

Submitted by: Assembly Member Evans

Prepared by: Department of Law

For reading: October 21, 2014

**ANCHORAGE, ALASKA
AO No. 2014-135 (S)**

1 **AN ORDINANCE OF THE ANCHORAGE ASSEMBLY AMENDING ANCHORAGE**
2 **MUNICIPAL CODE TITLE 11 TO ACCOMMODATE TECHNOLOGY INNOVATION**
3 **USED IN PROVIDING PASSENGER TRANSPORTATION SERVICES FOR HIRE;**
4 **ADD AND MODIFY DEFINITIONS; ESTABLISH REGULATION OF**
5 **TRANSPORTATION NETWORK COMPANIES (TNC); ESTABLISH REGULATION**
6 **OF THE VEHICLES AND DRIVERS PROVIDING PASSENGER**
7 **TRANSPORTATION FOR HIRE USING TNC APPS OR SERVICES; AMENDING**
8 **THE FINE SCHEDULE AT AMC SECTION 14.60.030 ACCORDINGLY, AND**
9 **RELATED MATTERS INVOLVING THE REGULATORY FRAMEWORK FOR**
10 **TRANSPORTATION SERVICES.**
11

12
13 **WHEREAS**, recently Transportation Network Companies (TNCs) have begun
14 operating within the Municipality of Anchorage, including recruiting drivers, promoting
15 services and online digital applications for smartphones, mobile devices and
16 computers, and supporting passenger transportation services for hire in Anchorage
17 by connecting passengers with TNC authorized drivers using a personal vehicle;
18

19 **WHEREAS, TNC's, as commonly operated, do not current fit into the**
20 **conventional Municipality of Anchorage transportation regulatory framework;**
21

22 **WHEREAS, TNCs, like any commercial for-hire transportation operation should**
23 **be subject to reasonable public safety regulation [the arrival into the**
24 **municipality of TNCs competes with the regulated transportation industry,**
25 **consequently there is a need for regulation as transportation providers in the**
26 **interests of public health, safety and welfare purposes];**
27

28 **WHEREAS**, it is the intent of the Municipality that all transportation service providers
29 that derive revenue from such services should be regulated under Title 11 of the
30 Anchorage Municipal Code in accordance with the stated jurisdiction of the
31 Anchorage Transportation Commission, for public safety and welfare purposes;
32

33 **WHEREAS**, TNCs are similar to dispatch services by digital online apps, but not
34 directly addressed in Anchorage Municipal Code regulations of dispatch services;
35 now, therefore,
36

37 **THE ANCHORAGE ASSEMBLY ORDAINS:**
38

39 **Section 1.** Anchorage Municipal Code section 11.10.010 is hereby amended to
40 read as follows (*the remainder of the section is not affected and therefore not set*
41 *out*):
42

43 **11.10.010 Definitions.**
44

When used in chapters 11.10—11.40:

G. Digital dispatch means a scheduling or rider-to-driver matching software application or service that enables prospective passengers to request on demand or pre-arranged transportation services offered or provided for compensation from qualified taxicab or vehicle for hire, using an internet-enabled application or digital platform to send or transmit an electronic, radio or telephonic communication through the use of a portable or handheld device, monitor, tablet, smartphone, or other electronic device or unit that indicates the location of the passenger which information is then relayed to a qualified taxicab or vehicle for hire by radio or data communication of any type.

R. Personal vehicle means a vehicle that is privately owned by a natural person and used to provide passenger transportation services via a transportation network company application dispatch system is a “transportation network company (TNC) vehicle” and subject to regulation under this chapter. A personal vehicle is not a taxicab or vehicle-for-hire vehicle that requires a permit under this chapter.

Y. Transportation network company (TNC) means an organization whether a corporation, limited liability company, partnership, sole proprietor, or other form, operating in the municipality that offers prearranged transportation services for compensation exclusively by providing a digital dispatch system provided through an network or online-enabled software application or platform to connect passengers to TNC Services provided by TNC Drivers using their personal vehicles. A TNC is a business that provides a digital dispatch application for use on services (technology that allows consumers to directly request dispatch of for-hire drivers for trips via the internet using mobile interfaces such as smartphone applications,) to connect drivers with passengers for transportation services.

Z. Transportation network company (TNC) driver means a person with a driver’s license affiliated with and accepting prearranged trips from a licensed transportation network company’s online app or digital dispatch system. For purposes of this chapter, at any time while a driver is active on the TNC dispatch system, the driver is considered a TNC driver.

AA. Transportation network company (TNC) endorsed vehicle means a personal motor vehicle used for the transportation of passengers for compensation that is affiliated with a licensed transportation network company and that has been certified by the TNC as having met the inspection and minimum operating requirements as set forth in chapter 11.20 and is authorized to provide the TNC’s Services using the TNC’s digital dispatch.

1
2 **BB.** Transportation network company (TNC) representative means the
3 person or persons that a transportation network company has
4 authorized to:

- 5 1. On behalf of the TNC, file documentation with and respond to
6 requests from the Transportation Inspector and Anchorage
7 Transportation Commission;
8 2. Receive, accept and respond to all correspondence and notices
9 from the municipality pertaining to the TNC, or to affiliated
10 drivers operating within the TNC; and
11 3. Forward any correspondence, notices or legal process received
12 by the TNC and intended for a TNC driver or pertaining to a
13 TNC vehicle.

14
15 **CC.[W].** *Vehicle for hire* means any form of motorized chauffeured
16 passenger transportation offered for hire having a manufacturer's
17 stated seating capacity of 15 or fewer persons, which capacity includes
18 the driver, and does not mean an ambulance, a horse-drawn vehicle, a
19 taxicab, a limousine or a vehicle owned or leased by the Municipality
20 and used to transport passengers for hire in connection with the
21 Municipality's operation of its mass transit system. A vehicle for hire is
22 intended to satisfy a demonstrated, specific [PUBLIC] need for
23 passenger transport by offering and providing limited purpose [AND
24 SHARED] or exclusive passenger [PUBLIC] transportation services as
25 may be authorized by the commission

26
27 (AO No. 57-75; AO No. 78-177; AO No. 80-19(S); AO No. 81-149; AO No.
28 84-18; AO No. 87-8; AO No. 87-126(S); AO No. 94-21(S), § 1, 4-12-94; AO
29 No. 97-134(S-1), § 1, 12-9-97; AO No. 98-51(S), § 1, 5-4-99; AO No. 2011-
30 91(S-2), § 1, 9-27-11; AO No. 2013-109(S-1), § 1, 12-3-13)

31
32 [*The Code Revisor is directed to renumber and alphabetize the defined*
33 *terms in this section as appropriate.*]

34
35 **Section 2.** Anchorage Municipal Code section 11.10.030 is hereby amended to
36 read as follows (*the remainder of the section is not affected and therefore not set*
37 *out*):

38
39 **11.10.030 Anchorage Transportation Commission—Powers and duties.**

- 40
41 A. The commission shall regulate all [REGULATED] vehicles that are
42 chauffeured and provide transportation services [TRANSPORT
43 PERSONS] on request for a fee or charge for such transportation,
44 chauffeurs, [AND] dispatch services, and transportation network
45 companies (TNC) and their drivers and vehicles, in accordance with
46 this title except for those vehicles for hire which the commission
47 determines to be subject to a comprehensive regulatory program
48 established by Alaska or federal law. No motorized vehicle may be
49 offered for hire to transport passengers in the municipality

[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; 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] chapters 11.10 - 11.40 or adopted by the commission shall be to protect the public's interest with respect to the price, [AND] quality of service, and reasonable safety standards provided by regulated vehicles [~~ensure the health, safety and welfare of all users sharing the public roads in the municipality and of all passengers in for hire vehicles whom entrust their safety to unknown drivers and vehicles, and ensure fair competition among all providers of transportation services for remuneration~~]. Such regulations may set maximum charges for service and minimum standards for service.

* * * * *

(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; AO No. 2013-109(S-1), § 1, 12-3-13)

Section 3. Anchorage Municipal Code chapter 11.20 is hereby amended by adding new sections beginning with 11.20.500 to read as follows:

11.20.500 Transportation Network Company (TNC) vehicles: TNC endorsement required.

No person shall provide passenger transportation using a TNC service unless the vehicle the person uses to provide such transportation has a current endorsement from the TNC.

11.20.505 TNC vehicles: application for TNC endorsement.

- A. The owner of a passenger vehicle or authorized owner shall apply to the TNC for a TNC Vehicle endorsement prior to the vehicle's use for TNC Services.
- B. The information required for a TNC vehicle endorsement and to be supplied with an individual's application to the TNC to be an authorized driver includes, but is not limited to:
 - 1. At least two photographs or images of the vehicle showing the front and one side, and the back and one side, with the license plate numbers and registration tags clearly visible in at least one

- 1 of the photographs or images;
- 2 2. a copy of the motor vehicle's registration;
- 3 3. proof of automobile liability insurance coverage; and
- 4 4. other information required by the TNC.

5
6 C. A TNC shall not authorize a passenger vehicle as a TNC endorsed
7 vehicle until the following requirements are satisfied:

- 8
9 1. The vehicle passes the inspection required by section
10 11.20.515.
- 11 2. The insurance coverage required by section 11.20.530 is
12 obtained and effective.
- 13 3. The person whom is authorized to drive the TNC endorsed
14 vehicle while in service has satisfied the TNC Driver
15 requirements in chapter 11.40.
- 16 ~~4. The TNC driver for the TNC endorsed vehicle has tested the~~
17 ~~TNC's marking apparatus for fit and secure attachment to~~
18 ~~the TNC endorsed vehicle.]~~

19
20 **11.20.510 TNC vehicles: equipment[,] and markings [and consumer**
21 **notices].**

22
23 **A TNC vehicle is subject to only to the equipment and mechanical**
24 **standards set forth in sections 11.20.500 through 11.20.530. The other**
25 **provisions of this chapter 11.20, and any equipment and mechanical**
26 **standards in chapter 11.10, do not apply unless specifically made**
27 **applicable to a TNC vehicle. Nothing in sections 11.20.500 through**
28 **11.20.530 shall require or imply that a TNC vehicle is required to post**
29 **rates (as set forth in subsection 11.10.050D.) or have a video camera**
30 **surveillance system (subsection 11.10.185A.1.)**

31
32 ~~[A. Every TNC vehicle shall bear the TNC vehicle marking approved~~
33 ~~by the Transportation Inspector for the TNC service under which~~
34 ~~the TNC vehicle operates.]~~

35
36 ~~[B. Every vehicle for hire shall post the applicable rates charged for~~
37 ~~service, and a statement that video surveillance recording is in~~
38 ~~progress in such a place or manner as prescribed by the~~
39 ~~transportation inspector.]~~

40
41 **11.20.515 TNC vehicles: inspection required.**

42
43 A. A TNC shall not endorse or certify a TNC vehicle for provision of TNC
44 Services until the TNC vehicle has been inspected by a licensed and
45 certified mechanic, and certified in writing by the mechanic that the
46 vehicle was inspected and complies with the requirements in this
47 section. The mechanic's inspection certificate is valid for one year. A
48 TNC endorsed vehicle shall be inspected annually for compliance with
49 subsection B. and upon expiration of a mechanic's inspection certificate

1 the vehicle's TNC endorsement expires and the TNC shall block the
2 vehicle from the digital dispatch and provision of TNC services. The
3 TNC or TNC representative shall retain records of the inspection and
4 submit them to the transportation inspector upon request.

- 5
6 B. A TNC vehicle shall comply with the mechanical equipment standards
7 set forth in section 11.10.080E., except the taximeter requirement in
8 E.12. and the taxicab equipment and specialized equipment provisions
9 of E.21. to 23.
- 10
11 C. A TNC vehicle shall be no older than seven years, and have no more
12 than 150,000 miles on its unaltered and untampered odometer.
- 13
14 D. A TNC vehicle shall be subject to an inspection by the transportation
15 inspector or a designee at all times the TNC vehicle is logged on to the
16 digital dispatch as being available for service.

17
18 **11.20.520 TNC vehicles: restrictions on service.**

- 19
20 A. The TNC driver shall use a TNC endorsed vehicle only for passengers
21 whom request prearranged transportation and are matched with the
22 TNC driver through the use of the TNC's digital dispatch application.
- 23
24 B. The driver of a TNC endorsed vehicle while in service shall be
25 prohibited from:
- 26
27 1. Soliciting or accepting cash or other in hand currency or
28 commercial paper as payment for fares. Payment from
29 passengers for TNC Services shall be payable only
30 electronically using the passenger's electronic payment
31 information on record with the TNC's digital dispatch system.
- 32
33 2. Offering passenger transportation in response to a streetside
34 hail, flagging, telephone call, radio communication or any mode
35 of communication other than through the use of the TNC's
36 digital dispatch application.

37
38 ~~[3. Drive for more than 12 hours in any consecutive 24-hour~~
39 ~~period, whether logged in to the TNC digital dispatch as~~
40 ~~available for service or personally.]~~

41
42 ~~[B. The driver of a TNC endorsed vehicle shall not to refuse to~~
43 ~~transport a person to a requested destination located within the~~
44 ~~corporate limits of the municipality.]~~

45
46 ~~[C. The driver of a TNC endorsed vehicle shall not]~~

47
48 **11.20.525 TNC vehicles: records of service.**

49

1 (Reserved)
2

3 **11.20.530 TNC vehicles: insurance required.**
4

5 A. Before any TNC endorsement for a passenger vehicle is issued for a
6 personal vehicle, the TNC driver applicant shall furnish to the TNC one
7 or more policies or certificates of liability insurance issued by an
8 insurance company that is an authorized insurer within the meaning of
9 AS 21.97.900.

10
11 B. The insurance required by this section shall be in effect at ~~[subject to~~
12 ~~the same requirements as for taxicabs under Section~~
13 ~~11.20.100.B—C., for]~~ all times that the TNC endorsed vehicle is
14 actively [logged into the TNC digital dispatch network system
15 application, even if the TNC endorsed vehicle is not] engaged in
16 transporting a passenger. The insurance coverage required by this
17 section shall be at least the coverage as follows:
18

19 1. For all bodily injury or property damage arising from one
20 accident: Bodily injury \$100,000.00 per person, \$300,000.00
21 aggregate; property damage \$50,000.00 per occurrence;
22 and
23

24 2. For all bodily injury or property damage in any one accident
25 caused by an uninsured or underinsured motorist: Bodily
26 injury \$100,000.00 per person, \$300,000.00 aggregate;
27 property damage \$50,000.00 per occurrence.
28

29
30 C. The policy or policies of liability insurance shall be approved as to
31 substance and form by the TNC and filed therewith. Insurance policies
32 shall be issued for periods of not less than one year. The insurance
33 coverage required by this section may be satisfied by a combination of
34 insurance policies maintained by the TNC or TNC driver.
35

36 **Section 4.** Anchorage Municipal Code chapter 11.40 is hereby amended by adding
37 new sections beginning with 11.40.500 ~~[200]~~ to read as follows:
38

39 **11.40.500 Transportation Network Company (TNC): license required.**
40

41 No person may provide TNC digital dispatch services unless the person has a
42 current TNC license from the Commission.
43

44 **11.40.505 TNC: application for license.**
45

46 A. An application for a TNC license shall be made to the Transportation
47 Inspector.
48

1 B. An application for a TNC license shall be submitted on a form approved
2 by the Transportation Inspector and shall be accompanied by:

- 3
- 4 1. The fee specified in AMCR section 11.10.009;
- 5
- 6 2. Proof that the applicant has obtained and possesses a
7 functioning and capable digital dispatch system which the
8 applicant has a right to use in the intended manner;
- 9
- 10 3. A list of the name, address and telephone number of every
11 person who will have a financial, proprietary, or security interest
12 in the license;
- 13
- 14 ~~4. A proposed color scheme, name and markings to be used
15 by TNC endorsed vehicles digitally dispatched by the
16 applicant which is substantially different from the color
17 scheme, name and markings used or proposed for use by
18 any other TNC or dispatch company licensed under this
19 chapter;~~
- 20
- 21 5. Proof that the applicant, or the principals if the applicant is a
22 lawful business entity, is at least 18 years of age;
- 23
- 24 6. A signed acknowledgement and acceptance of the license
25 requirement to maintain, and to provide to the transportation
26 inspector, records of digital dispatches, complaints, and
27 complaint response;
- 28
- 29 7. A signed acknowledgment and acceptance of the requirement to
30 have a zero tolerance drug and alcohol policy, to provide
31 insurance coverage for TNC endorsed vehicles while in service
32 on the TNC digital dispatch, to conduct a nationwide criminal
33 background check, including a check of the national sex
34 offender registry database, on each TNC Driver, and otherwise
35 comply with all requirements of chapters 11.10 through 11.40
36 applicable to TNCs; and
- 37
- 38 8. Proof the applicant has ~~[a TNC representative physically
39 located within the municipality, is registered with the State
40 of Alaska as a business entity and has a business license
41 from the state, and has]~~ and maintains an agent for service of
42 process ~~[with an address for such service within the
43 municipality].~~

44

45 C. A TNC license shall be issued by the transportation inspector if the
46 applicant complies with this section and is certified as required by
47 section 11.10.170.
48

1 **11.40.510 TNC: restrictions and operation requirements.**
2

3 A. A TNC shall not own or lease any vehicle used to transport
4 passengers. Only personal vehicles owned or leased by TNC drivers
5 with a TNC endorsement may be used to provide TNC service.
6

7 B. A TNC shall contract with a credit card processing company that meets
8 the Payment Card Industry Data Security Standards.
9

10 C. **A TNC is regulated by and shall comply with sections 11.40.500**
11 **through 11.40.550. The sections of this chapter regarding a**
12 **dispatch service license do not apply to a TNC.**
13

14 ~~[A TNC shall provide the transportation inspector and enforcement~~
15 ~~officers designated by the TI with a rider account and view~~
16 ~~standard rider facing information.]~~
17

18 **11.40.515 TNC: information provided to a passenger.**
19

20 A. The TNC's digital dispatch application shall display to a prospective
21 passenger before the passenger enters the TNC endorsed vehicle, at a
22 minimum:

- 23 1. the TNC driver's first and last name and rating by prior
24 passengers; and
25 2. the license plate number of the TNC endorsed vehicle, make
26 and model.
27

28 B. **A TNC may charge a fare for the services provided to passengers;**
29 **provided that, if a fare is charged, the TNC shall disclose to**
30 **passengers the fare calculation method on its website or within**
31 **the software application service contemporaneously with the time**
32 **the services are provided. The TNC shall also provide passengers**
33 **with the applicable rates being charged and the option to receive**
34 **an estimated fare before the passenger enters the TNC Driver's**
35 **vehicle.**
36

37 ~~[Prior to commencing a passenger transport, the TNC digital~~
38 ~~dispatch application shall display and the TNC driver shall~~
39 ~~communicate to the passenger the estimated fare amount for the~~
40 ~~requested transport. The passenger must affirmatively accept the~~
41 ~~estimate prior to the TNC driver commencing the transportation.~~
42 ~~The actual fare charged shall not exceed more than 10% of the~~
43 ~~estimated fare, if the estimated route and actual route taken for the~~
44 ~~trip are substantially similar and any difference between the~~
45 ~~estimated trip distance and actual trip distance is less than plus or~~
46 ~~minus 10% of the actual trip distance.]~~
47

48 C. After a passenger transport is completed and the passenger has

1 disembarked, the TNC digital dispatch shall send an electronic receipt
2 to the passenger at the electronic contact destination selected by the
3 passenger when registering for the TNCs digital dispatch services. The
4 TNC digital dispatch shall also display to the passenger by an SMS
5 alert, email, or other notification on the passenger's smartphone, tablet
6 or other mobile device the actual time and distance of the trip, and
7 itemization of the total fare paid. The electronic receipt shall include:

- 8 1. The origin and destination of the completed trip;
9 2. ~~[The TNC driver's first and last name;]~~
10 ~~[3].~~ The total time and distance of the trip;
11 ~~3[4].~~ An itemization of the ~~[charges and the]~~ total fare paid, if any. ~~;~~
12 ~~and]~~
13 ~~[5. Contact information for providing a rating of the TNC~~
14 ~~endorsed vehicle or the driver, and for lodging complaints~~
15 ~~and disputes.]~~

16
17 **11.40.520 TNC: TNC Driver requirements.**

- 18
19 A. A TNC Driver is an individual who operates a TNC endorsed vehicle
20 that is
21 1. owned, leased or otherwise authorized for use by the individual;
22 2. not a taxicab, limousine, or vehicle for hire; and
23 3. used to provide TNC services to passengers when the vehicle is
24 logged on to the TNC's digital dispatch as in service.
25
26 B. A TNC shall not authorize a person to provide TNC services as a TNC
27 driver unless:
28
29 1. The person submits an application to the TNC which includes:
30
31 a. A photograph of the applicant, in a portrait or headshot
32 style clearly showing the applicant from the shoulders up;
33 b. Proof of a negative drug test certificate from an illicit drug
34 testing facility;
35 c. A copy or image of the applicant's driver's license issued
36 by the State of Alaska and driving history;
37 d. Proof that the applicant is at least 19 years old; and
38 e. Information pertaining to the applicant's passenger
39 vehicle intended for use as a TNC endorsed vehicle,
40 which is required for such endorsement under section
41 11.20.505B.
42
43 2. The TNC has obtained a finger print based criminal background
44 check through the Alaska Department of Public Safety, which:
45 a. Shall include processing through the Alaska automated
46 fingerprint system;
47 b. Shall include a national criminal history record check;
48 c. Is processed by the Alaska Department of Public Safety
49 including any Federal Bureau of Investigation processing

- 1 of fingerprints, and processing of information requests
2 including contacting other jurisdictions to determine the
3 disposition of an out-of-state arrest or to clarify the nature
4 of an out-of-state conviction; and
- 5 d. was produced less than 30 days from the TNCs
6 authorization of the applicant to be a TNC driver and was
7 not altered or marked by any person other than
8 authorized employees or agents of the Alaska
9 Department of Public Safety or the TNC, except that any
10 sealed records or reports of the same shall be excluded
11 from the submission.
- 12
- 13 3. The TNC obtained and reviewed a driving record history
14 research report for the applicant.
- 15
- 16 4. The TNC has checked the applicant against the National Sex
17 Offender Registry database.
- 18
- 19 5. The driving record history and criminal background check
20 indicate:
 - 21 a. The applicant has not had a conviction entered by a court
22 of competent jurisdiction within 12 months of:
 - 23 i. A moving traffic violation which subjected the
24 applicant's driver's license to suspension or
25 revocation pursuant to AS 28.15.221—28.15.261,
26 or a similar law of another jurisdiction;
 - 27 ii. Reckless driving;
 - 28 iii. Driving while license suspended or revoked; or
 - 29 iv. Driving while under the influence of intoxicating
30 liquor, depressant, hallucinogenic, stimulant or
31 narcotic drugs, or any controlled substance as
32 defined in AS 28.35.030 or any similar law of
33 another jurisdiction;
 - 34 b. The applicant has not had his or her driver's license
35 suspended or revoked within one year prior to the
36 application date, in Alaska or another jurisdiction;
 - 37 c. The TNC finds no charges pending against the applicant
38 for criminally offensive sexual behavior in any jurisdiction
39 included within the review;
 - 40 d. The applicant has not had a felony or misdemeanor
41 conviction entered by a court of competent jurisdiction
42 within five years for:
 - 43 i. Assignment, prostitution, solicitation for the
44 purpose of prostitution, offering to secure another
45 for the purpose of prostitution, maintaining a
46 vehicle for the purpose of prostitution or accepting
47 money from a prostitute for any of the
48 aforementioned purposes;
 - 49 ii. Sale, transportation, possession or use of any

- 1 controlled substance as defined in AS 11.71 or
2 any similar law of another jurisdiction;
3 iii. Any felony or misdemeanor which includes as an
4 element the use or threat of force upon a person;
5 iv. Burglary, larceny, fraud, theft or embezzlement;
6 v. Any offense which pertains to sexual abuse of a
7 minor or sexual exploitation of a minor;
8 e. Each representation made in the application is correct;
9 the TNC shall deny or revoke the TNC driver
10 authorization for any applicant when the TNC discovers
11 any false or misleading statement or misrepresentation
12 as to a material matter in an application; and
13 f. The applicant is not required to register as a sex offender
14 or child kidnapper:
15 i. In the State of Alaska pursuant to AS 12.63.010;
16 or
17 ii. In another jurisdiction pursuant to the laws of that
18 jurisdiction, if the elements of the underlying
19 offense are substantially similar to the State of
20 Alaska offenses for which registration is required
21 pursuant to AS 12.63.010.

- 22
23 C. A TNC shall deny TNC driver authorization and endorsement as a TNC
24 vehicle to any applicant that provides a positive drug test and decline
25 that applicant TNC driver authorization for at least one year.

26
27 **11.40.525 TNC: zero tolerance for drug or alcohol use.**

28
29 A TNC shall adopt a zero tolerance policy for drug and alcohol use during or
30 prior to a TNC driver's status as logged in and available for service. A copy of
31 the policy shall be provided to the commission. The TNC shall require a TNC
32 driver to specifically acknowledge and agree to the policy prior to authorizing
33 the person as a TNC driver.

34
35 **11.40.530 TNC:**

36
37 (Reserved)

38
39 **11.40.540 TNC: Records.**

- 40
41 A. A TNC shall maintain in a form readily accessible and retrievable in a
42 readable form the following records:
43
44 1. The name and address of the TNC Driver for each TNC
45 endorsed vehicle digitally dispatched ~~[and the number of daily~~
46 ~~hours each such TNC Vehicle is operated during every~~
47 ~~calendar month];~~
48
49 2. Daily digital dispatch activity, which shall include:

- 1 a. The TNC endorsed vehicle license number, make and
- 2 model;
- 3 b. The name or identification and license number of the
- 4 TNC Driver of the TNC endorsed vehicle;
- 5 c. The time of calls for service;
- 6 d. The service time requested by the passenger;
- 7 e. The time the request for service was fulfilled;
- 8 f. Whether the request was for service in the Girdwood or
- 9 Chugiak-Eagle River areas.
- 10 g. The place of passenger pickup and location of drop off;
- 11 h. If the TNC endorsed vehicle picking up a passenger
- 12 digitally dispatched for a rider request was not the
- 13 nearest available TNC endorsed vehicle in service and
- 14 awaiting passenger requests, a statement of the reason;
- 15 and
- 16
- 17 3. The fare estimated for the passenger prior to the transport, and
- 18 the fare charged after completion of the TNC service to the
- 19 passenger; and
- 20
- 21 4. All complaints received from members of the public or
- 22 passengers, with the investigation, resolution, referral, and
- 23 follow-up for each complaint noted.
- 24
- 25 B. The records maintained pursuant to subsection A. of this section shall
- 26 be retained by the TNC for at least two full calendar years.
- 27
- 28 C. The records shall be open for review by the administrative hearing
- 29 officer, the commission, the transportation inspector, the municipal
- 30 department of law, or a police officer.
- 31
- 32 D. The TNC shall forward records to the transportation inspector upon
- 33 request and annually at license renewal. The Transportation Inspector
- 34 may require that a TNC forward the records on a monthly or other
- 35 periodic basis.
- 36

37 **11.40.550 TNC:**

38
39 (Reserved)

40
41
42 **Section 5.** Anchorage Municipal Code section 11.10.010 is hereby amended to
43 read as follows (*the remainder of the section is not affected and therefore not set*
44 *out*):

45
46 **11.40.053 Communication requirement between dispatchers and**
47 **taxicab chauffeurs.**

48
49 A. *Two-way radio communication.* Each dispatch company licensed under

1 this title must operate and maintain a two-way communications system
 2 between dispatchers and taxicab chauffeurs. The two-way
 3 communications system shall allow each chauffeur on a dispatch
 4 company radio frequency to monitor dispatcher transmissions and
 5 transmissions from other chauffeurs on that dispatch company radio
 6 frequency unless they met requirements of subsection B.

7
 8 B. *Computerized dispatch communication.* Any dispatch company which
 9 has installed and is using a GPS based electronic dispatch system
 10 which transmits digital communication to and from its taxicabs is not
 11 required to maintain continuous two-way voice communication between
 12 its taxicabs and dispatch service.

13
 14 C. Digital dispatch system. In addition to the alternative requirements of
 15 two-way radio or computerized dispatch communication capability, a
 16 licensed dispatch service company may supplement its services with a
 17 digital dispatch system as defined in section 11.10.010.

18
 19 D. Any dispatch company which has installed and is using a GPS based
 20 electronic dispatch system or digital dispatch system which transmits
 21 digital communications to and from its taxicabs is not required to have
 22 radio identifiers from the taxis to the dispatch when on voice.

23
 24 E. This section shall not apply to a TNC regulated by sections
 25 11.40.500 through 11.40.550.

26
 27 (AO No. 98-187, § 8, 3-15-99; AO No. 98-51(S), § 4, 5-4-99)

28
 29 **Section 6.** Anchorage Municipal Code section 14.60.030 is hereby amended to
 30 read as follows (*the remainder of the section omitted is not affected and therefore not*
 31 *set out*):

32 **14.60.030 Fine schedule.**

33 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	
11.30.150	Safety equipment tampering	
	First violation:	\$250.00
	Second violation:	\$500.00
	Third violation:	\$750.00
	Fourth violation:	\$1,000.00
<u>11.40.500-.550</u>	<u>TNC requirements violations</u>	<u>\$500.00</u>
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(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; AO No. 2013-109(S-1), § 5, 12-3-13; AO No. 2013-130(S-1), § 1, 1-14-14; AO No. 2014-42, § 31, 6-21-14)

Section 7. Anchorage Municipal Code of Regulations section 11.10.009 is hereby amended to read as follows:

11.10.009 Rates, fares, and fees.

* * * * *

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

1. Fifty dollars 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 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 \$1,050.00; or
 - b. The original permit for a vehicle for hire is issued for any period of six months or less, as designated by the applicant, in which case the fee is \$1,050.00.
 - c. The original permit or annual renewal for a vehicle for hire is issued for seasonal operations of any period of six months or less, as designated by the applicant, in which case the fee is \$1,050.00.

Taxicab permits shall originally be issued for the successful bid price pursuant to section 11.20.030 D. and thereafter in

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accordance with this section.

- 3. Three thousand five hundred dollars shall be paid for the issuance or annual renewal of any dispatch license.
- 4. Sixty-five dollars shall be paid for the issuance or biennial renewal of a chauffeur's license.

* * * * *

12. Fifteen thousand dollars (\$15,000) shall be paid for the issuance of an annual TNC 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; AO No. 2013-109(S-1), § 6, 12-3-13)

Section 8. This ordinance shall be effective immediately upon passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this _____ day of _____, 2014.

Chair of the Assembly

ATTEST:

Municipal Clerk