

**ATTACHMENT TO AO 2014-127(S)**

Submitted by: Assembly Member Evans  
Prepared by: Department of Law  
For reading: November 18, 2014

**ANCHORAGE, ALASKA**

**AO No. 2014-135(S)**

**Reviewed & Discussed at Assembly Transportation Committee Meeting  
October 30, 2014**

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 currently 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

1 read as follows (*the remainder of the section is not affected and therefore not set*  
2 *out*):

3  
4 **11.10.010 Definitions.**

5  
6 When used in chapters 11.10—11.40:

7  
8 \* \* \* \* \*

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

19  
20 \* \* \* \* \*

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

27 \* \* \* \* \*

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

40  
41 Z. *Transportation network company (TNC) driver* means a person with a  
42 driver’s license affiliated with and accepting prearranged trips from a  
43 licensed transportation network company’s online app or digital  
44 dispatch system. For purposes of this chapter, at any time while a  
45 driver is active on the TNC dispatch system, the driver is considered a  
46 TNC driver.

47  
48 AA. *Transportation network company (TNC) endorsed vehicle* means a  
49 personal motor vehicle used for the transportation of passengers for

1 compensation that is affiliated with a licensed transportation network  
2 company and that has been certified by the TNC as having met the  
3 inspection and minimum operating requirements as set forth in chapter  
4 11.20 and is authorized to provide the TNC’s Services using the TNC’s  
5 digital dispatch.

6  
7 **BB.** Transportation network company (TNC) representative means the  
8 person or persons that a transportation network company has  
9 authorized to:

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

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

31  
32 (AO No. 57-75; AO No. 78-177; AO No. 80-19(S); AO No. 81-149; AO No.  
33 84-18; AO No. 87-8; AO No. 87-126(S); AO No. 94-21(S), § 1, 4-12-94; AO  
34 No. 97-134(S-1), § 1, 12-9-97; AO No. 98-51(S), § 1, 5-4-99; AO No. 2011-  
35 91(S-2), § 1, 9-27-11; AO No. 2013-109(S-1), § 1, 12-3-13)

36  
37 [*The Code Revisor is directed to renumber and alphabetize the defined*  
38 *terms in this section as appropriate.*]

39  
40 **Section 2.** Anchorage Municipal Code section 11.10.030 is hereby amended to  
41 read as follows (*the remainder of the section is not affected and therefore not set*  
42 *out*):

43  
44 **11.10.030 Anchorage Transportation Commission—Powers and duties.**

- 45  
46 A. The commission shall regulate all [REGULATED] vehicles that are  
47 chauffeured and provide transportation services [TRANSPORT  
48 PERSONS] on request for a fee or charge for such transportation,  
49 chauffeurs, [AND] dispatch services, and transportation network

1 companies (TNC) and their drivers and vehicles, in accordance with  
2 this title except for those vehicles for hire which the commission  
3 determines to be subject to a comprehensive regulatory program  
4 established by Alaska or federal law. No motorized vehicle may be  
5 offered for hire to transport passengers in the municipality  
6 [ANCHORAGE] without being a regulated vehicle, or a vehicle owned  
7 or leased by the Municipality and used to transport passengers for hire  
8 in connection with the Municipality's operation of its mass transit  
9 system. The commission shall not regulate amusement or novelty  
10 rides; courtesy vehicles; buses or bus service; unless the operation of  
11 the vehicle is the same as or substantially similar to the operation of a  
12 limousine, a courtesy vehicle which derives its revenue from or on  
13 behalf of a passenger, or a taxicab, as those terms are defined in  
14 section 11.10.010, which shall be subject to regulation by the  
15 commission. Vehicles with a manufacturer's rated seating capacity of  
16 16 or more persons, which capacity includes the driver, shall not be  
17 regulated by the commission. The purpose of the regulations set forth  
18 in [THIS] chapters 11.10 - 11.40 or adopted by the commission shall be  
19 to protect the public's interest with respect to the price, [AND] quality of  
20 service, and reasonable safety standards provided by regulated  
21 vehicles [~~ensure the health, safety and welfare of all users~~  
22 ~~sharing the public roads in the municipality and of all passengers~~  
23 ~~in for hire vehicles whom entrust their safety to unknown drivers~~  
24 ~~and vehicles, and ensure fair competition among all providers of~~  
25 ~~transportation services for remuneration~~]. Such regulations may set  
26 maximum charges for service and minimum standards for service.

27 \* \* \* \* \*

28 (AO No. 57-75; AO No. 78-177; AO No. 81-149; AO No. 85-87; AO No. 87-8;  
29 AO No. 88-21; AO No. 93-220, § 1, 2-22-94; AO No. 98-51(S), § 1, 5-4-99; AO  
30 No. 2013-109(S-1), § 1, 12-3-13)

31  
32 **Section 3.** Anchorage Municipal Code chapter 11.20 is hereby amended by adding  
33 new sections beginning with 11.20.500 to read as follows:

34  
35 **11.20.500 Transportation Network Company (TNC) vehicles: TNC**  
36 **endorsement required.**

37  
38 No person shall provide passenger transportation using a TNC service unless  
39 the vehicle the person uses to provide such transportation has a current  
40 endorsement from the TNC.

41  
42 **11.20.505 TNC vehicles: application for TNC endorsement.**

43  
44 A. The owner of a passenger vehicle or authorized owner shall apply to  
45 the TNC for a TNC Vehicle endorsement prior to the vehicle's use for  
46 TNC Services.

47  
48 B. The information required for a TNC vehicle endorsement and to be

1 supplied with an individual's application to the TNC to be an authorized  
2 driver includes, but is not limited to:

- 3 1. At least two photographs or images of the vehicle showing the  
4 front and one side, and the back and one side, with the license  
5 plate numbers and registration tags clearly visible in at least one  
6 of the photographs or images;
- 7 2. a copy of the motor vehicle's registration;
- 8 3. proof of automobile liability insurance coverage; and
- 9 4. other information required by the TNC.

10  
11 C. A TNC shall not authorize a passenger vehicle as a TNC endorsed  
12 vehicle until the following requirements are satisfied:

- 13 1. The vehicle passes the inspection required by section  
14 11.20.515.
- 15 2. The insurance coverage required by section 11.20.530 is  
16 obtained and effective.
- 17 3. The person whom is authorized to drive the TNC endorsed  
18 vehicle while in service has satisfied the TNC Driver  
19 requirements in chapter 11.40.

20  
21 ~~[4. The TNC driver for the TNC endorsed vehicle has tested the~~  
22 ~~TNC's marking apparatus for fit and secure attachment to~~  
23 ~~the TNC endorsed vehicle.]~~

24  
25 **11.20.510 TNC vehicles: equipment[, and markings [~~and consumer~~**  
26 **~~notices~~].**

27  
28 **A TNC vehicle is subject to only to the equipment and mechanical**  
29 **standards set forth in sections 11.20.500 through 11.20.530. The other**  
30 **provisions of this chapter 11.20, and any equipment and mechanical**  
31 **standards in chapter 11.10, do not apply unless specifically made**  
32 **applicable to a TNC vehicle. Nothing in sections 11.20.500 through**  
33 **11.20.530 shall require or imply that a TNC vehicle is required to post**  
34 **rates (as set forth in subsection 11.10.050D.) or have a video camera**  
35 **surveillance system (subsection 11.10.185A.1.)**

36  
37 ~~[A. Every TNC vehicle shall bear the TNC vehicle marking approved~~  
38 ~~by the Transportation Inspector for the TNC service under which~~  
39 ~~the TNC vehicle operates.]~~

40  
41 ~~[B. Every vehicle for hire shall post the applicable rates charged for~~  
42 ~~service, and a statement that video surveillance recording is in~~  
43 ~~progress in such a place or manner as prescribed by the~~  
44 ~~transportation inspector.]~~

45  
46 **11.20.515 TNC vehicles: inspection required.**

47  
48 A. A TNC shall not endorse or certify a TNC vehicle for provision of TNC  
49 Services until the TNC vehicle has been inspected by a licensed and

1 certified mechanic, and certified in writing by the mechanic that the  
2 vehicle was inspected and complies with the requirements in this  
3 section. The mechanic's inspection certificate is valid for one year. A  
4 TNC endorsed vehicle shall be inspected annually for compliance with  
5 subsection B. and upon expiration of a mechanic's inspection certificate  
6 the vehicle's TNC endorsement expires and the TNC shall block the  
7 vehicle from the digital dispatch and provision of TNC services. The  
8 TNC or TNC representative shall retain records of the inspection and  
9 submit them to the transportation inspector upon request.

- 10  
11 B. A TNC vehicle shall comply with the mechanical equipment standards  
12 set forth in section 11.10.080E., except the taximeter requirement in  
13 E.12. and the taxicab equipment and specialized equipment provisions  
14 of E.21. to 23.  
15  
16 C. A TNC vehicle shall be no older than seven years, and have no more  
17 than 150,000 miles on its unaltered and untampered odometer.  
18  
19 D. A TNC vehicle shall be subject to an inspection by the transportation  
20 inspector or a designee at all times the TNC vehicle is logged on to the  
21 digital dispatch as being available for service.  
22

23 **11.20.520 TNC vehicles: restrictions on service.**

- 24  
25 A. The TNC driver shall use a TNC endorsed vehicle only for passengers  
26 whom request prearranged transportation and are matched with the  
27 TNC driver through the use of the TNC's digital dispatch application.  
28  
29 B. The driver of a TNC endorsed vehicle while in service shall be  
30 prohibited from:  
31  
32 1. Soliciting or accepting cash or other in hand currency or  
33 commercial paper as payment for fares. Payment from  
34 passengers for TNC Services shall be payable only  
35 electronically using the passenger's electronic payment  
36 information on record with the TNC's digital dispatch system.  
37  
38 2. Offering passenger transportation in response to a streetside  
39 hail, flagging, telephone call, radio communication or any mode  
40 of communication other than through the use of the TNC's  
41 digital dispatch application.  
42  
43 ~~[3. Drive for more than 12 hours in any consecutive 24-hour~~  
44 ~~period, whether logged in to the TNC digital dispatch as~~  
45 ~~available for service or personally.]~~

- 46  
47 ~~[B. The driver of a TNC endorsed vehicle shall not to refuse to~~  
48 ~~transport a person to a requested destination located within the~~  
49 ~~corporate limits of the municipality.]~~

1  
2 ~~[C. — The driver of a TNC endorsed vehicle shall not]~~

3  
4 **11.20.525 TNC vehicles: records of service.**

5  
6 (Reserved)

7  
8 **11.20.530 TNC vehicles: insurance required.**

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

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

23  
24 **1. For all bodily injury or property damage arising from one**  
25 **accident: Bodily injury \$100,000.00 per person, \$300,000.00**  
26 **aggregate; property damage \$50,000.00 per occurrence;**  
27 **and**

28  
29 **2. For all bodily injury or property damage in any one accident**  
30 **caused by an uninsured or underinsured motorist: Bodily**  
31 **injury \$100,000.00 per person, \$300,000.00 aggregate;**  
32 **property damage \$50,000.00 per occurrence.**

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

40  
41 **Section 4.** Anchorage Municipal Code chapter 11.40 is hereby amended by adding  
42 new sections beginning with 11.40.**500** ~~[200]~~ to read as follows:

43  
44 **11.40.500 Transportation Network Company (TNC): license required.**

45  
46 No person may provide TNC digital dispatch services unless the person has a  
47 current TNC license from the Commission.  
48

1           **11.40.505    TNC: application for license.**  
2

3           A.     An application for a TNC license shall be made to the Transportation  
4           Inspector.

5  
6           B.     An application for a TNC license shall be submitted on a form approved  
7           by the Transportation Inspector and shall be accompanied by:

8  
9           1.     The fee specified in AMCR section 11.10.009;

10  
11          2.     Proof that the applicant has obtained and possesses a  
12           functioning and capable digital dispatch system which the  
13           applicant has a right to use in the intended manner;

14  
15          3.     A list of the name, address and telephone number of every  
16           person who will have a financial, proprietary, or security interest  
17           in the license;

18  
19          ~~4.     A proposed color scheme, name and markings to be used  
20           by TNC endorsed vehicles digitally dispatched by the  
21           applicant which is substantially different from the color  
22           scheme, name and markings used or proposed for use by  
23           any other TNC or dispatch company licensed under this  
24           chapter;]~~

25  
26          5.     Proof that the applicant, or the principals if the applicant is a  
27           lawful business entity, is at least 18 years of age;

28  
29          6.     A signed acknowledgement and acceptance of the license  
30           requirement to maintain, and to provide to the transportation  
31           inspector, records of digital dispatches, complaints, and  
32           complaint response;

33  
34          7.     A signed acknowledgment and acceptance of the requirement to  
35           have a zero tolerance drug and alcohol policy, to provide  
36           insurance coverage for TNC endorsed vehicles while in service  
37           on the TNC digital dispatch, to conduct a nationwide criminal  
38           background check, including a check of the national sex  
39           offender registry database, on each TNC Driver, and otherwise  
40           comply with all requirements of chapters 11.10 through 11.40  
41           applicable to TNCs; and

42  
43          8.     Proof the applicant has ~~[a TNC representative physically  
44           located within the municipality, is registered with the State  
45           of Alaska as a business entity and has a business license  
46           from the state, and has]~~ and maintains an agent for service of  
47           process ~~[with an address for such service within the  
48           municipality].~~



- 1  
2 C. A TNC license shall be issued by the transportation inspector if the  
3 applicant complies with this section and is certified as required by  
4 section 11.10.170.

5  
6 **11.40.510 TNC: restrictions and operation requirements.**

- 7  
8 A. A TNC shall not own or lease any vehicle used to transport  
9 passengers. Only personal vehicles owned or leased by TNC drivers  
10 with a TNC endorsement may be used to provide TNC service.  
11  
12 B. A TNC shall contract with a credit card processing company that meets  
13 the Payment Card Industry Data Security Standards.  
14  
15 C. **A TNC is regulated by and shall comply with sections 11.40.500**  
16 **through 11.40.550. The sections of this chapter regarding a**  
17 **dispatch service license do not apply to a TNC.**

18  
19 ~~[A TNC shall provide the transportation inspector and enforcement~~  
20 ~~officers designated by the TI with a rider account and view~~  
21 ~~standard rider facing information.]~~  
22

23 **11.40.515 TNC: information provided to a passenger.**

- 24  
25 A. The TNC's digital dispatch application shall display to a prospective  
26 passenger before the passenger enters the TNC endorsed vehicle, at a  
27 minimum:  
28 1. the TNC driver's first and last name and rating by prior  
29 passengers; and  
30 2. the license plate number of the TNC endorsed vehicle, make  
31 and model.

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

41  
42 ~~[Prior to commencing a passenger transport, the TNC digital~~  
43 ~~dispatch application shall display and the TNC driver shall~~  
44 ~~communicate to the passenger the estimated fare amount for the~~  
45 ~~requested transport. The passenger must affirmatively accept the~~  
46 ~~estimate prior to the TNC driver commencing the transportation.~~  
47 ~~The actual fare charged shall not exceed more than 10% of the~~  
48 ~~estimated fare, if the estimated route and actual route taken for the~~

1 ~~trip are substantially similar and any difference between the~~  
2 ~~estimated trip distance and actual trip distance is less than plus or~~  
3 ~~minus 10% of the actual trip distance.]~~

- 4  
5 C. After a passenger transport is completed and the passenger has  
6 disembarked, the TNC digital dispatch shall send an electronic receipt  
7 to the passenger at the electronic contact destination selected by the  
8 passenger when registering for the TNCs digital dispatch services. The  
9 TNC digital dispatch shall also display to the passenger by an SMS  
10 alert, email, or other notification on the passenger's smartphone, tablet  
11 or other mobile device the actual time and distance of the trip, and  
12 itemization of the total fare paid. The electronic receipt shall include:  
13 1. The origin and destination of the completed trip;  
14 2. ~~[The TNC driver's first and last name;]~~  
15 ~~[3].~~ The total time and distance of the trip;  
16 ~~3[4].~~ An itemization of the ~~[charges and the]~~ total fare paid, if any. [~~;~~  
17 ~~and]~~  
18 ~~[5. Contact information for providing a rating of the TNC~~  
19 ~~endorsed vehicle or the driver, and for lodging complaints~~  
20 ~~and disputes.]~~

21  
22 **11.40.520 TNC: TNC Driver requirements.**

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

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

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

28  
29 C. A TNC shall deny TNC driver authorization and endorsement as a TNC  
30 vehicle to any applicant that provides a positive drug test and decline  
31 that applicant TNC driver authorization for at least one year.

32  
33 **11.40.525 TNC: zero tolerance for drug or alcohol use.**

34  
35 A TNC shall adopt a zero tolerance policy for drug and alcohol use during or  
36 prior to a TNC driver's status as logged in and available for service. A copy of  
37 the policy shall be provided to the commission. The TNC shall require a TNC  
38 driver to specifically acknowledge and agree to the policy prior to authorizing  
39 the person as a TNC driver.

40  
41 **11.40.530 TNC:**

42  
43 (Reserved)

44  
45 **11.40.540 TNC: Records.**

46  
47 A. A TNC shall maintain in a form readily accessible and retrievable in a  
48 readable form the following records:

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1. The name and address of the TNC Driver for each TNC endorsed vehicle digitally dispatched ~~[and the number of daily hours each such TNC Vehicle is operated during every calendar month]~~;
2. Daily digital dispatch activity, which shall include:
  - a. The TNC endorsed vehicle license number, make and model;
  - b. The name or identification and license number of the TNC Driver of the TNC endorsed vehicle;
  - c. The time of calls for service;
  - d. The service time requested by the passenger;
  - e. The time the request for service was fulfilled;
  - f. Whether the request was for service in the Girdwood or Chugiak-Eagle River areas.
  - g. The place of passenger pickup and location of drop off;
  - h. If the TNC endorsed vehicle picking up a passenger digitally dispatched for a rider request was not the nearest available TNC endorsed vehicle in service and awaiting passenger requests, a statement of the reason; and
3. The fare estimated for the passenger prior to the transport, and the fare charged after completion of the TNC service to the passenger; and
4. All complaints received from members of the public or passengers, 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 TNC for at least two full calendar years.

C. The records shall be open for review by the administrative hearing officer, the commission, the transportation inspector, the municipal department of law, or a police officer.

D. The TNC shall forward records to the transportation inspector upon request and annually at license renewal. The Transportation Inspector may require that a TNC forward the records on a monthly or other periodic basis.

**11.40.550 TNC:**

(Reserved)

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

1  
2 **11.40.053 Communication requirement between dispatchers and**  
3 **taxicab chauffeurs.**  
4

- 5 A. *Two-way radio communication.* Each dispatch company licensed under  
6 this title must operate and maintain a two-way communications system  
7 between dispatchers and taxicab chauffeurs. The two-way  
8 communications system shall allow each chauffeur on a dispatch  
9 company radio frequency to monitor dispatcher transmissions and  
10 transmissions from other chauffeurs on that dispatch company radio  
11 frequency unless they met requirements of subsection B.  
12  
13 B. *Computerized dispatch communication.* Any dispatch company which  
14 has installed and is using a GPS based electronic dispatch system  
15 which transmits digital communication to and from its taxicabs is not  
16 required to maintain continuous two-way voice communication between  
17 its taxicabs and dispatch service.  
18  
19 C. Digital dispatch system. In addition to the alternative requirements of  
20 two-way radio or computerized dispatch communication capability, a  
21 licensed dispatch service company may supplement its services with a  
22 digital dispatch system as defined in section 11.10.010.  
23  
24 D. Any dispatch company which has installed and is using a GPS based  
25 electronic dispatch system or digital dispatch system which transmits  
26 digital communications to and from its taxicabs is not required to have  
27 radio identifiers from the taxis to the dispatch when on voice.  
28  
29 E. This section shall not apply to a TNC regulated by sections  
30 11.40.500 through 11.40.550.  
31

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

33  
34 **Section 6.** Anchorage Municipal Code section 14.60.030 is hereby amended to  
35 read as follows (*the remainder of the section omitted is not affected and therefore not*  
36 *set out*):

37 **14.60.030 Fine schedule.**

38 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 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