

CITY OF VALDEZ, ALASKA

ORDINANCE NO. 23-05

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF VALDEZ,
ALASKA, AMENDING CHAPTER 5.16 OF THE VALDEZ MUNICIPAL CODE
TITLED FOR- HIRE VEHICLES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA,
THAT the following amendment is made to Chapter 5.16 of the Valdez Municipal Code:

Section 1. Section 5.16 of the Valdez Municipal Code is hereby amended to read as follows:

Chapter 5.16
FOR-HIRE VEHICLES

Sections:

- 5.16.010 Definitions.
- 5.16.020 Certificate of public convenience and necessity required.
- 5.16.030 Application for certificate.
- 5.16.040 Exemptions.
- ~~5.16.050 Ports and harbor commission recommendation.~~
- ~~5.16.060 Public hearing.~~
- 5.16.050 Approval of certificate.
- 5.16.060 Rates and routes.
- ~~5.16.090 Action of city council.~~
- 5.16.070 Issuance.
- 5.16.080 Renewal.
- 5.16.090 Transfer of certificates.
- 5.16.100 Suspension and revocation of certificates.
- 5.16.110 For-hire service.
- 5.16.120 Manifests.
- ~~5.16.160 Holder's records and reports.~~
- 5.16.130 Chauffeur's license—Required.
- 5.16.140 Chauffeur's license—Application and requirement.
- 5.16.150 Chauffeur's license—Police investigation of applicant—Traffic and police record.
- 5.16.160 Chauffeur's license—Consideration of application.
- 5.16.170 Chauffeur's license—Issuance—Duration—Annual fee.
- 5.16.180 Chauffeur's license—Temporary license.
- 5.16.190 Chauffeur's license—Display.
- 5.16.200 Chauffeur's license—Suspension and revocation.
- 5.16.210 Chauffeur's license—Appeals.
- 5.16.220 Vehicle permit—Required.
- 5.16.230 Vehicle permit—Application.
- 5.16.240 Vehicle permit—Insurance required.
- 5.16.250 Posting of insurance.

- 5.16.~~260~~ Action by chief of police—Terms and conditions—Requirements for vehicles.
- 5.16.~~270~~ Vehicle permit—Issuance—Fee—Expiration—Display.
- 5.16.~~280~~ Vehicle permit—Inspection of vehicles.
- 5.16.~~290~~ Vehicle permit—Transferability.
- 5.16.~~300~~ Vehicle permit—Issuance of duplicates.
- 5.16.~~310~~ Rate card required.
- 5.16.~~320~~ Receipts.
- 5.16.~~330~~ Refusal of passenger to pay legal fare.
- 5.16.~~340~~ Vehicle permit—Suspension.
- 5.16.~~350~~ Vehicle permit—Revocation.
- 5.16.~~360~~ Vehicle permit—Appeals.
- ~~5.16.410—Enforcement—Police department.~~
- 5.16.~~370~~ Violation—Penalty.

5.16.010 Definitions.

The following words and phrases when used in this chapter have the meanings as set out herein:

“Certificate” means a certificate of public convenience and necessity issued by the city clerk upon approval by the city council, authorizing the holder thereof to conduct a taxicab, motor bus or other for-hire vehicle business in the city.

“Chauffeur’s license” means the permission granted by the police department to a person to drive a taxicab, bus or other for-hire vehicle upon the streets of the city.

“Cruising” means the driving of a taxicab on the streets, alleys or public places of the city in search of, or soliciting, prospective passengers for hire.

“Holder” means a person to whom a certificate of public convenience and necessity has been issued.

“Manifest” means a daily record prepared by a taxi driver of all trips made by the driver, showing time and place of origin, destination, number of passengers, and the amount of fare of each trip.

“Motor bus” means any motor vehicle operating over established and fixed routes or under private charter agreement and serving the public at large or any person who is willing to pay the fare or fee assessed, and having a certificate to operate a motor-bus service and not otherwise exempt under Section 5.16.040.

“Other for-hire vehicle” means any other motor vehicle not fitting within the definitions of taxicab or motor bus, and yet used and operated as a carrier of passengers for pay, or for a fare, or for hire; including, but not limited to, sightseeing vehicles, shuttle buses and limousines, and having a certificate to operate the particular for-hire service and not otherwise exempt under Section 5.16.040.

“Person” includes an individual, a corporation or other legal entity, a partnership, and any unincorporated association.

“Rate card” means a card displayed in each taxicab which contains the rates of fare then in force.

“Standard zone fares” means the uniform standard fares then in force for the different types of for-hire vehicle services operating as approved by the city council.

“Taxicab” means a motor vehicle regularly engaged in the business of carrying passengers for hire, and not operated on a fixed route and having a certificate to operate a taxicab service. (Prior code § 26-1)

5.16.020 Certificate of public convenience and necessity required.

No person shall operate or permit a taxicab, bus or other for-hire vehicle owned or controlled by ~~him~~ them to be operated upon the streets of the city without having first obtained a certificate of public convenience and necessity from the city clerk upon approval by the city council. (Prior code § 26-2)

5.16.030 Application for certificate.

An application for a certificate shall be filed with the city ~~clerk~~ manager or their designee upon forms provided by the city; ~~and the application shall be verified under oath~~ and shall furnish the following information:

- A. Date of application;
- B. The complete legal name and address of the person to whom the certificate, if granted, is to be issued;
- C. The nature of the entity under which the applicant intends to do business (sole proprietorship, partnership, association or corporation);
- D. The name and address of the owner of the entity if a sole proprietorship; or the names and addresses of the partners or members if the entity is a partnership or association; or the names, addresses and positions of the corporate officers if the entity is a corporation;
- E. The exact name under which the applicant will conduct business;
- F. Any facts which the applicant believes tend to prove that public convenience and necessity require the granting of a certificate;
- G. The term for which the certificate is sought, normal term shall be two years and will run from January 1st to December 31st. ~~each year~~;
- H. The location of the terminal or dispatch office from which the vehicles are to operate upon the granting of a certificate; ~~therefor~~;
- I. The number of vehicles sought to be operated under ~~by virtue of~~ the certificate, and the nature of each of these vehicles, be it taxicab, motor bus or other for-hire vehicles such as airline service and sightseeing automobiles and limousines. Additional vehicles may be added to the fleet during the year (s) as needed, subject to safety inspection;
- J. The make, model, year, engine or serial number, state license number and registered owner of each vehicle to be operated under the certificate. An addendum to the application shall be made each time a vehicle, not listed in the original application, is to be operated under the certificate. Such addendum shall include the make, model, year, engine or serial number, state license number, the registered owner and acknowledgment that the vehicle has obtained or will obtain prior to operation, a vehicle inspection ~~permit~~ pursuant to Sections 5.16.220 through 5.16.360 of this chapter;
- K. The proposed routes and the proposed rates and fares to be charged. This subsection pertains to taxicabs only. ~~Charter buses are exempt~~;

L. The basis of control and regulation which the applicant intends to create or exercise over those persons who are to ~~actually~~ drive the vehicles to be operated under the certificate, be it employer, employee, principal, agent or other contractual or licensing agreement;

M. The distinctive color scheme, if any, which the applicant intends to apply to the exterior of each vehicle to be operated under the certificate, including the color scheme of any lettering or numbers to appear on such exterior;

N. A statement by the applicant that he will comply with Section 5.16.150 and Section 5.16.160 of this chapter regarding the maintenance, preservation and reporting of its operational records;

~~O. A statement by the applicant that if the applicant's place of business or dispatch office is located outside the city he agrees to designate the city clerk as his agent to accept service of process issuing out of any court pertaining to actions arising out of the enforcement of this chapter, or in the alternative a statement designating some other agent residing within the city for such purposes;~~

OP. The applicant must tender the certificate fee of one hundred dollars; provided, that if the application is approved with conditions, restrictions or limitations attached, the applicant will be free to withdraw the application and have the certificate fee refunded;

PQ. The application shall be subscribed by the applicant or, where proper, a partner or officer thereof; shall set forth the capacity in which the subscriber acts; the name of the company for whom he acts; and if a corporation, shall bear the corporate seal and shall state that the information supplied is true and correct;

QR. There shall also be submitted with this application copies of proposed policies of liability or indemnity insurance providing coverage as required by Section 5.16.280 of this chapter.

RS. Such further information as the city ~~clerk~~ **manager** or their designee may require. (Prior code § 26-3)

5.16.040 Exemptions.

Motor bus and other for-hire vehicle services regulated by **AS 28.33.010 et sec.** ~~the Interstate Commerce Commission~~, and school bus operations regulated by the board of education or the Valdez School District are exempt from regulation under this chapter. (Prior code § 26-4)

5.16.050 ~~Ports and harbor commission recommendation.~~

~~Upon the filing of an application, the city manager or his designee shall present the application to the ports and harbor commission for its consideration and recommendation to the city council. In making its recommendation, the ports and harbor commission shall take into consideration the number of taxicabs, buses and other for-hire vehicles already in operation, the proposed routes and whether existing transportation is adequate to meet the public need, the probable effect of increased service on local traffic conditions, the reasonableness of the proposed rates then in effect for that type of for-hire service, and the character and responsibility of the applicant. (Ord. 96-20 § 1: prior code § 26-5)~~

5.16.060 ~~Public hearing.~~

~~Upon receipt of the ports and harbor commission's recommendation, the city clerk shall fix a time and place for a public hearing before the city council thereon. Notice of such hearing shall be given to the applicant and to all persons to whom certificates of public convenience and necessity have been theretofore issued. Due notice shall also be given the general public by~~

~~publishing a notice of such hearing in the local newspaper. Any interested person may file with the city clerk a memorandum in support of or opposition to the issuance of a certificate. (Ord. 96-20 § 2: prior code § 26-6)~~

5.16.05070 Approval of certificate.

A. The city council shall take final action on all applications submitted for a certificate of public convenience and necessity, and may approve, modify, limit or deny the application. If the city council finds that a taxicab, bus or other for-hire vehicle service in the city is required by the public convenience and necessity and that the applicant is fit, willing and able to perform such public transportation and to conform to the provisions of this chapter and the rules promulgated by the city council, then the application shall be approved.

B. ~~In making the above findings,~~ The city council shall take into consideration the number of taxicabs, buses and other for-hire vehicles already in operation, the proposed routes and whether existing transportation is adequate to meet the public need, the probable effect of increased service on local traffic conditions, the reasonableness of the proposed rates and fares and whether they conform to the approved rates and fares then in effect for that type of for-hire service, and the character and responsibility of the applicant. (Prior code § 26-7)

5.16.06080 Rates and routes.

Rates charged by taxicab services shall be uniform. No rate shall be charged by a taxicab without prior approval by the city council. (Prior code § 26-8)

5.16.090 Action of city council.

~~The city council shall take final action on all applications submitted for a certificate of public convenience and necessity, and may approve, modify, limit or deny the application. (Prior code § 26-9)~~

5.16.070400 Issuance.

Upon approval of an application under this article by the city council, the city clerk shall cause to be executed, under the seal of the city and the signature of the city clerk, a certificate of public convenience and necessity to the applicant. Where the city council has imposed modifications, limitations or conditions in approving the application, such will be set forth on the certificate. Immediately thereafter the certificate shall be held by the city clerk for a period not exceeding fifteen days, during which time the applicant shall be entitled to delivery of the same if the fee required pursuant to Section 5.16.030(P) has been paid. If, after fifteen days have elapsed, the applicant has failed to accept the certificate as tendered, the same shall be canceled by the city clerk, with the city council to be advised of this action. (Prior code § 26-10)

5.16.080440 Renewal.

A. No certificate shall be issued for a period of greater than **two (2) one years**. To renew a certificate the holder must review his original application and, at least thirty days prior to its expiration, complete a renewal application form detailing only that information that has changed **since** the original application was submitted. The holder shall certify in the renewal application that other than the changes noted, the information contained in the original application statement is true, correct and unchanged. A one-hundred-dollar recertification fee and a copy of the holder's liability or indemnity insurance policies then in effect must accompany the renewal application.

B. All applications for renewal of certificates of public convenience and necessity must be ~~considered by the transportation commission and~~ approved by the city council. A certificate shall be approved for renewal unless the city council finds, pursuant to Section 5.16.130 of this chapter that grounds exist for suspension or revocation of the certificate. (Prior code § 26-11)

5.16.~~090~~120 Transfer of certificates.

No certificate of public convenience and necessity may be sold, assigned, mortgaged or otherwise transferred without the consent of the city council. All approved transfers shall require payment of a further certificate fee of one hundred dollars; except that the city council may waive such fee where the real party in interest remains substantially unchanged. (Prior code § 26-12)

5.16.10030 Suspension and revocation of certificates.

A. A certificate issued under the provisions of this chapter may be revoked or suspended by the city council if the holder thereof has:

1. Violated any of the provisions of this chapter;
2. Discontinued operations without reasonable cause for more than three days;
3. Violated any ordinances of the city of Valdez, or the laws of the United States or the state of Alaska, the violations of which reflect unfavorably on the fitness of the holder to offer public transportation;
4. Breached any condition, limitation or modification imposed by the city council in approving the application for such certificate;
5. Breached any covenant or agreement undertaken by the holder in making application for such certificate;
6. ~~Been delinquent in payment to the city of any consumer sales taxes due on fares collected for the transportation of passengers in vehicles operated under the certificate;~~
- ~~6~~7. Violated any standard zone fare charge or rate regulated by this chapter;
- ~~7~~8. Violated any of the provisions of this chapter pertaining to vehicle permits or chauffeur's licenses, by allowing a vehicle to operate without a vehicle permit or to be operated by any other than a duly and properly licensed chauffeur;
- ~~8~~9. Made any false statement in the application;
- ~~9~~10. Failed to give over-all service as required by Section 5.16.140.
10. Failed to maintain liability insurance as required by Section 5.16.280.

B. Before suspending or revoking any certificate, the city ~~clerk manager~~ shall, after not less than three days written notice stating the cause of complaint, conduct a hearing into the matters complained of at a date, time and place of hearing set forth in the notice. In the event of an adverse decision by the city ~~clerk manager~~, appeal may be taken to the city council by letter submitted thereto within seven days following action by the city ~~clerk manager~~. The city council may thereafter require the personal appearance of the appellant for the purposes of hearing and examining into the cause, and taking appropriate action thereon. If no such appeal is made in writing, the recommendation of the city ~~clerk manager~~ shall be put into effect. (Prior code § 26-13)

5.16.11040 For-hire service.

A. All persons engaged in the taxicab, motor bus or other for-hire vehicle business in the city operating under the provisions of this chapter shall render an over-all service to the public desiring to use these services.

B. Holders of certificates of public convenience and necessity operating taxicabs or other on-call vehicle services shall answer all calls received by them for services inside the corporate limits of Valdez as soon as they can do so, and if such services cannot be rendered within a reasonable time they shall then notify the prospective passengers how long it will be before the call can be answered and give the reason therefor. Any holder who shall refuse to accept a call anywhere in the corporate limits of Valdez and transport an orderly person upon request and tender of the proper fee at any time when such holder has a vehicle available; or who shall fail or refuse to give over-all service, shall be deemed a violator of this chapter and the certificate granted to such holder may be revoked or suspended at the discretion of the city council. (Prior code § 26-14)

5.16.12050 Manifests.

A. Every driver shall maintain a daily manifest upon which are recorded all trips made each day, showing time and place of original and destination of each trip and amount of fare and all such completed manifests shall be returned to the owner by the driver at the conclusion of his duty week.

B. Every holder of a certificate of public convenience and necessity shall retain and preserve all drivers' manifests in a safe place for at least the calendar year next succeeding the current calendar year, and such manifests shall be available to city officials upon request by the latter. (Prior code § 26-15)

~~5.16.160 Holder's records and reports.~~

~~A. Every holder shall keep accurate records of receipts from operations, operating and other expenses, capital expenditures, and such other operating information as may be required by the city council. Every holder shall maintain the records containing such information and other data required by this chapter at a place readily accessible for examination by city officials.~~

~~B. All accidents arising from or in connection with the operation of taxicabs which result in death or injury to any person, or in damage to any vehicle, or to any property shall be reported within twenty-four hours from the time of occurrence to the police department in a form of report to be furnished by said department.~~

~~C. Copies of all contracts, agreements, arrangements, memoranda, or other writings relating to the furnishing of taxicab shall be made available to city officials upon request. (Prior code § 26-16)~~

5.16.13070 Chauffeur's license—Required.

No person shall operate a taxicab, bus or other for-hire vehicle upon the streets of the city, and no person who owns or controls a taxicab, bus or other for-hire vehicle licensed by the city shall permit it to be so driven at any time for hire, unless the driver of the vehicle shall have first obtained and shall have then in force a chauffeur's license issued under the provisions of this chapter. (Prior code § 26-17)

5.16.14080 Chauffeur's license—Application and requirement.

A. An application for a chauffeur's license shall be filed with the police department, and such application shall be verified under oath and shall include the applicant's full legal name, date of birth, social security number and address for the past five years.

B. Additional requirements to be fulfilled prior to the issuance of a chauffeur's license are as follows:

1. The initial application, and each application thereafter, shall be accompanied by a certificate from an Alaska licensed physician certifying that, in his opinion, the applicant is not inflicted with any disease or infirmity of body or mind which may render him/her unfit for the operation of a motor vehicle, bus, taxicab or other for-hire vehicle. ~~might make him an unsafe or unsatisfactory driver.~~

2. The applicant for a chauffeur's license to ~~operate a taxicab~~ shall be nineteen ~~twenty-one~~ years of age or older and furnish proof thereof if requested. ~~The applicant for a chauffeur's license to operate a motor bus or other for-hire vehicle shall be nineteen years of age or older and furnish proof thereof if requested.~~

3. The applicant shall be possessed a valid of a current Alaska state driver's license during the entire term of the license and shall immediately report back to the city clerk any change in the status of the applicant's driver's license. and demonstrate familiarity with the traffic laws of the city and the state.

4. The applicant shall consent to fingerprinting and photographing by the police department.

5. The applicant shall pay a ~~an~~ application fee of five dollars which shall not be non-refundable application fee of ten dollars. and shall submit the fee of ten dollars for the chauffeur's license.

6. The applicant shall not have been convicted of a felony offense within the last five (5) years or any sexual offense for which they are required to register as a sex offender or, child kidnapper with the Alaska Department of Public Safety.

a. ~~Assignation, 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;~~

b. ~~A sexual offense;~~

c. ~~Any felony or misdemeanor which includes as an element the use or threat of force upon a person;~~

d. ~~Burglary, larceny or embezzlement;~~

e. ~~Any offense involving moral turpitude;~~

f. ~~Any other felony wherein any portion of the sentence imposed thereon existed within five years immediately preceding the application; provided, that the applicant has not been convicted of more than one felony and imprisonment under such convictions was for a sentence which was not concurrent.~~

C. Possession of a valid commercial driver's license (CDL) or state school bus operator's permit shall be deemed satisfactory compliance with subsections (B)(1) and (B)(3) of this section. (Prior code § 26-18)

5.16. ~~15090~~ Chauffeur's license—Police investigation of applicant—Traffic and police record.

Applicant shall obtain a current copy of a background check from the Alaska State Trooper's Office which ~~The police department shall conduct an investigation of each applicant for a chauffeur's license and a report of such investigation and a copy of the traffic and police record~~

of the applicant, if any, shall be attached to the application for consideration by the chief of police. (Prior code § 26-19)

5.16.160200 ~~Chauffeur's license—Consideration of application.~~

The chief of police shall, upon consideration of the application and the reports and certificate required to be attached thereto, approve or reject the application based upon compliance with the provisions of this chapter and the health, safety and welfare of the public. (Prior code § 26-20)

5.16.170210 ~~Chauffeur's license—Issuance—Duration—Annual fee.~~

A. Upon approval of an application for a chauffeur's license the police department shall issue a license to the applicant which shall bear the name, address, age, signature and photograph of the applicant.

~~B. All chauffeur's licenses shall expire on the thirty-first day of December of the year following the year in which issued.~~ All applications for renewal of a chauffeur's license shall be submitted not later than thirty days prior to the expiration of the current license and shall be accompanied by the ten-dollar annual license fee. Any person who exclusively drives or operates a school bus either public or private shall not be required to secure a chauffeur's license. (Prior code § 26-21)

5.16.180220 ~~Chauffeur's license—Temporary license.~~

The police department may issue a temporary chauffeur's license to an applicant upon receipt of a complete application as described in Section 5.16.180 pending final action on the application unless he has reason to believe that the applicant is not qualified to hold a chauffeur's license. A temporary license shall automatically expire thirty days after its issuance. (Prior code § 26-22)

5.16.190230 ~~Chauffeur's license—Display.~~

Every driver licensed under this chapter, ~~or his designee,~~ shall post their chauffeurs ~~driver's~~ license as designated by the chief of police in such a place as to be in full view of all passengers while such driver is operating a taxicab, bus or other for-hire vehicle. (Prior code § 26-23)

5.16.200240 ~~Chauffeur's license—Suspension and revocation.~~

The chief of police or their designee may temporarily suspend or permanently revoke a chauffeur's license for any of the following causes:

A. False or erroneous material statements contained in the licensee's application and which were conducive to the issuance of the license;

B. Failure of the licensee to properly display, in any taxicab, motor bus or other for-hire vehicle operated ~~by him~~ within the city, the identification photograph or placard of the licensee provided for such purpose;

C. Operation within the city of a taxicab, motor bus or other for-hire vehicle for which a vehicle permit as provided in this chapter has not been issued, or has been suspended or revoked;

D. Subsequent conviction of a traffic offense which has resulted in the suspension or revocation of the licensee's state driver's license;

E. Conviction of a felony, ~~or misdemeanor involving any of the offenses as set out in Section 5.16.14080(B)(6);~~

F. Charging of a fare or operating a route which is in violation of the provisions of this chapter;

~~G. Soliciting patronage in a loud or annoying tone of voice or by sign or in any manner annoying any person or obstructing the movement of any persons, or following any person for the purpose of soliciting patronage;~~

G. Refusing to transport an orderly person upon request and tender of the proper fee, unless previously engaged or prohibited from doing so by the provisions of this chapter or the laws of the state;

~~I. Operating or remaining in physical control for purposes of operating a taxicab, motor bus or other for hire vehicle for a period of in excess of twelve consecutive hours; or so operating or physically controlling such vehicle for more than sixteen hours in any twenty-four hour period;~~

~~J. Permitting any other person to occupy or ride in a taxicab, unless the person or persons first employing the taxicab shall consent to the acceptance of an additional passenger or passengers;~~

~~K. Permitting more persons to be carried in a taxicab as passengers than the rated seating capacity of the taxicab as stated in the permit for said vehicle issued by the police department. A child in arms shall not be counted as a passenger;~~

~~L. Receiving or discharging passengers in the roadway. The driver shall pull up to the right hand sidewalk as nearly as possible or in the absence of a sidewalk, to the extreme right hand side of the road and there receive or discharge passengers except upon one-way streets, where passengers may be discharged at either the right or left hand sidewalk, or side of the roadway in the absence of a sidewalk;~~

H.M. Using the licensee's for-hire vehicle for the sale of drugs, narcotics or for any purpose other than the transporting of passengers. (Prior code § 26-24)

5.16.210250 Chauffeurs's license—Appeals.

Any action by the chief of police or their his designee which results in the denial of a chauffeur's license, or for the suspension or revocation thereof, may be appealed by the aggrieved party to the city manager within seven days after such action; and in the event of an adverse decision by the city manager further appeal may be taken to the city council by letter submitted thereto within seven days following action by the city manager. The city council may thereafter require the personal appearance of the appellant for the purposes of hearing, and examining into, the cause, and taking appropriate action thereon. (Prior code § 26-25)

5.16.220260 Vehicle permit—Required.

No vehicle to be operated under or by virtue of a certificate of public convenience under this chapter shall actually be placed in operation upon the streets of the city until a vehicle permit thereon shall be obtained from the chief of police and thereafter held effective. (Prior code § 26-26)

5.16.230270 Vehicle permit—Application.

All applications for vehicle permits shall be made to the chief of police upon forms provided for that purpose, and shall set forth the following information:

A. The name of the holder of the certificate under which the vehicle is to be utilized;

B. The name and address of the record title owner of the vehicle;

C. The make, model (year), engine or serial number, state license number, vehicle permit number (to be supplied by the police department), distinctive exterior color scheme, if any, proposed to be used by the holder of the certificate and the name of the insurer and amount of liability or indemnity insurance coverage on the operation of such vehicle, as well as the insurance policy number;

D. The application shall be signed by the holder of the certificate under which the vehicle is to operate and also by the record title owner of the vehicle. (Prior code § 26-27)

5.16.240280 Vehicle permit—Insurance required.

A. Before any permit is issued for any taxicab, bus or other for-hire vehicle the applicant shall furnish one or more policies or certificates of liability insurance issued by an insurance company authorized to do business in the state of Alaska.

B. The insurance required by this section shall provide minimum coverage as follows:

1. Five hundred thousand dollars for injuries to or death of more than one person sustained in the same accident;

2. Twenty-five thousand dollars damage to property resulting from any one accident;

3. One hundred thousand dollars for injuries to or death of any one person in any one accident;

4. One hundred thousand dollars for all persons injured or dead in any one accident caused by an uninsured motorist.

C. The policy or policies of liability insurance shall be ~~approved as to substance and form by the city attorney and~~ filed with the city clerk.

D. Every insurance policy or certificate shall contain a clause obligating the insurer or surety to give the city clerk ~~chief of police~~ written notice no less than thirty days before the cancellation, expiration, nonrenewal, lapse or other termination of such insurance. A lapse, cancellation, expiration, nonrenewal or termination of insurance coverage shall work an automatic suspension of any permit for so long as the permittee is without insurance as required by this section, and it shall be a violation of this chapter to provide taxicab, bus or other for-hire vehicle service with a vehicle not insured as required by this section. (Prior code § 26-28)

5.16.250290 Posting of insurance.

The chief of police or his designee shall Permittee must designate a place in the interior of all taxicabs, buses or other for-hire vehicles for the posting of a notice stating insurance liability limits and applicability. No person may provide taxicab, bus or other for-hire vehicle service with a vehicle unless this notice is properly posted therein. (Prior code § 26-29)

5.16.260300 Action by chief of police—Terms and conditions—Requirements for vehicles.

The chief of police or their ~~his~~ designee shall review each application under Sections 5.16.260 through 5.16.400 for accuracy and completeness; shall conduct a physical examination of the vehicle to determine whether the same is mechanically and physically safe for operation, properly equipped and appropriately lettered and numbered, and suitable for public patronage and occupancy. ~~Dispatcher identification, and permit numbers assigned to the vehicle, shall be affixed to each side of such vehicle or an illuminated top light structure affixed thereto in readable letters which are not less than two nor more than twelve inches high (no detachable~~

~~signs shall be used). The vehicle shall further bear a vehicle identification number corresponding to the vehicle permit number. A light of not less than two candlepower shall be so arranged as to illuminate the entire passenger compartment of the vehicle while passengers are entering or exiting therefrom. No shades or blinds shall be installed for purposes of covering the windows of the vehicle while transporting passengers. Every vehicle operating under this chapter shall be kept in a clean and sanitary condition. (Prior code § 26-30)~~

5.16.~~270~~310 Vehicle permit—Issuance—Fee—Expiration—Display.

When satisfied the vehicle meets the requirements of this chapter, the chief of police or ~~his~~ their designee shall issue a vehicle permit therefor, upon payment of a permit fee of ten dollars. Such permit shall be valid for a period not exceeding ~~one~~ two years, and shall be displayed ~~at a position designated by the chief of police or his designee~~ at all times that such permit is in effect and not suspended. No vehicle permit shall be issued a vehicle if the issuance thereof would cause to be exceeded the number of vehicles authorized by the city council to be operated in the city. (Prior code § 26-31)

5.16.~~280~~320 Vehicle permit—Inspection of vehicles.

The chief of police or ~~his~~ designees, may, at reasonable times, conduct an inspection of any vehicle for which a vehicle permit has been issued for the purposes of ascertaining whether it is conforming to those standards and criteria on the basis of which the permit was originally granted. The chief of police, or ~~his~~ designee, shall inspect all vehicles on which vehicle permits are in effect once during each calendar ~~year~~ quarter to assure compliance with the requirements of this article. (Prior code § 26-32)

5.16.~~290~~330 Vehicle permit—Transferability.

A vehicle permit shall not be transferred from one vehicle to another. (Prior code § 26-33)

5.16.~~300~~340 Vehicle permit—Issuance of duplicates.

The chief of police or ~~his~~ designee is authorized to replace lost vehicle permits upon request. A fee of five dollars shall be charged for this service. (Prior code § 26-34)

5.16.~~310~~350 Rate card required.

Every taxicab operated under this chapter shall have a rate card setting forth the authorized rates of fare displayed in such a place as to be in view of all passengers as designated by the chief of police or ~~his~~ designee. (Prior code § 26-35)

5.16.~~320~~360 Receipts.

The driver of any vehicle licensed under this chapter shall upon demand by the passenger render to such passenger a receipt for the amount charged on which shall be the name of the owner, vehicle permit number, amount of charges and date of transaction. (Prior code § 26-36)

5.16.~~330~~370 Refusal of passenger to pay legal fare.

It is unlawful for any person to refuse to pay the legal fare of any of the vehicles mentioned in this chapter after having hired the same, and it is unlawful for any person to hire any vehicle herein defined with intent to defraud the person from who it is hired of the value of such service. (Prior code § 26-37)

5.16.~~340~~380 Vehicle permit—Suspension.

A. Subsequent to the issuance of a vehicle permit, the chief of police or ~~his~~ designee may cause and effectuate a temporary suspension of the same by notice, in writing, for any of the following reasons:

1. Materially false statement on the application for such permit;

2. Damaged, defective or missing parts on the vehicle, which render the operation thereof dangerous or unsafe;
 3. Use of improper or misleading lettering or numbering;
 4. Failure to display the vehicle permit, chauffeur's license, insurance liability notice or rate card at the designated positions within the vehicle;
 5. Suspension of the certificate under which the vehicle operates;
 6. Request by the holder of such certificate or registered owner that the vehicle be withdrawn from service pending certification changes;
 7. Violation of any provision of Sections 5.16.~~220~~260 through 5.16.~~230~~370.
- B. A vehicle permit will be automatically suspended pursuant to Section 5.16.~~240~~280(D) upon the lapse, cancellation, expiration, nonrenewal or termination of insurance coverage.
- C. A suspended vehicle permit shall be restored immediately upon removal or correction of the cause which brought about the suspension and no fee shall be imposed for such restoration. (Prior code § 26-38)

5.16.~~350~~390 Vehicle permit—Revocation.

A. Subsequent to the granting of a vehicle permit, the chief of police, or ~~their~~ his designee, may cause and effectuate a permanent revocation of the same for any of the following reasons:

1. Materially false statement on the application for such permit where the true answer would render the vehicle or owner thereof ineligible for such permit;
2. Failure of the permit holders to make the vehicle available for actual service through a dispatcher for at least one shift fifteen days in each calendar month, unless such failure is caused by bona fide inability beyond the power of the holder to remedy;
3. Failure of the permit holder to remove and correct the cause of suspension under provisions of Section 5.16.380 within one month of the date of such suspension;
4. Revocation of the certificate of public convenience and necessity under which the vehicle operates.

B. A revoked vehicle permit shall not be restored or renewed; and where a vehicle permit is again sought for such a vehicle, application therefor shall again be made, pursuant to this article, and a licensing fee of five dollars shall be imposed if a vehicle permit is thereon made and issued. (Prior code § 26-39)

5.16.~~360~~400 Vehicle permit—Appeals.

Any action by the chief of police or ~~their~~ his designee which results in the denial of a vehicle permit, or for the suspension or revocation thereof, may be appealed by the aggrieved party to the city administrator within seven days after such action; and in the event of an adverse decision by the city administrator further appeal may be taken to the city council by letter submitted thereto within seven days following action by the city administrator. The city council may thereafter require the personal appearance of the appellant for the purposes of hearing, and examining into, the cause, and taking appropriate action thereon. (Prior code § 26-40)

~~5.16.410 Enforcement—Police department.~~

~~The police department of the city is given the authority and is instructed to watch and observe the conduct of holders, vehicles and drivers operating under this chapter. Upon discovering a violation of the provisions of this chapter, the police department shall take such action as authorized by this chapter and where no action is specifically authorized the police department shall report such violation to the city administrator who will order or take appropriate action. (Prior code § 26-41)~~

5.16.370420 Violation—Penalty.

Violations Any person violating any of the provisions of this chapter is a minor offense shall be deemed guilty of a violation and upon conviction thereof shall result in a be fined fine not exceeding three hundred dollars., by imprisonment not exceeding thirty days, or by both such fine and imprisonment. (Prior code § 26-42)

Section 2. This ordinance shall take effect immediately upon adoption by the Valdez City Council.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF VALDEZ,
ALASKA, this _____ day of April, 2023.

CITY OF VALDEZ, ALASKA

Sharon Scheidt, Mayor

ATTEST:

Sheri L. Pierce, MMC, City Clerk

APPROVED AS TO FORM:

Jake Staser, City Attorney
Brena, Bell, & Walker, P.C

First Reading:
Second Reading:
Adoption:
Ayes:
Noes:
Absent:
Abstain: