE PAID FOR EACH APPEAL
FROM A CIVIL PENALTY FOR VIOLATION OF A PROVISION OF THIS TITLE OR
MUNICIPAL REGULATION PROMULGATED UNDER THIS TITLE OR
DECISION OF THE TRANSPORTATION INSPECTOR TO SUSPEND, DENY
OR REVOKE AN APPLICATION FOR A CHAUFFEUR'S LICENSE.
6. FIVE HUNDRED DOLLARS (\$500.00) SHALL BE PAID FOR AN ANNUAL
SUBSTITUTE VEHICLE USE PERMIT ISSUED PURSUANT TO SECTION
11.20.050.
7. TEN DOLLARS (\$10.00) SHALL BE PAID EACH TIME THE
TRANSPORTATION INSPECTOR CERTIFIES AND SEALS A TAXIMETER
UNLESS SUCH SERVICE IS PERFORMED IN CONNECTION WITH A
SEMIANNUAL INSPECTION CONDUCTED PURSUANT TO SECTION
11.10.080.A OR WITH A CHANGE OF VEHICLE FOR AN EXISTING PERMIT
PURSUANT TO SECTION 11.20.020.A.2.
8. TEN DOLLARS (\$10.00) SHALL BE PAID FOR TAXIMETER REINSPECTION
SHOULD THE SEMI-ANNUAL OR ANNUAL INSPECTION FAIL.
9. ONE HUNDRED DOLLARS (\$100.00) SHALL BE PAID FOR THE ISSUANCE
OF ANNUAL RENEWAL OF A PERMIT FOR A HORSE-DRAWN VEHICLE.
10. TEN DOLLARS (\$10.00) SHALL BE PAID TO REPLACE A LOST OR
STOLEN CHAUFFEUR, PERMITTEE, OR DISPATCH SERVICE LICENSE.
11. FIVE HUNDRED DOLLARS (\$500.00) SHALL ACCOMPANY ANY
APPLICATION FOR THE TRANSFER OF A PERMIT OR LICENSE.]

(AO No. 57-75; AO No. 78-177; AO No. 79-58; AO No. 80-19(S); AO No. 81-
149; AO No. 83-199; AO No. 84-18; AO No. 85-87; AO No. 87-8; AO No. 87-
126(S); AO No. 88-21; AO No. 93-220, § 12, 8-21-94; AO No. 94-214(S), § 3,
12-13-94; AO No. 95- 169, § 1, 9-12-95; AO No. 95-219(S), § 2, 12-31-95; AO
No. 98-51(S), § 1, 5-4-99; AO No. 2003-152S, § 6, 1-1-04; AO No. 2004-151,

§ 3, 1-1-05)

Editor's note: The fees were relocated to AMCR section 11.10.009 by AO 2013-____. (Note to Code Revisor: insert AO number and effective date.)

11.10.170 Review and certification of application.

A. Upon receipt of an application which meets the requirements of chapters 11.10 - 11.40 [SECTION 11.20.020 OR 11.40.020], the transportation inspector shall determine whether the applicant is in compliance with the specific laws or municipal regulations administered and enforced by the following departments:

1. Finance department. The chief fiscal officer or his or her designee shall determine whether the applicant owes any taxes, assessments, judgments or bills for collection in connection with the business or activity for which a license is sought. If no such obligations are outstanding, the chief fiscal officer shall so certify.

B. Upon receipt of the proper certifications from all necessary municipal departments or officials [REQUIRED BY LAW TO REVIEW THE APPLICATION], the transportation inspector shall [TENDER THE APPLICATION TO THE COMMISSION FOR APPROVAL OR] issue a chauffeur's or dispatch service license as this title may require, or in the case of a permit application shall certify the application satisfies section 11.20.020 and that the applicant may participate in bidding under subsection 11.20.030D.

C. Departments or officials requested to certify applications under chapters 11.10 - 11.40 [THIS CHAPTER] shall complete their review as soon as practicable [WITHIN TEN (10) DAYS] following the request by the transportation inspector.

(AO No. 78-177; AO No. 80-19(S); AO No. 81-149; AO No. 82-49; AO No. 84-18; AO No. 85-87; AO No. 87-126(S))

11.10.185 Surveillance system required for regulated vehicles.

A. Except for horse drawn or other exempt vehicles, and as otherwise provided in this title, every regulated vehicle shall be equipped at all times with a video camera surveillance system and have global positioning system capability. The surveillance and GPS systems shall be capable of recording and storing the data of at least 72 hours of in-service operations. The recorded data shall be stored on board the taxicab or transmitted for storage. The stored data for the immediately preceding 72 hours of recording shall not be altered or manipulated by any person, and shall be made available for review and inspection by the Transportation Inspector for purposes of enforcement of chapters 11.10 through 11.40, or by a peace officer as defined in A.S. 1.10.060

upon request. For good cause, the Transportation Inspector may order retention of recorded data of specific dates, trips, or incidents for up to two years.

1. The video camera surveillance system shall have the capability to operate 24 hours a day, record video only, and be compatible with surveillance during both daytime and nighttime. The surveillance system shall either have continuous operation or be activated by the opening of a door, the starting of the taxicab meter, or some other self-initiating device which does not require the specific decision or action by the chauffeur to activate the surveillance system. The system shall be capable of producing high-quality pictures for law enforcement use. The system shall have cameras facing the front and rear and positioned in a manner that provides views of the regulated vehicle interior that are visible to passerby and does not violate privacy rights. A limousine shall not have video surveillance of the passenger area designed and intended to provide privacy from the chauffeur and public view, but may have a view into that area when a privacy partition or device is open.

2. The global positioning system capability of any regulated vehicle shall either have continuous operation or be activated by a self-initiating device which does not require the specific decision or action by the chauffeur to activate the global positioning system. The global positioning system **in taxicabs** must be capable of alerting the monitoring station of emergencies. The dispatch company or a company within the municipality approved by the transportation inspector will be the monitoring station for a **taxicab's** global positioning system.

11.10.190 Regulated vehicles from other municipalities.

Regulated vehicles as defined in this chapter authorized to operate in or by another city or municipality may transport passengers ~~one-way or round-trip~~ from said city or municipality to any place or point within the Municipality of Anchorage without being permitted or licensed in Anchorage, but the chauffeur, driver or owner of such vehicle shall not accept a fare or transport a passenger for hire, or offer to accept any passenger for hire, for a ~~one-way or round-~~ trip or leg commencing within the municipality or otherwise operate within the Municipality of Anchorage without a permit or license under this title.

Section 2. Anchorage Municipal Code chapter 11.20 is hereby amended to read as follows (*the remainder of the chapter is not affected and therefore not set out, omitted text indicated by asterisks, language indicating no amendment is included for context only*):

Chapter 11.20 Taxicabs, limousines, and vehicles for hire.

*Cross references: Designation of public carrier stops and stands, § 9.32.040; stopping, standing and parking of taxicabs, § 9.32.060; license required for all businesses and other commercial enterprises in municipality, § 10.05.020. State law references: Smoking restricted, AS 18.35.300 et seq.; taxicab registration fees, AS 29.10.421; municipal tax, AS 28.10.431.

- 11.20.010 Taxicabs--Permit required.
- 11.20.015 (Repealed)
- 11.20.016 Taxicab permit types.
- 11.20.020 Taxicabs--Application for permit.
- 11.20.030 Taxicabs--Issuance of permit.
- 11.20.035 Taxicabs--Limited permits.
- 11.20.037 Non-transferable taxicab permits.
- 11.20.040 Taxicabs--Transfer of permit.
- 11.20.050 Taxicabs--Vehicle to be designated on permit application;
substitute vehicles.
- 11.20.060 Taxicabs--Subscription to dispatch service.
- 11.20.070 Taxicabs--Vehicle markings.
- 11.20.080 Taxicabs--Required equipment.
- 11.20.090 Taxicabs--Certification and sealing of equipment.
- 11.20.100 Taxicabs--Insurance required.
- 11.20.110 Posting of insurance notice.
- 11.20.120 Taxicabs--Records of service.
- 11.20.130 Chauffeur training.
- 11.20.140 Single use of vehicles.
- 11.20.200 Limousines--Permit required.
- 11.20.210 Limousines--Application for permit.
- 11.20.220 Limousines--Transfer of permit.
- 11.20.240 Limousines--Insurance required.
- 11.20.245 Limousines--Internal policies required.
- 11.20.250 Limousines--Records of service.
- 11.20.260 Limousines--Service.
- 11.20.270 Limousines--Reservation service.
- 11.20.300 Vehicles for hire--Permit required; transfer prohibited.
- 11.20.310 Vehicles for hire--Application for permit.
- 11.20.320 Vehicles for hire--Vehicle markings.
- 11.20.330 Vehicles for hire--Equipment.
- 11.20.340 Vehicles for hire--Curbside and immediate service prohibited.
- 11.20.350 Vehicles for hire--Number of vehicles used per permit.
- 11.20.360 Vehicles for hire--Insurance required.
- 11.20.365 Vehicles for hire--Internal policies required.
- 11.20.370 Vehicles for hire--Records of service.
- 11.20.400 Repealed.
- 11.20.410 Repealed.
- 11.20.420 Repealed.
- 11.20.430 Repealed.

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11.20.016 Taxicab permit types.

The following taxicab permit types exist:

- A. Transferable general taxicab permits originally issued prior to February 22, 1994;
- B. Limited taxicab permits issued pursuant to AMC 11.20.035; and
- C. Non-transferable taxicab permits issued pursuant to AMC 11.20.037.

(AO No. 98-51(S), § 2, 5-4-99)

11.20.020 Taxicabs—Application for permit.

- A. An application for a taxicab permit shall be made to the Transportation Inspector. The Transportation Inspector shall refuse to accept any application unless it pertains to a limited or non-transferable permit.
- B. An application for all types of [A] taxicab permits shall be submitted on a form approved by the Transportation Inspector and shall be accompanied by:
 - 1. The fee specified in Section 11.10.160;
 - 2. Proof of insurance for the vehicle as required by this title;
 - 3. A complete list of the name, address and telephone number of every person who shall have a financial, proprietary, or security interest in the permit;
 - 4. Proof that the applicant is at least eighteen (18) years of age;
 - 5. A signed statement that the permit applicant acknowledges and accepts the permit requirement to:
 - a. Maintain or participate in the maintenance of a chauffeur training and test program as specified and approved by this title and applicable regulations. [PROOF THAT THE APPLICANT MAINTAINS OR PARTICIPATES IN MAINTENANCE OF A COMMISSION-APPROVED CHAUFFEUR TRAINING AND TESTING PROGRAM PURSUANT TO SECTION 11.20.130.]
 - i. Chauffeur training and testing shall be based upon an approved [COMMISSION-APPROVED] curriculum as described in Section 11.30.020.C and shall be offered in a manner and frequency as annually approved by the transportation inspector [COMMISSION].

ii. The Transportation Inspector shall regularly make available a Municipal site and appropriate Municipal resources and personnel, at no cost to permittees, to facilitate accomplishment of a successful training and testing program. All other chauffeur training and testing costs, other than an Assembly-approved training and testing fee assigned to chauffeur applicants, shall be borne by the permittees.

b. Comply with the drug and alcohol testing program described in section 11.10.085. [PROOF THAT THE APPLICANT IS IN COMPLIANCE WITH A COMMISSION-APPROVED DRUG AND ALCOHOL TESTING PROGRAM AS DESCRIBED IN SECTION 11.10.085.A.1.]

c. Maintain, and to make available to the Transportation Inspector, records of service and complaints, as described in chapters 11.10 – 11.40.

d. Equip and maintain every vehicle in safe and good working order, as described in section 11.20.080.

C. Issuance and annual renewal of non-transferable permits. Applicants for new non-transferable general taxicab or limited taxicab permits will be limited to:

1. Currently active chauffeurs licensed under this title with no fewer than two (2) years of experience as local taxicab, limousine, or vehicle-for-hire operators. Applicants otherwise eligible but who have had their chauffeur's license revoked in the preceding two (2) years shall not be eligible.

2. For the five (5) year period immediately preceding the application, a permit applicant[s] shall have no [WHO HAVE NOT HAD A] felony or misdemeanor conviction entered by a court of competent jurisdiction for [WITHIN FIVE (5) YEARS OF]:

a. Assignment, prostitution, solicitation for the purpose of prostitution, offering to secure another for the purpose of prostitution, maintaining a vehicle for the purpose of prostitution or accepting money from a prostitute; or

b. Sale, transportation, possession or use of any controlled substance as defined by AS 11.71 or a similar law of another jurisdiction.

3. Applicants that have had no felony or misdemeanor conviction involving the use or occupancy of a regulated vehicle under

section 11.10 – 11.40.

For purposes of this subsection a currently active chauffeur is a chauffeur currently licensed by the Transportation Commission in good standing with the Commission and in compliance with Section 11.10.110A., Section 11.10.170, and who annually chauffeurs a vehicle operating under a Transportation Commission permit no fewer than five hundred (500) hours per year.

- D. If the Commission decides to issue an additional permit or permits in accordance with Section 11.20.030, 11.20.035, or 11.20.037, a taxicab permit may be issued by the Commission if the applicant complies with subsections B through D of this section, and is certified as required by Section 11.10.170.

(AO No. 57-75; AO No. 78-177; AO No. 80-19(S); AO No. 81-149; AO No. 84-18; AO No. 85-87; AO No. 87-8; AO No. 87-126(S); AO No. 93-220, §§ 13, 14, 8-21-94; AO No. 98-51(S), § 2, 5-4-99)

11.20.030 Taxicabs--Issuance of permit.

- A. The total number of each type of outstanding taxicab permits shall be determined by the public convenience and necessity. Any person or any member of the Commission may initiate Commission inquiry into the public convenience and necessity for issuance of additional permits. One or more public h[H]earings regarding public convenience and necessity shall be held [PURSUANT TO CHAPTER 3.60] to determine if the public convenience and necessity warrants issuance of one or more additional limited and non-transferable permits. The Commission shall hold an inquiry into the public convenience and necessity at least once in a twenty-four (24) month period.

* * * * *

- C. If the Commission finds by a preponderance of the evidence presented at the public hearing that the public convenience and necessity would be best served by the issuance of one or more additional limited or non-transferable taxicab permits of any type, the Commission shall issue a written decision describing its findings and conclusions and adopted by the Commission. S[s]uch taxicab permit or permits shall be issued in the manner provided in subsection D of this section. If the Commission determines that consideration of a specific type of limited permit is appropriate, an additional public hearing thereon shall be held following public notice setting forth the specific type of limited permit under consideration.

- D. No later than one hundred and twenty (120) [NINETY (90)] days after the Commission adopts written findings and conclusions [DETERMINES] that any new taxicab permits should be issued, the Transportation Inspector

shall cause competitive sealed bidding for the permit(s) to be initiated
[CONDUCT A PUBLIC AUCTION] as follows:

1. An invitation to bid for the permit shall be published. The
[AUCTION SHALL BE CONDUCTED BY SEALED BID, AND THE] permit
shall be issued to the highest qualified bidder.
2. To be responsive, a bid must equal or exceed the taxi permit
issuance fee stated in Section 11.10.160.
3. As used in this section, the term "qualified bidder" means a
person who meets the requirements of Section 11.20.020,
meets the requirements for the type of permit to be issued, and
tenders the successful full bid price in cash within five (5) days
after notice that he or she is the highest bidder.
4. If the highest bidder is not a qualified bidder, the permit shall be
issued to the next highest bidder who is also a qualified bidder.
If none of the bidders are also qualified bidders, the
Transportation Inspector shall again offer the permit by
competitive sealed bidding [AT AUCTION] as provided by this
section within one hundred eighty (180) days of the
determination that no bidders are qualified [AFTER THE PREVIOUS
AUCTION].

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(AO No. 57-75; AO No. 78-177; AO No. 81-149; AO No. 84-18; AO No. 85-87;
AO No. 93-220, § 16, 2-22-94; AO No. 98-51(S), § 2, 5-4-99)

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11.20.037 Non-transferable permits.

- A. The Commission may issue non-transferable taxicab permits pursuant
to which a taxicab may be operated throughout the Municipality by an
owner-operator.
- B. In its evaluation of public convenience and necessity under Section
11.20.030, non-transferable permits shall be preferred over limited
permits if the Commission determines that, based upon the evidence
presented, (1) owner-operator permits will better serve the standards
for service set forth in this title; and (2) a limited taxicab permit will not
be sufficient to satisfy the need for service.
- C. Notwithstanding the provisions of Section 11.20.040, a permit issued
pursuant to this section shall not be transferable through sale, lease,
rental, or any other manner of conveyance.

- D. Issuance and annual renewal of non-transferable taxicab permits shall be restricted to licensed chauffeurs who are both owners and operators of the taxicab operating under the limited permit. For purposes of this section a non-transferable permit owner operator is an individual person (1) whose permitted vehicle is registered to and insured by the permittee, and (2) who annually operates the permitted vehicle as chauffeur [, DISPATCHER, OR DIRECT MANAGER] of the permitted taxicab [SERVICE] not fewer than one thousand (1,000) hours per year or fifty (50) percent of the annual period for which the permit is granted, whichever is less. Failure to meet this criteria shall result in revocation and denial of permit renewal following the procedures in Section 11.10.110.
- E. Permittees with non-transferable permits are subject to all revocation, suspension, and penalty conditions described in 11.10 through 11.40.
- F. After and pursuant to a public convenience and necessity hearing, as prescribed in Section 11.20.030, the Commission may issue, from time to time, a limited number of non-transferable permits to meet the needs of the disability community for demand-responsive transportation. Such permits would be allocated only for wheelchair-accessible vehicles or for other vehicles designed to satisfy specific needs of the disability community that may be identified [IN THE FUTURE]. Only vehicles designed by the manufacturer, or adapted by a recognized after-market conversion, to be capable of fulfilling the specific intended purpose shall be eligible for and operated pursuant these permits. Permits granted under this section shall be subject to all other provisions of this title and AMCR 11.10 and 11.20 applicable to taxicabs.
- G. Provision of service by taxicabs permitted under subsection F is not restricted to disabled passengers, but they shall be operated to respond first to dispatched calls requesting a disability accessible taxicab when in service and not occupied by other passengers. Ramps and lifts, or other specialized equipment designed to meet specific needs of the disability community that may be identified [IN THE FUTURE], shall be operable at all times; malfunctioning ramps/lifts/other specialized equipment must be repaired within 96 hours. An accessible taxicab permitted under subsection F may be operated while the specialized equipment is being repaired. However, days operated with non-functioning specialized equipment shall count as days not operated under the provisions of Section 11.10.110B.1.a. and shall be considered in a determination to suspend or revoke the permit.

(AO No. 98-51(S), § 2, 5-4-99; AO No. 2001-85, § 1, 5-22-01)

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11.20.050 Taxicabs--Number of vehicles operated per permit.

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2 A. Except as otherwise provided in chapter 11.20 [THIS SECTION], only one
3 vehicle, which shall be designated on the taxicab permit application,
4 may be operated pursuant to that permit.
5

6 **B. After ~~December 31, 2013~~ [(insert effective date of this Ordinance)] ,**
7 **any vehicle designated on the permit application or on a notice of**
8 **substitution, which vehicle was not previously designated on a permit**
9 **or on a permittee's "2013 reserve vehicle list" , shall be a front-**
10 **wheel drive or all-wheel drive vehicle, or shall have functioning four-**
11 **wheel drive capability. For purposes of this section, a permittee's**
12 **2013 reserve vehicle list means a list of all vehicles the permittee**
13 **intends to use as a substitute vehicle if needed and as allowed by**
14 **this section, which the permittee owns, leases, or otherwise has a**
15 **lawful right to use, submitted to the Transportation Inspector's**
16 **office before the end of regular business hours on December 31,**
17 **2013, and identifying each vehicle by make, year of manufacture,**
18 **model, vehicle identification number (VIN), and any other**
19 **identifying information required by the Transportation Inspector.**
20

21 **C [B].** Upon application to the Transportation Inspector, payment of the
22 appropriate annual fee, and a demonstration of need, operation of a
23 substitute vehicle shall be authorized for a period of time not to exceed
24 fourteen (14) consecutive days. Using a Notice of Substitution Form
25 approved by the Transportation Inspector, the Transportation Inspector
26 shall be notified prior to substitution of the date, time, and substitute
27 vehicle being placed in service, the permit number utilizing the
28 substitution vehicle, the reason for the use of the substitute vehicle and
29 the signature of the person authorizing the use of the substitute vehicle.
30 Using a Notice of Substitution Form, the Transportation Inspector shall
31 be immediately notified of the date and time the substitute vehicle is
32 removed from service and the regular permitted vehicle is placed back
33 in service. No person may operate a substitute vehicle under this
34 section unless the notice of substitution has been forwarded to the
35 Transportation Inspector and a copy carried in the substitute vehicle at
36 all times. **No person may operate a substitute vehicle under this**
37 **section after December 31, 2013 when said vehicle is rear-wheel**
38 **drive, without functioning four-wheel drive capability, and is not**
39 **on a permittee's "2013 reserve vehicle list" described in this**
40 **section. No person may operate a substitute vehicle under this**
41 **section after December 31, 2016 unless the vehicle is a front wheel**
42 **drive or all-wheel drive vehicle, or shall have functioning four-**
43 **wheel drive capability, without exception.** A chauffeur of a taxicab
44 shall present the Notice of Substitution Form upon request of a police
45 officer, Transportation Inspector, or code enforcement officer. The use
46 of a substitute vehicle in place of a disabled vehicle operated under
47 one taxicab permit shall not preclude use of the same substitute vehicle
48 in place of a disabled vehicle operated under a different taxicab permit,

where such use occurs a later time, based upon issuance of a new Notice of Substitution Form. The substitute vehicle will be identified with the letter "S" followed by permit number of regular taxicab pursuant to Section 11.20.070. **[USE OF A SUBSTITUTE VEHICLE IN PLACE OF A DISABLED VEHICLE OPERATING UNDER ONE TAXICAB PERMIT SHALL NOT PRECLUDE USE OF THE SAME SUBSTITUTE VEHICLE IN PLACE OF A DISABLED VEHICLE OPERATED UNDER A DIFFERENT TAXICAB PERMIT, WHERE SUCH USE OCCURS AT A LATER TIME, BASED UPON ISSUANCE OF A SEPARATE NOTICE OF SUBSTITUTION.]**

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(AO No. 78-177; AO No. 80-19(S); AO No. 81-149; AO No. 84-18; AO No. 87-8; AO No. 98-51(S), § 2, 5-4-99)

11.20.060 Taxicabs--Subscription to dispatch service.

Every taxicab permittee shall subscribe to a dispatch service licensed [AND WITH A PERMIT] pursuant to Chapter 11.40 for the dispatch of any taxicab operated under his or her taxicab permit. No taxicab may subscribe to [BE DISPATCHED BY] more than one dispatch service.

(AO No. 78-177; AO No. 81-149; AO No. 98-51(S), § 2, 5-4-99)

11.20.070 Taxicabs—Vehicle markings.

- A. Every taxicab shall bear the trade name under which it is operated on each side of the taxicab with permanent letters no less than four inches high.
- B. Every taxicab shall bear its vehicle number, as assigned to it by the Transportation Inspector, on all sides of the taxicab with permanent letters no less than four inches high. Taxicab markings will be clearly visible on surfaces that are approximately perpendicular to the road surface.
- C. Except as otherwise provided by law, no taxicab may be used or sold for any purpose other than for use as a taxicab until all signs, insignia, license plates, lights, taximeter or other markings have been removed or an "out of service" sign is posted on the taxicab in the form and manner designated by the Transportation Inspector.
- D. Every taxicab shall bear the markings adopted by its dispatch service. Dispatch services will make the initial inspection of vehicles placed into service or vehicles that are repainted for compliance with approved paint design, color, and markings.
- E. A geographic or limited service taxicab permit issued under section 11.20.035 may bear markings different from those adopted by its

dispatch service to designate the limited nature of the permit issued
[RESERVED].

F. Each owner shall prominently display for each of [ON] his or her
taxicab(s):

1. A decal stating "Driver does not carry more than \$20 in change."
This decal shall be prominently displayed on the exterior and the
interior of each taxicab. A chauffeur may not be cited for a
violation of this Code based on the amount of change the
chauffeur is carrying.

2. A decal stating "fuel surcharge in effect". This decal shall be
prominently displayed on the exterior and the interior of each
taxicab.

3 [2]. A placard containing the telephone number to report complaints,
cab number, and fare rates, as designated in section 11.10.055
(3).

4 [3]. Notice to passengers that the interior of the taxicab is under
video surveillance recording, as required by section 11.20.080.

G. A taxicab permitted under section 11.20.037F. as a disabled
community accessible taxicab shall have the international symbol of
access, or similar image, on each side of the permitted vehicle in a size
and image approved by the transportation inspector.

(AO No. 57-75; AO No. 78-177; AO No. 80-19(S); AO No. 87-126(S); AO No.
98-187, § 2, 3-15-98; AO No. 98-51(S), § 2, 5-4-99)

11.20.080 Taxicabs--Required equipment.

A. Every taxicab shall be equipped with an operable two-way radio or
computer that receives and transmits a signal only on the frequency
used by that taxicab's dispatch service. At no time may a taxicab be
equipped with an apparatus capable of monitoring a frequency used by
a dispatch service other than that used by that taxicab's dispatch
service. The radio of each taxicab shall be identifiable through the
dispatch company through which the taxicab is dispatched.

B. Every taxicab shall be equipped at all times with an interior light of not
less than two candlepower arranged so as to illuminate the entire
passenger compartment. The light shall be illuminated whenever
passengers are being loaded or unloaded from the taxicab between
one-half hour after sunset of one day and one-half hour before sunrise
the next day. No shades or blinds shall be drawn over any windows of
the taxicab while occupied by a passenger.

- C. Every taxicab shall be equipped with a nonflashing light on the exterior of the roof [OF A TYPE APPROVED BY THE TRANSPORTATION INSPECTOR]. The light shall be illuminated only when the taxicab is not occupied by a paying passenger or when proceeding to a dispatch directed location for passenger pick up.
- D. Every taxicab shall be equipped with a taximeter [UNLESS THAT TAXICAB IS USED EXCLUSIVELY AT ALL TIMES FOR SHARED RIDE TAXICAB SERVICE AND IS NEVER USED FOR ANOTHER TYPE OF TAXICAB SERVICE]. Except for persons designated by the transportation inspector to service taximeters, no one shall alter or tamper with a sealed or certified taximeter.
- E. Every taxicab shall be equipped with a silent electronic alarm system in conjunction with the radio between the taxicab and dispatch company. The electronic alarm system shall be chauffeur-activated by a foot switch or other means approved by the Transportation Inspector. A radio capable of being activated by a foot switch or other means approved by the Transportation Inspector shall qualify as a silent electronic alarm system under this section. The owner of the taxicab shall be responsible for installing such electronic alarm system.
- F. Every taxicab shall be equipped at all times with [ONE OR MORE OF THE FOLLOWING THREE ITEMS: A SAFETY SHIELD;] a video camera surveillance system [;] and [OR] global positioning system capability, as described in section 11.10.185. [THE OWNER OF THE TAXICAB SHALL ACQUIRE AND CAUSE TO BE INSTALLED ONE OR MORE OF THE THREE ITEMS IDENTIFIED IN THE PREVIOUS SENTENCE.]
- [1. THE SAFETY SHIELD SHALL BE INSTALLED BETWEEN THE FRONT COMPARTMENT IN WHICH THE CHAUFFEUR SITS AND THE REAR COMPARTMENT OR SECOND SEAT. EACH SAFETY SHIELD SHALL MEET THE STANDARDS ESTABLISHED BY THE FEDERAL BUREAU OF INVESTIGATION FOR "LEVEL TWO" PROTECTION AGAINST MEDIUM-POWER SMALL ARMS.
 2. THE SURVEILLANCE SYSTEM SHALL HAVE THE CAPABILITY TO OPERATE 24 HOURS A DAY AND BE COMPATIBLE WITH ANY SAFETY SHIELD FOR SURVEILLANCE DURING BOTH DAYTIME AND NIGHTTIME. THE SURVEILLANCE SYSTEM SHALL EITHER HAVE CONTINUOUS OPERATION OR BE ACTIVATED BY THE OPENING OF A DOOR, THE STARTING OF THE TAXICAB METER, OR SOME OTHER SELF-INITIATING DEVICE WHICH DOES NOT REQUIRE THE SPECIFIC DECISION OR ACTION BY THE CHAUFFEUR TO ACTIVATE THE SURVEILLANCE SYSTEM. THE SYSTEM SHALL BE BASED ON EITHER A LOW-LIGHT OR INFRARED LIGHT SOURCE CAPABLE OF PRODUCING HIGH-QUALITY PICTURES OF SUSPECTS FOR LAW ENFORCEMENT USE.
 3. THE GLOBAL POSITIONING SYSTEM CAPABILITY OF ANY TAXICAB SHALL

EITHER HAVE CONTINUOUS OPERATION OR BE ACTIVATED BY A SELF-INITIATING DEVICE WHICH DOES NOT REQUIRE THE SPECIFIC DECISION OR ACTION BY THE CHAUFFEUR TO ACTIVATE THE GLOBAL POSITIONING SYSTEM. THE GLOBAL POSITIONING SYSTEM MUST BE CAPABLE OF ALERTING THE MONITORING STATION OF EMERGENCIES. THE DISPATCH COMPANY OR A COMPANY WITHIN THE MUNICIPALITY APPROVED BY THE TRANSPORTATION INSPECTOR WILL BE THE MONITORING STATION FOR A GLOBAL POSITIONING SYSTEM. (EFFECTIVE 12-15-99)]

(AO No. 57-75; AO No. 78-177; AO No. 79-58; AO No. 80-19(S); AO No. 87-8; AO No. 88-21; AO No. 98-187, § 3, 6-13-99; AO No. 98-51(S), § 2, 5-4-99; AO No. 2000-107, § 1, 7-25-00)

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11.20.100 Taxicabs—Insurance required.

- A. Before any permit is issued for any taxicab, the applicant shall furnish one or more policies or certificates of liability insurance issued by an insurance company that is an authorized insurer within the meaning of AS 21.97.900 [AS 21.90.900(5)].
- B. The insurance required by this section for vehicles with a manufacturer's rated seating capacity (or, if a minivan, the seating capacity after seat removal to accommodate baggage) of six persons or less shall provide coverage as follows:
1. For all bodily injury or property damage arising from one accident: Bodily injury \$100,000.00 per person, \$300,000.00 aggregate; property damage \$50,000.00 per occurrence; and
 2. For all bodily injury or property damage in any one accident caused by an uninsured or underinsured motorist: Bodily injury \$100,000.00 per person, \$300,000.00 aggregate; property damage \$50,000.00 per occurrence.
- C. The insurance required by this section for vehicles with a manufacturer's rated seating capacity (or, if a minivan, the seating capacity after seat removal to accommodate baggage) of seven persons or more shall provide coverage as follows:
1. For all bodily injury or property damage arising from one accident: Bodily injury \$100,000.00 per person, \$700,000.00 aggregate; property damage \$50,000.00 per occurrence; and
 2. For all bodily injury or property damage in any one accident caused by an uninsured or underinsured motorist: Bodily injury \$100,000.00 per person, \$300,000.00 aggregate; property damage \$50,000.00 per occurrence.

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(AO No. 57-75; AO No. 78-177; AO No. 79-58; AO No. 80-19(S); AO No. 81-149; AO No. 81-167; AO No. 85-87; AO No. 87-8; AO No. 87-126(S); AO No. 89-63; AO No. 98-51(S), § 2, 5-4-99; AO No. 2000-107, § 2, 7-25-00; AO No. 2005-102, § 1, 8-30-05)

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11.20.210 Limousines -- Application for permit.

An application for a limousine permit shall be granted by the Commission if the applicant complies with the requirements listed in Section 11.20.020B. and is certified as required by Section 11.10.170.

(AO No. 87-8; AO No. 87-126(S); AO No. 98-51(S), § 2, 5-4-99)

11.20.220 Limousines -- Permit nontransferable.

Limousine permits are not transferable under any circumstances.

(AO No. 87-8; AO No. 98-51(S), § 2, 5-4-99)

11.20.240 Limousines -- Insurance required.

A. Before any permit is issued for a limousine, the applicant shall furnish one or more policies or certificates of liability insurance issued by an insurance company that is an authorized insurer within the meaning of AS 21.97.900 [AS 21.90.900(5)].

B. The insurance required by this section shall be subject to the same requirements as for taxicabs under Chapter 11.20.100.B--E.

(AO No. 87-8; AO No. 87-126(S); AO No. 90-68; AO No. 98-51(S), § 2, 5-4-99)

11.20.245 Limousines -- Internal policies required.

A. [A] Limousine permittees shall establish [A SET OF] written internal policies provided to all chauffeurs and forward those internal policies to the Transportation Inspector.

B. Internal policies shall be consistent with code in terms of prohibited chauffeur conduct, with specific reference to prohibition against use of an electronic device to communicate by text while driving, and the prohibition against cell phone use when a passenger is present, absent an emergency. Internal policies shall require chauffeurs to inform each passenger they transport that video surveillance recording of non-private areas of the limousine is in progress.

(AO No. 98-51(S), § 2, 5-4-99)

11.20.250 Limousines -- Records of service.

- A. [A] Limousine permittees shall ensure the maintenance of records sufficient to demonstrate [PERTAINING TO] the service offered or performed is pursuant to the terms of the [THAT] permit. Record keeping shall be in the same manner as [IS] required for taxicabs by Section 11.20.120 [A.1 THROUGH 4, B AND C.], including without limitation chauffeur information, daily and monthly hours of operation, monthly reporting, records retention and disclosure, records agent, and submittal requirements at renewal.
- B. [A] Limousine record keeping [PERMITTEES] shall include [MAINTAIN] an accurate and current daily list of the time and place of passenger pickup and delivery, the number of passengers, the time a reservation was requested, the name of the person receiving the reservation and the name and license number of the chauffeur who operated a limousine pursuant to that reservation.

(AO No. 87-8; AO No. 98-51(S), § 2, 5-4-99)

11.20.260 Limousines – Service.

- A. It is unlawful for a limousine chauffeur to transport passengers pursuant to a curbside hail. Limousine service shall only be provided pursuant to a previous call for service.
- B. Limousine services, including executive sedan services, may only be provided pursuant to hourly charges posted on all limousine vehicles, clearly visible to customers, with minimum rates as follows:
1. For service from a specific point of departure to a specific destination, which requires no more than one hour, a minimum of one-hour charge at a minimum rate of fifty dollars (\$50.00) per hour for executive sedans and sixty dollars (\$60.00) per hour for all limousines.
 2. For all other limousine service, a minimum ninety-minute charge, with a minimum hourly charge of forty dollars (\$40.00) per hour for executive sedans and forty-five dollars (\$45.00) per hour for limousines based upon a minimum of ninety (90) minutes.
- C. Every limousine shall display a notice clearly visible to passengers stating the non-private areas **are** under video surveillance recording. A limousine chauffeur shall inform each passenger, prior to commencing transport, of the video surveillance recording required by section 11.10.185 in progress of only the non-private areas of the limousine.
- D. Notwithstanding AMC 9.36.200B.1, a limousine chauffeur shall not

1 knowingly allow consumption of alcoholic beverages by a minor in the
2 passenger compartment of the vehicle.

3
4 (AO No. 87-8; AO No. 94-21(S), § 2, 4-12-94; AO No. 98-51(S), § 2, 5-4-99)

5
6 **11.20.270 Limousines--Reservation service.**

- 7
8 A. Only a limousine permittee or designated agent may receive requests
9 and make arrangements for limousine service. Reservation paperwork,
10 receipts, or confirmations shall include a notice to the customer of the
11 video surveillance recording of non-private areas of the limousine.
12
13 B. The business office of every limousine service shall be located within
14 the Municipality.

15
16 (AO No. 81-149; AO No. 87-8; AO No. 98-51(S), § 2, 5-4-99)

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19
20 **11.20.310 Vehicles for hire—Application for permit.**

- 21
22 A. An application for a vehicle for hire permit shall be submitted on a form
23 approved by the Transportation Inspector and shall be accompanied by
24 the same submittals listed in this chapter for taxicab permit
25 applications. An application for a vehicle for hire permit may [SHALL] be
26 issued [GRANTED] by the Commission if the applicant meets the
27 requirements of this section, [COMPLIES WITH] Section 11.20.020.B-C,
28 and is certified as required by Section 11.10.170.
29
30 B. An application for a vehicle for hire permit shall include a complete
31 description of the transportation service to be offered pursuant to the
32 vehicle for hire permit, addressing, among other things:
33
34 1. The nature of the vehicle to be used;
35
36 2. The hours of operation;
37
38 3. The area to be served;
39
40 4. The manner in which the service differs from that of a taxicab
41 and limousine;
42
43 5. The business name of the transportation service to be offered;
44
45 6. A narrative description of the service to be offered and the fares
46 to be charged; and
47
48 7. The period of time during which the permit to which the
49 application pertains will be valid.

(AO No. 87-8; AO No. 87-126(S); AO No. 88-21; AO No. 98-51(S), § 2, 5-4-99)

11.20.320 Vehicles for hire--Vehicle markings.

A. Every vehicle for hire shall bear, in figures no less than four inches high, the trade name under which it is operated and its vehicle number, as assigned to it by the Transportation Inspector, on each side of the vehicle.

B. Every vehicle for hire shall post the applicable rates charged for service, and a statement that video surveillance recording is in progress in such a place or manner as prescribed by the Transportation Inspector.

(AO No. 87-8; AO No. 98-51(S), § 2, 5-4-99)

11.20.330 Vehicles for hire--Equipment.

Every vehicle for hire shall be equipped at all times with an operable two-way communication system by which contact can be maintained with the business office of the permittee for that vehicle for hire. Such communication system shall not be used to monitor other frequencies not assigned to the permittee for that vehicle or to transmit or receive calls for immediate service. Every vehicle for hire shall be equipped at all times with a video camera surveillance system and global positioning system capability, as described in section 11.10.185.

(AO No. 87-8; AO No. 98-51(S), § 2, 5-4-99)

11.20.340 Vehicles for hire--Restriction on service.

A. It is unlawful for a vehicle for hire chauffeur to transport passengers pursuant to a curbside hail or other request for immediate service. A chauffeur may transport a passenger only pursuant to a call for service received by the business office and then referred to that vehicle for hire.

B. A medical transport vehicle for hire shall not accept Medicaid vouchers directly or indirectly as remuneration for transporting passengers.

(AO No. 87-8; AO No. 87-126(S); AO No. 98-51(S), § 2, 5-4-99)

* * * * *

11.20.360 Vehicles for hire--Insurance required.

A. Before any permit is issued for a vehicle for hire, the applicant shall furnish one or more policies or certificates of liability insurance issued by an insurance company that is an authorized insurer within the meaning of AS 21.97.900 [As 21.90.900(5)].

B. The insurance required by this section shall be subject to the same requirements as for taxicabs under Section 11.20.100.B--E.

(AO No. 87-8; AO No. 87-126(S); AO No. 90-68; AO No. 98-51(S), § 2, 5-4-99)

11.20.365 Vehicles for hire—Internal policy required.

A vehicle for hire permittee shall establish a set of written internal policies provided to a chauffeur and forward those internal policies to the Transportation Inspector. Internal policies shall be consistent with code in terms of prohibited chauffeur conduct, with specific reference to prohibition against use of an electronic devise to communicate by text while driving, and the prohibition against cell phone use when a passenger is present, absent an emergency.

(AO No. 98-51(S), § 2, 5-4-99)

11.20.370 Vehicles for hire—Records of service.

A vehicle for hire permittee shall ensure the maintenance of [MAINTAIN] records sufficient to demonstrate [PERTAINING TO] the service offered or performed is pursuant to the terms of the [THAT] permit. Record keeping shall be in the same manner as [IS] required for limousines in Section 11.20.250.

(AO No. 87-126(S); AO No. 98-51(S), § 2, 5-4-99)

* * * * *

Section 3. Anchorage Municipal Code chapter 11.30 is hereby amended to read as follows (*the remainder of the chapter is not affected and therefore not set out, omitted text indicated by asterisks, language indicating no amendment is included for context only*):

Chapter 11.30 Chauffeurs.

*Cross references: Driver's licenses, Ch. 9.12; designation of public carrier stops and stands, § 9.32.040; stopping, standing and parking of taxicabs, § 9.32.060; drug and alcohol testing for chauffeurs, § 11.10.085; suspension or revocation of chauffeur's license, § 11.10.110.

11.30.010 Chauffeur's license required by type of vehicle.
11.30.020 Application for chauffeur's license.

- 1 11.30.030 Temporary license. (Repealed)
2 11.30.040 Issuance of chauffeur's license.
3 11.30.050 Posting of chauffeur's license.
4 11.30.060 Maximum number of hours per day.
5 11.30.070 Duty to serve public.
6 11.20.075 Airport, taxicab stand, and curbside hail reporting. (Repealed)
7 11.30.080 Alcoholic beverages and controlled substances.
8 11.30.090 Chauffeur use of electronic devices or mobile phones while
9 operating a regulated vehicle [OPEN CONTAINERS OF
10 ALCOHOLIC BEVERAGES; PURCHASING ALCOHOLIC BEVERAGES].
11 11.30.100 Most direct route.
12 11.30.110 Exclusive use of taxicab.
13 11.30.120 Fares and receipts.
14 11.30.125 Failure to pay fare; injury to property.
15 11.30.130 Two-way radio prohibited.
16 11.30.140 Taxicab chauffeur Records.
17 11.30.145 Requirements of check-in and check-out.
18 11.30.150 Safety equipment tampering [IS] prohibited.

19
20 **11.30.010 Chauffeur's [BUSINESS] License required [by type of vehicle].**

21
22 No person may operate a regulated vehicle without first obtaining a [BUSINESS
23 LICENSE, REFERRED TO IN THIS TITLE AS A] chauffeur's license. **[NOTWITHSTANDING**
24 **ANY OTHER PROVISION OF LAW, THE transportation inspector** [COMMISSION] **MAY**
25 **[AUTHORIZE THE TRANSPORTATION INSPECTOR TO] ISSUE A CHAUFFEUR'S LICENSE**
26 **ALLOWING A CHAUFFEUR TO OPERATE A REGULATED VEHICLE OR MORE THAN ONE OF**
27 **THESE TYPES OF VEHICLES. CHAUFFEUR'S LICENSES ALLOWING OPERATION OF A**
28 **TAXICAB SHALL BE DESIGNED WITH THE LETTER "T." CHAUFFEUR'S LICENSES**
29 **ALLOWING OPERATION OF A LIMOUSINE SHALL BE DESIGNATED WITH THE LETTER "L."**
30 **CHAUFFEUR'S LICENSES ALLOWING OPERATION OF A VEHICLE FOR HIRE SHALL BE**
31 **DESIGNED WITH THE LETTER "V."]**

32
33 (AO No. 78-177; AO No. 81-149; AO No. 87-8; AO No. 92-50; AO No. 98-
34 51(S), § 3, 5-4-99)

35
36 **11.30.020 Application for chauffeur's license.**

- 37
38 A. An application for a chauffeur's license shall be made to the
39 transportation inspector.
40
41 B. An application shall be submitted on a form approved by the
42 transportation inspector and shall be accompanied by:
43
44 1. The fee specified in Section 11.10.160.
45
46 2. Photographs to be taken by the transportation inspector.
47
48 3. A finger print based criminal background check obtained through

the Alaska Department of Public Safety, which shall:

- a. include processing through the Alaska automated fingerprint system;
- b. include a national criminal history record check;
- c. be processed by the Alaska Department of Public Safety with the applicant to pay all fees requested for Federal Bureau of Investigation processing of fingerprints, and processing of information requests including fees for contacting other jurisdictions to determine the disposition of an out-of-state arrest or to clarify the nature of an out-of-state conviction; and
- d. have been produced less than 30 days from submission to the transportation inspector and not be altered or marked by any person other than authorized employees or agents of the Alaska Department of Public Safety or the transportation inspector's office, except that any sealed records or reports of the same shall be excluded from the submission. [A COMPLETE SET OF FINGERPRINTS MADE BY THE ANCHORAGE POLICE DEPARTMENT OR TRANSPORTATION INSPECTOR ON AN FBI-APPROVED FORM].

4. A certificate from a physician licensed to practice medicine in the state verifying the applicant's physical ability to drive and proof of a negative drug test certificate from a municipal-approved drug and alcohol testing facility. A positive test showing will be cause for denial of any license application.

5. Proof that the applicant currently holds a valid state driver's license which entitles him to operate a vehicle by which persons are transported for compensation.

6. Proof that the applicant is at least 19 years old.

7. Demonstrated ability to read, write and speak the English language.

C. An application shall not be complete until the applicant has passed an examination administered by the transportation inspector or his or her designee and has satisfactorily completed a Commission-approved course of study encompassing **sensitivity training**, safe driving, safe vehicle maintenance, knowledge of city streets and significant locations, driver personal safety, elements of successful tourism and visitor service, and Commission regulations encompassing drug and alcohol testing, driver behavior and appearance and any other subjects the Commission finds to be in the public interest of ensuring safe and

responsible public transportation. The course will include check ride certification for new chauffeurs by persons authorized by the transportation inspector to conduct check rides. In addition, chauffeurs providing service in a vehicle permitted for [UNDER SUBSECTION 11.20.037.F ([disability transportation or wheelchair accessibility])], shall maintain current certifications in first aid and CPR and satisfactorily complete any referrals by the transportation Inspector to training and resources on the specialized needs of disability transportation [APPROVED COURSES OF INSTRUCTION IN SENSITIVITY TRAINING] and safely securing wheelchair devices.

- D. Applicants for a chauffeur's license must show proof of successful passage of the chauffeur training and testing program and payment of a fee required by the Commission.
- E. Any person who has been denied a license pursuant to this chapter may not apply again for such a license for a period of one year except for those denied or revoked under Section 11.10.085.A.2 and 3 and pursuant to Section 11.10.110.A.3.
- F. A chauffeur applying for renewal of a chauffeur's license must have at least two hours of refresher training before the license is renewed. The refresher training program described in this subsection shall be provided by the Municipality of Anchorage.

(AO No. 57-75; AO No. 78-177; AO No. 79-58; AO No. 79-127; AO No. 80-19(S); AO No. 80-136; AO No. 84-18; AO No. 85-87; AO No. 87-126(S); AO No. 93-220, § 20, 8-21-94; AO No. 94-93(S), § 3, 8-14-94; AO No. 98-187, § 4, 6-13-99; AO No. 98-51(S), § 3, 5-4-99; AO No. 2001-85, § 2, 5-22-01)

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11.30.070 Duty to serve public.

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- C. When in service and not occupied by other passengers, a chauffeur operating a taxicab permitted under section 11.20.037F. to meet the needs of the disability community for demand-responsive transportation shall respond first to dispatched calls requesting a wheelchair or disability accessible taxicab. The chauffeur shall maintain communications with the taxicab's dispatch service in accordance with section 11.40.053 at all times between the check in and check out of the chauffeur's work shift. Provision of service by permitted disability accessible taxicabs is not restricted to disabled passengers, but failure to comply with the priority response requirement of this section may result in a citation. When a chauffeur refuses to respond to a dispatched call for a wheelchair or disability accessible taxicab, the chauffeur shall become ineligible to receive dispatch service for the 24 hours following such refusal.

D. A chauffeur shall inspect his or her regulated vehicle at the beginning and during his or her shift ensuring the vehicle is in a safe operating condition and clean inside and outside. Any mechanical or safety deficiencies noted shall be immediately reported to the vehicle owner. A record of this notification and deficiency will be noted on the applicable trip sheet. The vehicle owner shall take action to immediately correct safety deficiencies. Non-safety deficiencies shall be corrected within 72 hours of notification, except as otherwise provided in this title. Failure of the chauffeur to report a safety or mechanical deficiency may result in a citation ~~for immediate suspension of the chauffeur's license for 24 hours~~.

E [D]. It shall be unlawful for any chauffeur or passenger in a regulated vehicle to smoke any cigar, pipe, or cigarette or to burn tobacco or any other material in such vehicles.

F. A chauffeur shall not ask, allow or permit a passenger to sit or ride in the front passenger seat unless all seating rearward from the driver's seat is occupied, or the passenger specifically requests to sit in the front passenger seat.

(AO No. 57-75; AO No. 78-177; AO No. 81-149; AO No. 87-8; AO No. 94-64, § 1, 4-12-94; AO No. 98-51(S), § 3, 5-4-99; AO No. 99-105, § 1, 8-17-99)

11.30.075 Airport, taxicab, and curbside hail reporting. (Repealed)

[TAXICAB CHAUFFEURS SHALL REPORT TO THE DISPATCHER THE TRIP ORIGIN AND DESTINATION ADDRESS WHEN DEPARTING THE AIRPORT AND TAXICAB STANDS AND PICKING UP PASSENGERS FROM CURBSIDE HAILS.]

(AO No. 98-51(S) § 3, 5-4-99)

11.30.080 Alcoholic beverages and controlled substances.

A. No chauffeur may drink alcoholic beverages or be under the influence of a depressant, hallucinogenic, stimulant or narcotic drug, or any controlled substance as defined by AS 28.35.030, while on duty or within the [FOR] eight hours prior to operating a regulated vehicle.

B. No chauffeur may operate a regulated vehicle when there is an open container of alcoholic beverage in the passenger compartment of the vehicle, except as provided in this section.

1. A chauffeur may transport an open container of alcoholic beverage when the container is:
 - a. in the trunk of the regulated vehicle;
 - b. behind the last upright seat in a station wagon, hatchback, van, or similar trunkless regulated vehicle, if

- the open container is enclosed within another container;
- c. behind a solid partition that separates the chauffeur from
- the area normally occupied by passengers; or
- d. in the possession of a passenger for compensation in a
- regulated vehicle that has a capacity of 12 or more
- persons.

2. For purposes of this subsection:

- a. "open" means that the seal around the lid, cap or cork of
- the container has been broken, or that the lid, cap or cork
- has been removed, but does not include, when
- repackaged or resealed in accordance with state law: (i)
- beer repackaged by a licensee under 3 AAC 304.365; or
- (ii) a resealed or recorked wine bottle.
- b. "passenger compartment" means the area normally
- occupied by the chauffeur and passengers and includes
- a utility or glove compartment accessible to the chauffeur
- or a passenger while the vehicle is being operated.

C. No chauffeur may purchase, or solicit the purchase of an alcoholic

beverage for another person in connection with performance of duties

as a chauffeur.

(AO No. 57-75; AO No. 78-177; AO No. 81-149; AO No. 84-18; AO No. 98-51(S), § 3, 5-4-99)

Cross references: Drinking alcoholic beverages while driving, AMC 9.36.200;
Open container, AS 28.35.029; Package store license repackaging, 3 AAC
304.365; Removal of alcoholic beverages, AS 04.16.120; Resealing wine, 3
AAC 304.410.

11.30.090 Chauffeur use of electronic devices or mobile phones while

operating a regulated vehicle [ALCOHOLIC BEVERAGES OR
CONTROLLED SUBSTANCES].

A. Chauffeur use of an electronic device to communicate by text while

driving as set forth in AS 28.35.161(a) is prohibited by this code. The

exceptions in the state statute are applicable, including devices

displaying vehicle dispatching information for passenger transport.

B. In the absence of an emergency, chauffeur use of a portable cellular

phone or personal data assistant for voice communication in any

capacity when a passenger is present is prohibited.

[A. NO CHAUFFEUR MAY OPERATE A TAXICAB OR VEHICLE FOR HIRE WHEN THERE

IS AN OPEN CONTAINER OF ALCOHOLIC BEVERAGE IN THE VEHICLE. FOR THE

PURPOSE OF THIS SECTION, THE TERM "OPEN" MEANS THAT THE SEAL AROUND

THE LID, CAP OR CORK OF THE CONTAINER HAS BEEN BROKEN, OR THAT THE

LID, CAP OR CORK HAS BEEN REMOVED.]

[B. NO CHAUFFEUR MAY PURCHASE, OR SOLICIT THE PURCHASE OF AN ALCOHOLIC BEVERAGE FOR ANOTHER PERSON IN CONNECTION WITH PERFORMANCE OF HIS OR HER DUTIES AS A CHAUFFEUR.]

(AO No. 57-75; AO No. 78-177; AO No. 81-149; AO No. 84-18; AO No. 87-8; AO No. 98-51(S), § 3, 5-4-99)

Cross references: Use of electronic devices while driving, AS 28.35.161; Driving a motor vehicle with a screen device operating, AMC 9.28.050.

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11.30.125 Failure to pay fare; injury to property.

A. The conduct prohibited by this section may be prosecuted as Theft of services under AMC section 8.15.040; Malicious destruction of property under AMC section 8.20.010, or Vehicle tampering under AMC section 8.20.020. No person may:

1. Refuse or neglect to pay for the services, rent or hire of any regulated vehicle upon discharging or engaging regulated vehicle services with the intention to defraud the owner, licensee or chauffeur of the taxicab.
2. Obtain the services, hire, possession or use of any regulated vehicle by color or aid of any false or fraudulent representation, pretense, token or writing.
3. Obtain credit for the services, hire, possession or use of any regulated vehicle by color or aid of any false or fraudulent representation, pretense, token or writing.
4. Having hired any regulated vehicle, to recklessly, willfully, wantonly, or by gross negligence injure or destroy the regulated vehicle, or allow or permit any part thereof to be injured or destroyed during the period of hire through the reckless, willful, wanton, or gross negligence of the person responsible for the hire.

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11.30.140 Taxicab chauffeur records.

A. At all times a chauffeur shall carry in the taxicab a trip sheet in a form approved by the transportation inspector. Immediately after a chauffeur goes on duty, he or she shall enter the following information at the top of a trip sheet:

1. The chauffeur's name and license number, taxicab number,

taximeter number, and date of report; and

2. The times between which the chauffeur is scheduled to operate the taxicab on the day the trip sheet is prepared.

B. Immediately after the passenger(s) requesting service is in the taxicab, the chauffeur shall enter on a trip sheet the time and place of passenger pickup and the number of passengers transported. If the chauffeur is operating a disability accessible taxicab permitted under section 11.20.037F., the chauffeur shall also note whether the transport was for disabled passengers who needed the accessibility features.

C. Immediately after a taxicab chauffeur has discharged a passenger from the taxicab, he or she shall enter on a trip sheet the time of passenger delivery, the destination and the amount of the fare received or that no fare was received.

D. A taxicab chauffeur shall retain all trip sheets prepared pursuant to this section for not less than the two-year license renewal period [NINETY (90) DAYS]. A chauffeur shall produce any or all of his or her trip sheets upon request of the transportation inspector or a police officer. The chauffeur shall forward the trip sheets to the transportation inspector upon request, and biennially at license renewal [ON A MONTHLY BASIS IF ORDERED TO DO SO].

(AO No. 80-136; AO No. 85-87; AO No. 87-8; AO No. 87-126(S); AO No. 98-51(S), § 3, 5-4-99)

11.30.145 Requirement of check-in and check-out.

A. Each chauffeur of a taxicab must check in with the dispatch service engaged by the permittee when the chauffeur begins a work shift and check out when the chauffeur departs a work shift.

B. Communications equipment between the taxicab and dispatch service shall remain on at all times during chauffeur's work shift.

(AO No. 98-51(S) § 3, 5-4-99)

11.30.150 Safety equipment tampering [is] prohibited.

Except for maintenance or repair, no person shall disconnect, cover, misdirect or cause to be non-functional the radio identifier, silent electronic alarm, surveillance or security camera, or global positioning system in a regulated vehicle [TAXICAB]. Tampering with the safety equipment as described herein is a violation subject to civil penalty under section 11.10.130, or as set forth in section 14.60.030.

(AO No. 2000-107, § 3, 7-25-00)

Section 4. Anchorage Municipal Code chapter 11.40 is hereby amended to read as follows (*the remainder of the chapter is not affected and therefore not set out, omitted text indicated by asterisks, language indicating no amendment is included for context only*):

Chapter 11.40 Dispatch Service.

*Cross references: Drug and alcohol testing for chauffeurs, § 11.10.085.

- 11.40.010 Dispatch service license required.
- 11.40.020 Dispatch service license [APPLICATION].
- 11.40.030 Dispatch service license transfer.
- 11.40.040 Provision of service; joint dispatch service [MANDATORY DISPATCH SERVICE].
- 11.40.050 Dispatch service operation and duty to serve the public.
- 11.40.051 Caller identification required (Repealed).
- 11.40.052 Dispatcher and telephone assistant drug and alcohol testing. (Repealed).
- 11.40.053 Communication requirement between dispatchers and taxicab chauffeurs.
- 11.40.054 Standardized training and certification programs, standardized emergency notification code, and biennial refresher training.
- 11.40.057 Compliance with Federal Communications Commission regulations.
- 11.40.060 Dispatch service r[R]ecords.
- 11.40.070 Dispatch service rates [TO BE SET OUT BY INTERNAL RULE].
- 11.40.080 Dispatch service [TAXICAB] rates--Application for change in rates.
- 11.40.090 Dispatch service [TAXICAB] rates--Effective date of change.
- 11.40.100 Dispatch rates--Establishment. (Repealed.) [EFFECTIVE DATE OF CHANGE IN DISPATCH RATES. [REPEALED.]]

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11.40.020 Dispatch service license [APPLICATION].

- A. An application for a dispatch service license shall be made to the Transportation Inspector.
- B. An application for a dispatch service license shall be submitted on a form approved by the Transportation Inspector and shall be accompanied by:
 - 1. The fee specified in Section 11.10.160;

2. Proof that the applicant has obtained and possesses one or both of the following:
 - a. A valid Federal Communications Commission frequency license and identification of those frequencies authorized to be used in the dispatch service; or
 - b. A computerized dispatch system approved by the Transportation Inspector;
 3. A list of the name, address and telephone number of every person who will have a financial, proprietary, or security interest in the license;
 4. A proposed color scheme, name and markings to be used by taxicabs dispatched by the applicant which is substantially different from the color scheme, name and markings used or proposed for use by any other dispatch company licensed under this title; [AND]
 5. Proof that the applicant is at least eighteen (18) years of age; **and**
 6. A signed acknowledgement and acceptance of the license requirement to maintain, and to provide to the Transportation Inspector, records of dispatches, complaints, and complaint response [; and]
 - ~~7. FCC compliance training records for dispatch personnel.~~
- C. A dispatch service license shall be issued by the Transportation Inspector [COMMISSION] if the applicant complies with this section, is certified as required by Section 11.10.170 and has not had a felony or misdemeanor conviction entered by a court of competent jurisdiction within five (5) years of:
1. Assignment, prostitution, solicitation for the purpose of prostitution, offering to secure another for the purpose of prostitution, maintaining a vehicle for the purpose of prostitution or accepting money from a prostitute for the afore-mentioned purposes; or
 2. Sale, transportation, possession or use of any controlled substance as defined in AS 11.71 or any similar law of another jurisdiction.

(AO No. 57-75; AO No. 78-177; AO No. 79-58; AO No. 80-19(S); AO No. 84-18; AO No. 85-87; AO No. 87-126(S); AO No. 88-21; AO No. 98-51(S), § 4, 5-4-99)

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11.40.040 Provision of service; joint dispatch service.

- A. Except as otherwise provided in this section, a dispatch service shall serve all taxicab permittees and their chauffeurs who request dispatch service and meet the requirements of this section so long as the fee for such service has been paid.
- B. A dispatch service shall promulgate reasonable internal rules and regulations and shall supply the Transportation Inspector with a current copy thereof at all times. A dispatch service may refuse to serve a permittee or chauffeur only after the permittee or chauffeur has repeatedly and knowingly violated one or more provisions of the reasonable rules and regulations on file with the Transportation Inspector. If a dispatch service executes one or more types of written contracts pertaining to dispatch of taxicabs, the dispatch service shall supply the Transportation Inspector with one copy of each such current contract form at all times.
- C. A dispatch service may only provide dispatch service to a permitted taxicab.
- D. A dispatch service may dispatch taxicabs from another taxicab company, but that company shall retain its own business name, style and color and shall be substantially different in its business name, style and color from that used by any other dispatch company.
- E. A dispatch service seeking to merge with another for joint dispatch service shall submit a plan which includes all the terms and conditions of the merger to the Transportation Commission for approval.
- F. Each dispatch service shall establish a system for identifying radio transmissions from each taxicab which is dispatched through the dispatch service. The system shall be capable of identifying disability community accessible taxicabs and distinguishing them from other permitted taxicabs.
- G. A dispatch service company shall provide a posting area within its operations center which contains information, policies, and procedures disseminated by the Commission.

(AO No. 57-75; AO No. 78-177; AO No. 80-19(S); AO No. 84-18; AO No. 88-21; AO No. 91-22; AO No. 98-51(S), § 4, 5-4-99; AO No. 98-187, § 5, 6-13-99)

11.40.050 Dispatch service operation and duty to serve the public.

- 1 A. Every dispatch service shall be located within the Municipality.
- 2
- 3 B. Every dispatch service shall respond to telephone calls, maintain radio
- 4 or computerized dispatch communications with every taxicab
- 5 subscribing to its service and have a dispatcher on duty and
- 6 responding to these communications at all times for at least twenty (20)
- 7 hours during every twenty-four-hour period. Automated systems or
- 8 third party answering services are prohibited for at least 20 hours
- 9 during every 24 hour period. Taxicabs subscribing to a dispatch
- 10 service shall be dispatched to a call for service on the basis of
- 11 either the nearest taxicab to the location of the call for service, or
- 12 in the order of time in which taxicabs have indicated they are
- 13 waiting in a taxicab zone for dispatch. [The nearest taxicab
- 14 available, which subscribes to the dispatch service, shall be
- 15 dispatched to the location of a call for service.]
- 16
- 17 C. No dispatch company may require payment of rates other than those
- 18 established [BY THE COMMISSION] pursuant to this title. Sections
- 19 11.40.080 through 11.40.100 shall not apply to contract rates.
- 20
- 21 D. No dispatch service may dispatch a taxicab operated pursuant to a
- 22 limited taxicab permit unless the dispatch service has the ability to
- 23 communicate by radio or a computerized dispatch system with all parts
- 24 of the geographical area to be served by that taxicab. A dispatch
- 25 company may dispatch to a permitted taxicab bearing markings as
- 26 approved by the Commission.
- 27
- 28 E. A dispatch company shall investigate customer complaints presented to
- 29 the dispatch company, [AND] take appropriate action, and document the
- 30 investigation, resolution, referral, and follow-up by the dispatch
- 31 company regarding each complaint.
- 32
- 33 F. A dispatch company shall diligently exercise the duty to serve the
- 34 public and make every effort to respond to a request for a taxicab
- 35 dispatch. A dispatch company shall report to the Transportation
- 36 Inspector upon request [monthly] a list of all taxicab requests which
- 37 did not result in responsive taxicab service, any taxicab chauffeur
- 38 refusing to respond to a call for service and the permit number of the
- 39 taxicab the chauffeur was operating. The report of nonresponsive calls
- 40 shall identify the calls for wheelchair-accessible service or a disabled
- 41 community accessible taxicab.
- 42
- 43 G. When a request for wheelchair accessible service or a disabled
- 44 community accessible taxicab is received and dispatched, if the
- 45 chauffeur operating a taxicab permitted under section 11.20.037F. and
- 46 not occupied by other passengers refuses or declines to respond the
- 47 dispatch service shall immediately cease all dispatch services to that
- 48 chauffeur for the next 24 hours. The records required by section

11.40.060 shall include a report of chauffeur refusals to respond to dispatched calls for a wheelchair or disability accessible taxicab and resulting ineligibility for dispatch service.

H. A dispatch service's recordkeeping shall comply with section 11.40.060.

(AO No. 57-75; AO No. 78-177; AO No. 85-87; AO No. 92-50; AO No. 98-51(S), § 4, 5-4-99)

11.40.051 Caller identification required. (Repealed)

11.40.052 Dispatcher and telephone assistant drug and alcohol testing. (Repealed)

[A. THE COMMISSION SHALL PROPOSE REGULATIONS TO:

1. CAUSE TO BE ESTABLISHED A DRUG AND ALCOHOL TESTING PROGRAM FOR DISPATCHERS AND TELEPHONE ASSISTANTS. THE PROGRAM SHALL INCLUDE APPLICANT DRUG SCREENING TESTS, RANDOM TESTS, AND REASONABLE CAUSE TESTS. THE PROGRAM SHALL BE APPROVED BY THE TRANSPORTATION INSPECTOR.

2. PROVIDE FOR THE IMMEDIATE ORDER BY THE TRANSPORTATION INSPECTOR THAT A DISPATCH COMPANY STOP EMPLOYING AS A DISPATCHER OR TELEPHONE ASSISTANT ANY SUCH DISPATCHER OR TELEPHONE ASSISTANT FAILING, OR FAILING TO SUBMIT TO, SUCH AN APPLICANT DRUG TEST, A RANDOM DRUG OR ALCOHOL TEST, OR A REASONABLE CAUSE DRUG OR ALCOHOL TEST FOR A PERIOD OF NOT LESS THAN SIX MONTHS FOR A FIRST OFFENSE AND NOT LESS THAN TWO YEARS FOR A SECOND OR SUBSEQUENT OFFENSE.

3. PROVIDE FOR FEES TO PAY FOR DRUG AND ALCOHOL TESTING WITH COSTS OF TESTING FOR APPLICANT DRUG SCREENING BORNE BY APPLICANTS AND COSTS OF SUBSEQUENT TESTING BORNE BY DISPATCH COMPANIES.

B. A DESIGN, COST STRUCTURE, AND FEE DETERMINATION FOR THE DRUG AND ALCOHOL TESTING PROGRAM SHALL BE DEVELOPED BY THE COMMISSION AND SUBMITTED TO THE ASSEMBLY FOR APPROVAL SUBJECT TO THE FOLLOWING CONDITIONS:

1. COSTS FOR A DRUG SCREENING SHALL BE BORNE BY APPLICANTS FOR JOBS AS DISPATCHERS AND TELEPHONE ASSISTANTS.

2. DIRECT OPERATIONAL COSTS FOR RANDOM AND REASONABLE CAUSE DRUG AND ALCOHOL TESTING PROGRAM SHALL BE BORNE BY DISPATCH COMPANIES.]

(AO No. 98-51(S), § 4, 5-4-99; AO No. 98-187, § 7, 6-13-99)

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11.40.060 Dispatch service r[R]ecords.

A. Every dispatch service shall maintain a current and accurate record, in a form approved by the Transportation Inspector, [LIST] of:

1. The permit number, name and address of the permittee for each taxicab dispatched and the number of daily hours each such taxicab is operated during every calendar month; [AND]

2. Daily dispatch activity, which shall include: [INCLUDING]

a. The taxicab numbers; [,]

b. The permit number pursuant to which the taxicab is operated, including whether it is a disabled community accessible taxicab;[,]

c. The name or identification and license number of the operator of the taxicab;

d. The time of calls for service; [, AND]

d. The service time requested by the passenger;

e. The time the request for service was fulfilled;

f. ~~If the delay between the service time requested by the passenger and the time service became available exceeds 30 minutes, the reason for the delay;~~

~~g.~~ The place of passenger pickup;

g [h]. If the taxicab dispatched was not the nearest available taxicab subscribing to the dispatch service, **or in the order of time in which the taxicabs have indicated that they are waiting in a taxicab zone for dispatch,** a statement of the reason; and

h [i]. Whether the request was for wheelchair-accessible service or a disabled community accessible taxicab;

3. The fare as recorded from the taximeter; and

4. All complaints received from members of the public, with the investigation, resolution, referral, and follow-up for each complaint noted.

B. The records maintained pursuant to subsection A of this section shall be retained by the dispatch licensee for at least two years. [AND]

C. The records shall be open for review [SHALL BE MADE AVAILABLE UPON REQUEST] by the administrative hearing officer, the Commission, the Transportation Inspector, the Municipal Department of Law, or a police officer.

D. The dispatch service shall forward records to the Transportation Inspector upon request and annually at license renewal. The Transportation Inspector may request that a dispatch service forward the records to him or her on a monthly or other periodic basis.

(AO No. 57-75; AO No. 78-177; AO No. 80-19(S); AO No. 98-51(S), § 4, 5-4-99)

11.40.070 Dispatch service [TAXICAB] rates [TO BE SET OUT BY INTERNAL RULE].

Service rates for dispatch service provided to [BY] taxicab[s] permittees subscribing to a particular dispatch company shall be set out as an internal rule of the dispatch service pursuant to Section 11.40.040B, and shall not exceed the dispatch rate approved by the Commission under 11.10.050. The Commission shall approve dispatch services' rate-setting internal rules by resolution.

(AO No. 89-63; AO No. 98-51(S), § 4, 5-4-99)

11.40.080 Dispatch service taxicab rates--Application for change in rates.

A dispatch service may establish a rate-setting rule by filing an application which includes the proposed rule with the Commission and the date on which the proposed rate change is requested to [WILL] take effect, and by undertaking any other notices required by the Transportation Inspector. The rate requested must not exceed the rate as established by the Commission.

(AO No. 89-63; AO No. 89-97; AO No. 98-51(S), § 4, 5-4-99)

11.40.090 Dispatch service [TAXICAB] rates--Effective date of change.

Dispatch service [TAXICAB] rates established by regulation shall become effective no earlier than thirty (30) days after final approval by the

Commission under 11.10.050 [APPLICATION TO THE COMMISSION AND PUBLICATION OF THE RATES AS REQUIRED BY THE COMMISSION,] or at a later date **if set [, as approved]** by the Assembly **when it approves the regulation.** **[under 11.10.050, provided that]** [IF SET BY THE COMMISSION.] **A [CHANGES IN]** dispatch **service's** rates **set by internal rule** shall **be filed with the Commission and** become effective no earlier than thirty (30) days after written notice **of final approval** is sent [TO THE TRANSPORTATION COMMISSION AND] to the permit owners by the dispatch service.

(AO No. 89-63; AO No. 98-51(S), § 4, 5-4-99)

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Section 5. Anchorage Municipal Code section 14.60.030 is hereby amended to read as follows *(the remainder of the section is not affected and therefore not set forth):*

14.60.030 Fine schedule.

The fine schedule under this chapter is as follows:

Code Section	Offense	Penalty/Fine
*** **	*** **	*** **
11.10.130C.	Any violation of chapters 11.10 through 11.40, or a regulation in AMCR title 11, is subject to a civil penalty for such violations as follows (citation shall identify specific section violated):	
	First violation:	Not to exceed \$100.00
	Second violation:	Not to exceed \$300.00
	Third violation:	Not to exceed \$750.00
	Fourth violation:	Any of the above penalties.
	Suspensions and revocations of licenses or permits imposed contemporaneously by the Transportation Inspector are appealed separately in accordance with procedures in Section 11.10.100	

<u>11.30.150</u>	<u>Safety equipment tampering</u>	
	<u>First violation:</u>	<u>\$250.00</u>
	<u>Second violation:</u>	<u>\$500.00</u>
	<u>Third violation:</u>	<u>\$750.00</u>
	<u>Fourth violation:</u>	<u>\$1,000.00</u>
*** **	*** **	*** **

(AO No. 93-167(S-1), § 1, 4-13-94; AO No. 94-108, § 1, 10-5-94; AO No. 94-134, § 2, 9-8-94; AO No. 95-42, § 2, 3-23-95; AO No. 95-67(S), § 9, 7-1-95; AO No. 95-102, § 1, 4-26-95; AO No. 95-118, § 3, 9-1-95; AO No. 95-163(S), § 21, 8-8-95; AO No. 95-195(S-1), 1-1-96; AO No. 96-51(S-1), § 2, 8-1-96; AO No. 96-96(S-1), § 2, 2-1-97; AO No. 96-126(S), § 3, 10-1-96; AO No. 96-137(S), § 9, 1-2-97; AO No. 97-88, § 3, 6-3-97; AO No. 97-107, § 3, 11-17-97; AO No. 97-133(S), § 1, 11-11-97; AO No. 98-27(S-1), § 2, 11-11-97; AO No. 98-160, § 2, 12-8-98; AO No. 99-13(S), 2-9-99; AO No. 99-91(S), § 4, 7-13-99; AO No. 2000-64, § 1, 4-18-00; AO No. 2000-116(S), § 4, 7-18-00; AO No. 2000-127(S), § 2, 10-14-00; AO No. 2000-129(S), § 26, 11-21-00; AO No. 2001-48, § 1, 3-13-01; AO No. 2001-74(S), § 2, 4-17-01; AO No. 2001-4, § 2, 2-6-01; AO No. 2001-145(S-1), § 11, 12-11-01; AO No. 2003-68, § 1, 9-30-03; AO No. 2003-97, § 4, 9-30-03; AO No. 2003-117, § 2, 1-28-03; AO No. 2003-130, § 8, 10-7-03; AO No. 2003-152S, § 10, 1-1-04; AO No. 2004-1, § 2, 1-1-03; AO No. 2004-99, § 2, 6-22-04; AO No. 2004-100(S-1), § 6, 1-1-05; AO No. 2004-171, § 1, 1-11-05; AO No. 2005-160, § 9, 11-1-05; AO No. 2005-84(S), § 3, 1-1-06; AO No. 2005-185(S), § 35, 2-28-06; AO No. 2005-124(S-1A), § 33, 4-18-06; AO No. 2006-39, § 6, 4-11-06; AO No. 2006-54, § 1, 5-2-06; AO No. 2006-80, § 1, 6-6-06; AO No. 2007-50, § 4, 4-10-07; AO No. 2007-60, § 4, 11-1-07; AO No. 2007-70, § 3, 5-15-07; AO No. 2008-84(S), § 5, 7-15-08; AO No. 2009-61, § 3, 7-7-09; AO No. 2009-82, § 5, 7-7-09; AO No. 2009-40(S), § 3, 7-21-09; AO No. 2009-112, § 4, 10-13-09; AO No. 2009-122, § 2, 12-17-09; AO-2010-35(S), § 7, 5-11-10; AO No. 2010-39, § 2, 5-11-10; AO No. 2010-87(S), § 3, 12-7-10; AO No. 2011-46, § 4, 4-12-11; AO No. 2011-59, § 10, 5-24-11; AO No. 2011-106(S), § 3, 11-8-11; AO No. 2011-112, § 4, 11-22-11, eff. 12-22-11; AO No. 2012-10, § 1, 1-31-12; AO No. 2012-77, § 29, 8-7-12)

Section 6. Anchorage Municipal Code of Regulations section 11.10.009 is hereby amended to read as follows:

11.10.009 Rates, [AND] fares, and fees.

A. The following rates and fares amounts and restrictions shall apply to taxicab service:

1. The fare for taxicab service when a taxicab is operated on time shall be no more than \$45.00 for each hour. A chauffeur shall notify its dispatch service at the beginning of each trip based on time.

2. [B.] The fare for taxicab service when the taxicab is operated on mileage shall be no more than \$3.00 for the first one-tenth mile traveled and no more than \$0.30 [\$0.25] for every one-tenth mile traveled.

3. [C.] The fare for taxicab service when the taxicab is operated on both time and mileage shall be computed in accordance with subsections A and B of this section, provided that during the same trip, time and mileage are charged alternately and not concurrently.

[D. THE FARE FOR SHARED RIDE SERVICE SHALL NOT EXCEED THE FOLLOWING SCHEDULE OF FEES:

1. THE BASE FARE FOR SERVICE WITHIN A SINGLE ZONE SHALL BE NO MORE THAN:

A. TWO DOLLARS FOR PERSONS OF AND BETWEEN THE AGES OF 18 AND 64; AND

B. ONE DOLLAR AND FIFTY CENTS FOR PERSONS BELOW THE AGE OF 18 AND FOR PERSONS OF AND ABOVE THE AGE OF 65.

2. THE BASE FARE FOR SERVICE BETWEEN MORE THAN ONE ZONE SHALL BE AUGMENTED FOR EACH ADDITIONAL ZONE BY NO MORE THAN:

A. ONE DOLLAR AND FIFTY CENTS FOR PERSONS OF AND BETWEEN THE AGES OF 18 AND 64; AND

B. ONE DOLLAR FOR PERSONS BELOW THE AGE OF 18 AND FOR PERSONS OF AND ABOVE THE AGE OF 65.

3. THE BOUNDARIES OF THE ZONES TO BE USED TO CALCULATE FARES DESCRIBED IN THIS SECTION ARE SHOWN ON THE MAPS FOLLOWING THIS REGULATION 11.10.]

4. A fuel surcharge shall be added to each trip fare. The fuel surcharge shall be adjusted twice per year on March 1 and October 1 based upon the prior 180 days average price of regular unleaded fuel in Anchorage. The average shall be based on the AAA fuel gauge report for Anchorage published by the Oil Price Information Service at <http://fuelgauge.report.opisnet.com/AKmetro.asp>

Average Price of Fuel	Fuel Surcharge Flag Drop
< \$3.50	\$0.50
\$3.51 - \$4.00	\$1.00
\$4.01 - \$4.50	\$1.50
\$4.51 - \$5.00	\$2.00
>\$5.01	\$3.00

5. [E.] Flat or group rates for taxicab service may be established by contractual agreement between dispatch service companies and individuals or other business entities, but the rate for the service under an agreement may not exceed the established maximum rates.

~~[6. [F.] ——— DAILY TAXICAB LEASE RATES FOR TAXICAB CHAUFFEURS SHALL BE NO MORE THAN \$85.00 FOR THE DAY SHIFT AND \$75.00 FOR THE NIGHT SHIFT. When a permitted hybrid electric vehicle or fuel efficient vehicle is operated, the lease rates are allowed to be no more than \$15 above the foregoing maximum rates.]~~

[G. THE ANCHORAGE TRANSPORTATION COMMISSION SHALL REVIEW TAXICAB METER RATES AND PERMIT LEASE RATES NO LESS FREQUENTLY THAN ONCE EVERY TWO YEARS.]

B. The following fees shall be payable to the municipality at the office of the transportation inspector:

1. Fifty dollars (\$50.00) shall accompany any application to change the vehicle operated as a taxicab, limousine or vehicle for hire, to change the owner of a taxicab, limousine, or vehicle for hire, or to change the dispatch service used by a taxicab.

2. One thousand nine hundred eighty dollars (\$1,980.00) shall be paid for the issuance or annual renewal of a taxicab, limousine, or vehicle for hire permit, except that the fee shall be reduced when:

a. The original permit for a taxicab, limited taxicab, or limousine is issued after July 1, in which case the fee is one thousand and fifty dollars (\$1050.00); or

b. The original permit for a vehicle for hire is issued for any period of six (6) months or less, as designated by the applicant, in which case the fee is one thousand and fifty dollars (\$1050.00).

Taxicab permits shall originally be issued for the successful bid

- price pursuant to Section 11.20.030D. and thereafter in accordance with this section.
3. Three thousand five hundred dollars (\$3,500) shall be paid for the issuance or annual renewal of any dispatch license.
4. Sixty-five dollars (\$65.00) shall be paid for the issuance or biennial renewal of a chauffeur's license.
5. One hundred dollars (\$100.00) shall be paid for each appeal from a civil penalty for violation of a provision of this title or municipal regulation promulgated under this title. This fee is refundable if the decision of the hearing officer overturns the decision of the transportation inspector in whole, or in part.
6. Five hundred dollars (\$500.00) shall be paid for an annual substitute vehicle use permit issued pursuant to Section 11.20.050.
7. Fifteen dollars (\$15.00) shall be paid each time the transportation inspector certifies and seals a taximeter unless such service is performed in connection with a semiannual inspection conducted pursuant to Section 11.10.080A. or with a change of vehicle for an existing permit pursuant to Section 11.20.020.
8. Fifteen dollars (\$15.00) shall be paid for taximeter reinspection should the quarterly, semi-annual or annual inspection fail.
9. One hundred dollars (\$100.00) shall be paid for the issuance of annual renewal of a permit for a horse-drawn vehicle.
10. Fifteen dollars (\$15.00) shall be paid to replace a lost or stolen chauffeur, permittee, or dispatch service license.
11. Seven hundred fifty dollars (\$750) shall accompany any application for the transfer of a permit or license.

(AR No. 79-34; AR No. 79-162; AO No. 80-79; AO No. 84-18; AO No. 87-8; AO No. 87-126(S); AR No. 88-31; AR No. 92-110; AR No. 97-82, § 1, 6-3-97; AR No. 2005-252, § 1, 10-11-05)

Editor's note: AO 2013- relocated the fee[s], rate[s] and fare[s] provisions listed in Anchorage Municipal Code chapter[s] 11.10 to this section of the regulations. [PER AR No. 97-82, § 2, EFFECTIVE JUNE 3, 1997, THE ANCHORAGE TRANSPORTATION COMMISSION IS DIRECTED TO REVIEW PERMIT LEASE RATES AT LEAST QUARTERLY AND REPORT BACK TO THE ASSEMBLY IN MAY, 1998, ON CHANGES IN LEASE RATES AND IF ADDITIONAL REGULATION IS NEEDED TO CONTAIN INCREASES. THE REPORT SHOULD ANALYZE THE AMOUNT OF THIS FARE INCREASE

1 THAT IS CAPTURED BY CHAUFFEURS, VEHICLE OWNERS AND PERMIT OWNERS. THE
2 COMMISSION WILL ALSO MONITOR AND ANALYZE THE STATISTICS ON EQUIPMENT AGE,
3 MAINTENANCE AND CONDITION AND REPORT BACK TO THE ASSEMBLY ON ANY TRENDS
4 AS A CONSEQUENCE OF THIS RATE CHANGE.]
5

6 **Authority--**Anchorage Municipal Code 3.40, 11.10.040, 11.10.050.
7
8

9 **Section 7.** Within 90 days of passage and approval of this ordinance, the Anchorage
10 Transportation Commission shall review and recommend to the Assembly
11 amendments to Anchorage Municipal Code of Regulations Title 11 to implement this
12 ordinance and update or clarify the provisions therein. In the interim the regulations
13 shall continue in full force and effect, and in the event there are any conflicts or
14 inconsistencies between the regulations and this ordinance, this ordinance shall
15 control.
16

17 **Section 8. Within six months of passage and approval of this ordinance, the**
18 **Anchorage Transportation Commission shall submit a report to the Assembly**
19 **on the status of regulated vehicle transportation services to areas of the**
20 **Municipality outside of the Anchorage Bowl, including Girdwood, Chugiak,**
21 **Birchwood and Eagle River.**
22

23 **Section 9. Within six months of passage and approval of this ordinance, the**
24 **Anchorage Transportation Commission shall submit a report to the Assembly**
25 **reviewing the design standards for disability accessible taxicabs and other**
26 **regulated vehicles.**
27

28 **Section 10. Within eighteen (18) months of passage and approval of this**
29 **ordinance, the Anchorage Transportation Commission shall submit a report to**
30 **the Assembly regarding the lease rates between a permittee and operator.**
31

32 **Section 11 [8].** If any section of this ordinance, or portion thereof, or any section of
33 the code adopted by this ordinance, or portion thereof, is deemed or declared
34 unconstitutional, invalid or otherwise contrary to law, that portion is severable and the
35 remainder shall continue in full force and effect.
36

37 **Section 12 [9].** The provisions of this ordinance establishing new equipment
38 requirements for regulated vehicles shall be effective 90 days from passage and
39 approval. Notwithstanding the foregoing, the Transportation Inspector may provide a
40 permittee or vehicle owner an additional reasonable period of time, not to exceed a
41 total of 90 additional days, to comply with new equipment requirements upon good
42 cause shown.
43

44 **Section 13 [10].** Except as stated in Section **12 [9]**, this ordinance shall be effective
45 upon passage and approval of the Anchorage Assembly.
46
47

48 PASSED AND APPROVED by the Anchorage Assembly this _____ day of

1 _____, 2013.
2
3

4 _____
5 Chair of the Assembly

6 ATTEST:
7

8 _____
9 Municipal Clerk