

Title 5

BUSINESS LICENSES AND REGULATIONS

Chapters:

5.04 Vehicles for Hire

Chapter 5.04

VEHICLES FOR HIRE

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5.04.010 Certificate of authorization.

No person, other than the city shall operate or permit a vehicle owned or controlled by him to be operated as a vehicle for hire within the limits of the city without having first obtained a certificate of authorization to operate a motor vehicle for hire from the city council. (Ord. 91-04 § 1, 1991)

5.04.020 Certificate application.

A. An application for a certificate shall be filed with the city clerk upon forms provided by the city. An application fee of one hundred dollars shall be submitted with the application; the fee is nonrefundable. The application shall be verified under oath

and shall contain the following information and statements.

1. The name, address and phone number of the applicant;

2. The names, addresses and phone numbers of all persons or organizations having a financial or proprietary interest in the vehicle for which the certificate is sought;

3. Proof of insurance satisfying the requirements of Section 5.04.040;

4. Statement the applicant has not been convicted of a felony for the past five years or a misdemeanor involving a violation of the motor vehicle laws, traffic laws or the alcoholic beverage laws of the state of Alaska or the city for the past two years;

5. Proof of the applicant is eighteen years of age or older and possess a valid Alaska Drivers License;

6. Any other information the city manager may require.

B. If the application is for the renewal of a certificate or is from a prior certificate holder the issuance of the certificate is contingent upon the production of records required in Section 5.04.100 for the prior certificate and the full payment of any taxes or other outstanding indebtedness due the city. (Ord. 91-04 § 2, 1991)

5.04.030 Certificate issuance.

Within sixty days of the receipt of the application for a certificate by the city clerk, the city council shall issue a certificate if the applicant has met the conditions set forth on the application and neither the applicant nor any person or organization listed as having a financial or proprietary interest in the vehicle has had within the preceding three years a prior certificate suspended or revoked. The council shall not

consider the factor of public in need in determining whether to issue a certificate. (Ord. 91-04 § 3, 1991)

5.04.040 Insurance required.

A. Before any certificate of authorization to operate a vehicle for hire is issued, the applicant therefor shall furnish one or more policies or certificates of insurance assured by an insurance company authorized to do business in the state of Alaska providing indemnity for the insured in the amounts specified herein and agreeing to pay, within the limits of said amounts, to any judgment creditor recovering final judgment (other than an employee of the insured) for personal injuries, including death, and damages to property suffered during the applicable year in which the insurance is in effect, resulting from the negligent operation, maintenance or use of the vehicle.

The minimum insurance liability of the applicant as to any one covered vehicle for hire shall be the minimum established by the state of Alaska.

B. Every such insurance policy or certificate shall contain a clause obligating the insurer or surety to give the city clerk, by registered mail, at least fifteen days' written notice before the cancellation, expiration, lapse or other termination of said insurance. (Ord. 91-04 § 4, 1991)

5.04.050 Transfer of certificate.

A certificate to operate a motor vehicle for hire is nontransferable. (Ord. 91-04 § 5, 1991)

5.04.060 Suspension and revocation of certificate.

A. A certificate issued under the provi-

sions of this chapter shall be revoked or suspended by the city manager if the holder thereof has:

1. Violated any of the provisions of this chapter;

2. Permitted insurance coverage on the motor vehicle to lapse;

3. Permitted a driver found guilty of violating the motor vehicle laws, traffic laws or the alcoholic beverage laws of the state of Alaska or the city within the preceding two years to operate the motor vehicles;

4. Violated any ordinances of the city or the laws of the United States or the state of Alaska, the violation of which reflects unfavorably on the fitness of the holder to offer public transportation;

5. Permitted an unlicensed driver to operate the vehicle.

B. A certificate shall be revoked if a driver of the motor vehicle is found guilty of violating the motor vehicle laws, traffic laws or the alcoholic beverage laws of the state of Alaska or the city while operating the certificated motor vehicle. A violation as to one certificate may result in the suspension or revocation of other certificates which may be in the holder's possession or control.

C. Prior to suspension or revocation, the holder shall be given notice of the proposed action to be taken, and shall have an opportunity to be heard, with the right of appeal to the city council. (Ord. 91-04 § 6, 1991)

5.04.070 Expiration of certificate.

A certificate for the operation of a motor vehicle for hire expires one year from the date of issue. (Ord. 91-04 § 7, 1991)

5.04.080 Numbers of vehicles per certificate.

Only one vehicle, which shall be designated on the application for the certificate, shall be operated pursuant to the certificate issued. Upon application to the city manager and a demonstration of need, operation of a substitute vehicle shall be authorized for the duration of the certificate provided the insurance requirements set forth at Section 5.04.040 are satisfied with respect to the substitute vehicle. (Ord. 91-04 § 8, 1991)

5.04.090 Maximum number of hours per day.

No person may drive a vehicle for hire in excess of twelve consecutive hours. A driver may not drive a vehicle for hire until another eight hours has elapsed. No driver of a vehicle for hire may engage in other employment that requires eight working hours per day. (Amended during 1944 codification; Ord. 91-04 § 9, 1991)

5.04.100 Records.

If the city council by resolution directs or upon implementation of a city-wide sales tax every certificate shall maintain records for the vehicle operated pursuant to the permit which shall include:

A. The name, address, telephone number, license number and expiration date, date of hire and date of termination for each person that drives the vehicle;

B. The daily hours worked by each person driving the vehicle;

C. The number of daily hours the vehicle is operated during each calendar month;

D. Daily manifests listing the time and place of each passenger pickup and delivery, the number of passengers, the amount

of fare received, the time of the call for service and the name of the driver responding.

In the absence of a city council resolution or a sales tax affecting vehicles for hire such records need not be maintained. (Ord. 91-04 § 10, 1991)

5.04.110 Regulation of fares and charges.

A. Fares shall be at all times posted in a conspicuous place in the interior of the vehicle, and the fares shall be nondiscriminatory.

B. The city council may regulate the fares and charges for the use of any vehicle for hire certificated pursuant to this chapter. Any and all fares which may be set by the city council will be set forth as Schedule A attached to the ordinance codified in this chapter. Before any fares set by the city council shall be effective, the city council shall hold a public hearing and provide at least ten days notice of the hearing to all certificate holders. (Ord. 91-04 § 11, 1991)

5.04.120 Refusal of passenger to pay legal fare.

It is unlawful for any person to refuse to pay the legal fare of any vehicle for hire certified under this chapter after having hired the same. (Ord. 91-04 § 12, 1991)