

Chapter 40

COMMERCIAL PASSENGER VEHICLES*

* **Editors Note:** A regulation adopted April 12, 2004, effective April 21, 2004, amended Ch. 40, in its entirety, to read as herein set out. Prior to inclusion of said regulation, Ch. 40 pertained to similar subject matter. See also the Administrative Code of Regulations Comparative Table.

Note: As a transitional measure, notwithstanding the application periods set forth in 20 CBJAC 40.410 (vehicle approval) and 20 CBJAC 40.500 (certificate of public convenience and necessity), for the year 2004, applications may be submitted immediately upon these regulations becoming effective.

Code cross reference--Commercial passenger vehicles, Part II, ch. 20.40.

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PART I.

ADMINISTRATION

20 CBJAC 40.100 Definitions.

For purposes of this chapter, unless the context plainly requires otherwise:

"Address of record" means the address provided by a permittee pursuant to 20 CBJAC 40.595 or if not so provided, then as set forth in the application for the permit.

"Administrator" means the chief of police or a person designated by the chief of police to administer the provisions of this chapter.

"Shuttle" means a Class B vehicle that transports passengers on a specified route, with specified stops. Except for the point of origin, a stop shall not exceed ten minutes.

"Taxi" means a vehicle providing services unrestricted as to method of contracting, route, stops, destination, or combination thereof.

"Taximeter" means a mechanical or electrical instrument or device which measures distance driven or time, or both, upon which the rates of fare of a taxicab are based.

"Tour/charter" means a Class B vehicle that transports passengers to one or more locations and returns to its starting point with the same group of passengers.

"Taxi tour rate" means a rate, based on time only, charged by a Class A vehicle for the purpose of conducting a sightseeing tour.

(Amended 4-12-2004, eff. 4-21-2004)

20 CBJAC 40.110 Administrator.

Compliance with enforcement officials. The Manager may designate City and Borough employees as enforcement agents for the purpose of enforcing these regulations and CBJ 20.40. It is a violation of these regulations for any permittee to refuse or fail to comply with a lawful request of the administrator, a peace officer, or an authorized enforcement agent, to stop and make available for inspection any vehicle operated pursuant to these regulations, to make available any record required by these regulations, or to otherwise obstruct enforcement of these regulations.

(Amended 4-12-2004, eff. 4-21-2004)

20 CBJAC 40.120 Fees.

Fees are established as follows:

- (a) *Fees for permit application:*
 - (1) *Professional driver's permit:*

(A) Two-year permit \$75.00

(2) *Vehicle approval:*

(A) Application fee per vehicle 150.00

(B) Re-inspection fee (required for missed bi-annual inspection) 50.00

(3) *Certificate of public convenience and necessity and endorsement fees:*

(A) Engage in business 1,500.00

(B) Registration and filing fees:

(i) Registration of vehicle to a certificate 50.00

(ii) Registration of driver on certificate application No charge

(iii) Notice to amend conditions of an endorsement [20 CBJAC 40.500 (e)] . . .
. . 25.00

(C) Application to transfer a certificate 500.00

(b) *Appeal fee* 100.00

(c) *Late application fee* 50.00

(Amended 4-12-2004, eff. 4-21-2004; Amended 3-23-2005, eff. 3-30-2005)

PART 2.

PERMITS

20 CBJAC 40.200 Permits: General.

Conditions; amendment. Each permit shall set forth on its face or in attachments all conditions applicable to that permit. An amendment to a permit becomes a part of the permit amended.

(Amended 4-12-2004, eff. 4-21-2004)

20 CBJAC 40.210 Application for permits.

The administrator may establish and amend permit application forms. Applications shall be accepted by the administrator only when submitted on approved forms which are complete, signed, and accompanied by the specified application fee. Applicants shall provide documentation adequate to show their business type, e.g., corporation, partnership, limited liability company, and business ownership. Applicants shall submit a corporate resolution, a letter of agency, or other evidence of authority to submit an application.

(Amended 4-12-2004, eff. 4-21-2004)

20 CBJAC 40.220 Permit use limited.

No permit may be sold, assigned, leased, rented, mortgaged, or otherwise transferred except as part of a transfer of the transferor's entire business interest in activities conducted under the permit. The transferor's business interest includes all assets used in the business conducted under the permit. A transferred permit is not valid until the transfer has been approved by the administrator.

(Amended 4-12-2004, eff. 4-21-2004)

20 CBJAC 40.230 Reserved

20 CBJAC 40.240 Administrative sanctions.

(a) *Revocation.* A permittee whose permit is revoked loses all rights and privileges under that permit, shall deliver all copies of the permit to the administrator, and may not apply for a new permit of the same type for a period of one year after the revocation. The chief of police may revoke a permit upon a finding that any of the following has occurred:

- (1) The permittee secured the permit through deceit, fraud, or intentional misrepresentation.
- (2) The permittee engaged in deceit, fraud, or intentional misrepresentation in the course of providing commercial passenger vehicle services.
- (3) The permittee is a driver who during the permit period receives a bail forfeiture, conviction, or other final adverse finding of any of the following offenses in the course of providing commercial passenger vehicle services:
 - (A) Driving while license canceled, suspended, or revoked, or in violation of license limitation;
 - (B) Driving while intoxicated;
 - (C) Reckless driving;
 - (D) Speed contest or racing;
 - (E) Fleeing or attempting to elude a police officer;
 - (F) Leaving the scene of an accident; or
 - (G) Negligent driving
- (4) The permittee is a holder, or a holder's owner, officer, managing partner, general partner or principal, who receives a bail forfeiture, conviction, or other final adverse finding involving crimes directly related to the holder's applicant's ability to conduct a commercial passenger vehicle business, including but not limited to prostitution, embezzlement, racketeering, the

Uniform Controlled Substances Act, narcotics, gambling, fraud, larceny, extortion, or income tax evasion. If an owner, officer, director, managing partner, general partner or principal of an organization holding a certificate is subject to this subsection and is removed immediately from all operational or management duties or authority and is divested of all ownership in the organization, the certificate may be reinstated.

- (5) The permittee is a driver who is no longer qualified under the standards established in 20 CBJAC 40.310.
- (6) The permittee is a holder who has provided commercial passenger vehicle services with a person or vehicle not registered to that holder's certificate.
- (7) The permittee allowed another person to use the permittee's permit.
- (8) The permittee operated or attempted to operate under a suspended or revoked permit.
- (9) The permittee has committed a violation of these regulations for which permit revocation is specified as a sanction.

(b) *Suspension for a definite period.* A permit may be suspended for a period specified by the chief of police upon a finding that:

- (1) The permittee is a holder who knew or had reason to know of a violation of this section 20 CBJAC 40.240 by a driver registered to that holder's certificate and failed to report the same in writing to the administrator within five business days.
- (2) The permittee has violated a section of these regulations for which permit suspension is specified as a sanction.

(c) *Suspension until correction.* The administrator may condition a suspension upon correction by the permittee of a status or condition and may include an additional period of punitive suspension. Any inspection required to confirm the correction shall be subject to a fee paid by the permittee.
(Amended 4-12-2004, eff. 4-21-2004)

20 CBJAC 40.250 Procedures for permit denials and administrative sanctions.

(a) The administrator may summarily suspend or revoke a permit without notice or a hearing upon a written determination that grounds for permit suspension or revocation exist and that summary suspension or revocation is necessary to prevent a clear, substantial and imminent hazard to life, safety, or property. Summary action is effective upon issuance of the determination.

(b) Except for summary action, the administrator shall give written notice to the affected permittee five business days in advance of imposing administrative sanctions. If the affected permittee is a driver, the administrator shall at the same time give written notice to the holder of the certificate to which the driver is registered. All notices directed to a driver or holder may be served by personal delivery to, or by first-class mail addressed to the permittee at the address of record provided by the permittee to the administrator.

(c) Any determination of summary action under subsection (a), any notice of sanctions under subsection (b) of this section, and any denial of an application shall state that the permittee is entitled to a hearing to respond to the notice and introduce any evidence to refute or mitigate the denial, suspension, or revocation. Upon written request filed within five business days after the date of the determination, notice, or denial, the chief of police shall set a hearing date and time.

(d) The hearing shall be held by the chief of police or the chief of police's designee, provided that the designee may not be a person who directly supervises the official who issued the notice of suspension or revocation.

(e) The hearing shall be recorded by electronic means provided by the chief of police. A party may be represented by a lawyer or other spokesperson, but neither sworn testimony nor cross-examination of witnesses shall be required. Relevant evidence must be admitted if it is probative of a material fact in controversy. Irrelevant and unduly repetitious evidence shall be excluded. The chief of police shall issue a written ruling including factual findings and the chief of police's conclusion, with supporting reasons, affirming, modifying, or reversing the notice. The decision shall be mailed by first-class mail to the permittee, or the holder of a certificate to which the permit is registered at the permittee's or holder's address of record.

(f) Operations pending final decision. Except in the case of a summary suspension or revocation as provided in subsection (a) of this section, or denial of an application, whenever a timely appeal is filed pursuant to subsection (f) of this section, a permittee may continue to engage in the activity for which the permit is required pending a final decision by the Police Chief.
(Amended 4-12-2004, eff. 4-21-2004)

PART 3.

DRIVERS

20 CBJAC 40.300 Drivers: General.

Purpose. These regulations are intended to ensure that commercial passenger vehicle drivers are properly licensed, maintain minimum physical qualifications, have no relevant criminal convictions, and are familiar with CBJ 20.40 and these regulations.

Note: As a transitional measure for 2004, drivers registered to Class B certificates holding valid Commercial Driver's Licenses will be issued a temporary CBJ professional driver's permit valid until July 1, 2004 at no charge.
(Amended 4-12-2004, eff. 4-21-2004)

20 CBJAC 40.310 Professional driver's permit.

(a) *Application.* An application for a professional driver's permit shall be made in writing upon an approved form filed with the administrator, and shall include all required attachments. Renewal applications shall be submitted 30 days prior to the expiration date of the current permit. The form shall require at least the following information from the applicant:

- (1) Name and address;
- (2) Place or places of residence for the past ten years;
- (3) Age, height, color of eyes and hair;
- (4) Reserved;
- (5) A statement that the applicant has read CBJ 20.40 and these regulations;
- (6) A complete criminal history and driving record covering the past ten years, provided by the State of Alaska and any other jurisdiction as necessary.
- (7) Health certificates, which shall be provided as follows:
 - (A)
 - (i) Applicants holding current commercial driver's licenses must show proof of valid Alaska Commercial Driver's License health certificate, and must carry that certificate at all times when operating a commercial passenger vehicle.
 - (ii) Applicants holding a current out of state commercial driver's license must show proof of a valid Commercial Driver's License health certificate, and must carry that certificate at all times when operating a commercial passenger vehicle. Pursuant to AS 28.33.100 a person who has been an Alaska resident for 30 days or longer may not drive a commercial motor vehicle under the authority of a commercial driver's license issued by another jurisdiction. After the 30-day period the out of state commercial driver's license will not be honored.
 - (B) For applicants without current commercial driver's licenses, a health certificate on a form approved by the administrator and signed by a physician or health care practitioner licensed to practice in the State of Alaska, based upon a physical exam of the applicant within 90 days of the application. The physical exam shall meet the same requirements established by the State of Alaska for holders of commercial driver's licenses.
 - (C) Medical waivers. Applicants holding a current valid professional driver's permit issued prior to April 21, 2004, who are found by a physician, or licensed healthcare practitioner to not meet the physical standards as established by the State of Alaska for holders of a commercial driver's license, may obtain a professional driver's permit providing the city manager grants a medical waiver. Applicants that did not hold a valid professional driver's permit issued prior to April 21, 2004, or who have allowed their professional driver's permit to expire, do not qualify for a medical waiver.
 - i. Applicants who wish to apply for a medical waiver must provide to the city manager the following information:
 - a. Applicant's name, address, and telephone number;

- b. Name, address, and telephone number of a certificate holder;
 - c. Driving record showing a minimum of three years of driving experience as a for hire commercial passenger vehicle operator;
 - d. Description of any modifications to the vehicle that applicant intends to drive under the waiver that are designed to accommodate the applicant's medical condition or disability;
 - e. Copy of any previous or current waivers;
 - f. Copy of applicant's driver's license;
 - g. Statement from the applicant's treating physician that includes:
 - (i) The extent to which the physician is familiar with the applicant's medical history;
 - (ii) Description of the applicant's medical condition for which a waiver is necessary;
 - (iii) Assessment that the applicant has the ability and apparent willingness to follow a course of treatment prescribed by the physician, including the ability to self monitor or manage their medical condition; and
 - (iv) The physician's professional opinion that the applicant's condition will not adversely affect their ability to safely operate a commercial passenger vehicle.
 - h. Other information considered necessary by the city manager including requiring a physical examination or medical report from a physician who specialized in a particular field of medical practice. Costs associated with medical examinations will be the responsibility of the applicant.
- ii. In granting a waiver under this subsection, the city manager may impose conditions considered necessary to ensure that an applicant is able to operate a commercial passenger vehicle safely and that the safety of the general public is protected.
 - iii. A person who is granted a waiver under this subsection must report the driver's involvement in a motor vehicle accident within ten days to the CPV administrator. Failure to comply with this section may result in the revocation of the driver's permit.

- iv. The city manager may deny an application if, during the three years preceding the application, the applicant's driver's license has been suspended, canceled, or revoked or the applicant has been convicted of a disqualifying offense, as listed in the regulations under 20 CBJAC 40.240(a).
- v. The city manager may deny or revoke for good cause an application or waiver granted under this subsection. Notice of the city manager's reason(s) for denying an application or for revoking a waiver must be in writing. The notice may be hand delivered to the waiver holder, or delivered by certified mail to the waiver holder's last known address, return receipt requested. A copy of the revocation may be hand delivered or mailed to the certificate holder.
- vi. A waiver under this subsection expires on the date of expiration shown on the medical examiner's certificate.

(b) *Approval.* The administrator shall approve the application and issue a professional driver's permit if the administrator finds that the applicant:

- (1) Is at least 21 years of age;
- (2) Is able to speak the English language;
- (3) Meets the standards set forth in CBJ 20.40.200-.210;
- (4) Was not subject within the preceding two years to administrative sanctions under this chapter which resulted in a permit revocation; and
- (5) Has submitted a complete application, with appropriate fees.

(c) *Issuance.* Upon approval of an application for a professional driver's permit, the administrator shall issue to the applicant a permit, which shall bear the name, address, age, signature, and photograph of the applicant. Such permit shall be in effect for 24 months from date of approval.
(Amended 4-12-2004, eff. 4-21-2004; Amended 3-23-2005, eff. 3-30-2005)

PART 4.

VEHICLES

20 CBJAC 40.400 Vehicles: General.

These regulations are intended to encourage compliance with minimum vehicle safety, cleanliness, and administrative standards. These regulations do not constitute a warranty by the City and Borough of Juneau that any commercial passenger vehicle is safe.
(Amended 4-12-2004, eff. 4-21-2004)

20 CBJAC 40.410 Vehicle approval.

Upon application submitted annually no later than April 15, the administrator shall issue a commercial passenger vehicle approval to the holder of the certificate to which the vehicle is registered upon satisfactory proof that the vehicle meets the requirements of this section. All vehicle approvals shall expire annually on April 30. Vehicles which are not current in payment of City and Borough business personal property tax shall not be approved.

(Amended 4-12-2004, eff. 4-21-2004)

20 CBJAC 40.420 Vehicle standards.

- (a) All commercial passenger vehicles shall be maintained in conformity with the following standards, provided, however, that state regulated buses are exempt from all standards but (a)(1) and (a)(3):
 - (1) *Safety standards.* Each commercial passenger vehicle shall be maintained in safe working order and in conformity with local, state, and federal vehicle equipment requirements generally applicable to that type of vehicle.
 - (2) *Operational standards.*
 - (A) The interior shall be maintained free of litter, dust, noxious odors, and any substance that could stain the clothing of a passenger;
 - (B) The exterior shall be sufficiently clean so that the vehicle markings can be read;
 - (C) During periods of inclement weather, the requirements of this subsection shall be relaxed as necessary to allow that amount of snow, ice, water and road grime that could reasonably be expected to accumulate in and on a vehicle in three days of normal use.
 - (3) *Marking standards.* Each commercial passenger vehicle, including state regulated buses, shall be marked as required in this subsection:
 - (A) Generally. The marking system for all vehicles registered to a certificate shall:
 - (i) Be clearly distinct from that used by any other certificate.
 - (ii) Be designed and implemented as to ensure that it can be distinguished from that of any other commercial passenger vehicle certificate at a distance of 300 feet.
 - (B) No markings shall be on the vehicle except as authorized by this section and indicated in the vehicle approval.
 - (C) Service endorsement markings.
 - (i) A Class A vehicle shall be equipped with a top light in the form of a box illuminated from within showing the single word "taxi" or the word "taxicab" or the word "cab" facing forward, and which may show any other message in similar

lettering on the back of the sign. The top light shall be lit when the vehicle is available for service and unlit when the vehicle is not available for service.

- (ii) A Class B vehicle must at all times display a sign, in letters at least four inches high, indicating which type of service it is providing.
- (4) *Optional markings.* In addition to the markings required by this section, a Class A commercial passenger vehicle may display:
- (A) On the same body panel as the service endorsement and in letters no more than four inches high, not exceeding a total of 144 square inches, and consistent with the marking system, a description of the particular services provided by the vehicle;
 - (B) On a sign no larger than three square feet and attached to the trunk, roof, or, in the case of a van or similar vehicle, the back body panel, commercial advertising whether or not related to the services provided by the vehicle. Signs may not obscure the drivers vision.
- (5) *Documentation standards.* Each commercial passenger vehicle shall display in the manner required by the conditions of any endorsement pursuant to which the vehicle is operating:
- (A) A certificate of insurance establishing that it is covered as required by 20 CBJAC 40.580;
 - (B) A copy of the certificate of public convenience and necessity under which the vehicle is authorized and all other required documentation; and
 - (C) A vehicle approval.
- (6) *Taximeter standards.* A taximeter in a vehicle operated pursuant to a Class A endorsement:
- (A) Shall be engaged whenever the vehicle is operated for compensation.
 - (B) Shall be sealed, tested, and certified by the administrator under standards adopted by the State of Alaska as part of the annual taxicab certification.
 - (C) Shall be programmable to calculate at least two rates.
 - (D) By December 31, 2004, shall be fitted with non-resettable totalizers for all of the following values:
 - (i) The total distance traveled by the taxi;
 - (ii) The total distance traveled when hired;
 - (iii) The total number of hirings;
 - (iv) The total amount of money charged as extras;

- (v) The total amount of money charged at standard rates;
 - (vi) The total amount of money charged at taxi tour rates.
- (E) Shall be connected to the top light in such a manner as to ensure that the top light will be lit (on) when the taximeter is in the non-recording position and not lit (off) when the taximeter is in the recording position.
- (7) *Passenger capacity standards.* Each commercial passenger vehicle shall be marked as directed by the administrator with the maximum passenger number, based upon the number of seats provided with passenger restraint devices. In no event shall the maximum passenger capacity exceed that established by the manufacturer of the vehicle. Each passenger must have a passenger restraint device available while traveling in a commercial passenger vehicle.
- (8) *Violation of standards listed in this section is an infraction.* In addition, violation of subsection (a)(1), safety, or (a)(6), taximeter, shall warrant summary action pursuant to 20 CBJAC 40.250(a).

(Amended 4-12-2004, eff. 4-21-2004)

20 CBJAC 40.430 Vehicle inspections.

(a) *Mechanical inspections.* Prior to issuance of a vehicle approval of any commercial passenger vehicle under the provisions of this chapter, the vehicle shall be thoroughly examined, inspected, and approved as safe by a mechanic certified by the National Institute of Automotive Services Excellence. This section (20 CBJAC 40.430) does not apply to a bus subject to and in compliance with commercial motor vehicle statutes and regulations of the state of Alaska.

(b) *Vehicle safety, cleanliness, and administrative compliance.* Vehicles may be inspected in any of the following circumstances:

- (1) *Biannual inspections.* Prior to issuance of a vehicle approval in April and annually in October, the administrator or the administrator's designee shall inspect vehicles.
 - (A) Each commercial passenger vehicle shall be maintained in safe working order and in conformity with local, state, and federal vehicle requirements applicable to that type of vehicle.
 - (B) As applicable the administrator may issue citations for equipment violations under CBJ Title 72, which will allow the operator to correct the violation, post bail, or appear in court (CBJ 72.04.007 (a)).
 - (C) The vehicle shall not be used to provide commercial passenger services if the vehicle has:
 - (i) A broken windshield that impairs driver vision (CBJ 72.04.225); or

- (ii) Defective brakes (CBJ 72.04.205); or
 - (iii) Tires with unsatisfactory tread depth (CBJ 72.04.230); or
 - (iv) Other equipment or safety violations which provide reasonable cause to believe the vehicle is unsafe.
- (D) The administrator shall record the totalized values from the taximeter as set forth in 20 CBJAC 40.420 (D).
- (2) *Unannounced inspection program.* Commercial passenger vehicles are subject to unannounced safety inspections by the administrator or designee, as follows:
- (A) When the administrator or designee contacts the company owner or driver of a vehicle on duty, the vehicle shall be brought to the Juneau Police Department for inspection within two hours. If the vehicle to be inspected is not on duty, it shall be scheduled for an inspection within 24 hours with the administrator or designee.
 - (B) No more than four unannounced inspections may be conducted on any one vehicle in a calendar year. Failed inspections shall not be counted toward this total.
 - (C) Unannounced inspections shall be conducted using the same form and method as biannual inspections outlined in 20 CBJAC 40. 430(b)1.
 - (D) Unannounced inspections do not replace required biannual inspections.

(c) *Suspension of approval.* A vehicle approval may be suspended by the chief of police based on the results of an inspection conducted pursuant to this section if the inspection establishes a violation of safety standards established by section 20 CBJAC 40.420(a)(1). Vehicles which become delinquent in payment of City and Borough business personal property tax shall have their approval suspended.
(Amended 4-12-2004, eff. 4-21-2004)

PART 5.

CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY

20 CBJAC 40.500 Certificate of public convenience and necessity.

- (a) *Contents.* The administrator shall issue certificates of public convenience and necessity. Each certificate shall be endorsed for Class A or Class B.
- (b) *Applications.* An application to renew a current certificate for continuous operation shall be submitted between November 1 and December 31 and shall become effective on February 15.
- (c) *Term.* Certificates with an effective date of February 15 shall be valid for 1 year. Any certificate with an effective date after February 15, and any endorsement thereto, shall be valid only until the following

February 14.

(d) *Records.* Holders shall designate and maintain a single depository for all records required by this chapter, and shall make such records available for inspection during normal business hours.

(e) *Amendment to Conditions of Endorsement.* Certificate holder shall notify the administrator in writing of changes in driver registration, vehicle registration, route, or stops.
(Amended 4-12-2004, eff. 4-21-2004)

20 CBJAC 40.510 Endorsements: General.

(a) *Vehicles and conditions.* An endorsement shall identify whether the service is Class A or Class B.

(b) *Evidence of compliance.* The endorsement shall require, and the applicant shall agree to facilitate enforcement of these regulations by providing evidence of compliance with the approved conditions upon demand of a peace officer, enforcement agent, or the administrator. Each vehicle registered to a certificate of public convenience and necessity shall carry a copy of the certificate, endorsements, and all current approved conditions and the driver shall make them available to any passenger, peace officer, or the administrator upon demand.
(Amended 4-12-2004, eff. 4-21-2004)

20 CBJAC 40.520 Class A endorsement.

(a) A Class A endorsement shall authorize the holder to provide taxi services subject to the following conditions:

- (1) A certificate endorsed for Class A service may not be endorsed for any other type of service.
- (2) The certificate shall require the service to operate and maintain no fewer than six vehicles. At least three of the vehicles shall be in service at all times.
- (3) Taxicab passengers shall be charged only at the rates specified in this section.
 - (A) *Flag drop.* \$3.00 shall be the initial starting fare to be charged for all taxicab services except for charter or battery jump services. No mileage, waiting time, or other charges are included in the charge for flag drop.
 - (B) *Mileage rate.* The rate of \$0.20 for each one-tenth mile shall be charged and measured by taximeter.
 - (C) *Waiting time.* The rate of \$0.75 for each minute of waiting time shall be added to the fare. Waiting time shall be charged when a passenger requests the vehicle to remain available for the passenger, while the vehicle is not engaged in transporting the passenger. Waiting time does not apply to halts of the vehicle for reasons beyond the control of the passenger, such as delays caused by traffic or road conditions. Passengers shall be

informed in advance of waiting time charges to be added to the fare.

- (D) *Taxi tour rate.* The rate of \$55.00 per hour shall be charged to a passenger for the reservation of the services of the vehicle. The minimum charge for a taxi tour is \$27.50 for up to one half-hour of service. For taxi tour service in excess of the minimum half-hour charge, the time may be calculated in ten minute increments for which the charge is \$9.00. No other units of time or charges are allowed.
- (E) *Extra adult passenger.* A charge of \$0.75 shall be added to the fare for each passenger over the age of 12 years and each bag in excess of two per passenger. This charge does not apply if there is only one passenger over the age of 12 years. This charge does not apply to the charter rate.
- (F) *Delivery charge.* A charge of \$3.00 shall be added to the mileage rate for transport and delivery of items without a passenger. This does not apply to the charter rate.
- (G) *Battery jump.* The rate for providing an electrical boost to the battery of another vehicle shall be a charge of \$10.00.

- (4) Every taxicab operated under the provisions of this chapter shall be equipped with a rate card provided by the City, setting forth the schedule of fares and charges. The rate card shall be posted inside the vehicle in a location visible to passengers.
- (5) Taxis shall be limited to vehicles designed to carry no more than eight passengers including the driver.
- (6) The holder of a certificate endorsed for Class A service shall maintain one central place of business owned or leased by the holder and operated by the holder at which all business records shall be available for inspection, and from which all of the holder's taxis and no other taxis shall be dispatched. The central place of business is not required by these regulations to be available for walk-in service to the public.
- (7) A wheelchair accessible vehicle registered to a certificate endorsed for taxi service shall entitle the holder to a waiver of the registration fees for that vehicle, and to a ten percent reduction in the Class A endorsement fee. Except for reasonable time for maintenance, not to exceed 30 days annually, the vehicle must be one of the three vehicles available for Class A service to qualify for the reduction in fees.

- (b) Violation of this subsection is an infraction.

(Amended 4-12-2004, eff. 4-21-2004; Amended 5-23-2005, eff. 5-31-2005)

20 CBJAC 40.530 Class B endorsement.

- (a) A Class B endorsement shall authorize operation of one or more commercial passenger vehicles subject to the following conditions:

- (1) A Class B vehicle may operate as either a tour/charter or a shuttle, but not both service types at any one time. This provision does not apply to vehicles owned, operated, or contracted by a cruise line when transporting the cruise line's own passengers.
- (2) Operators of Class B vehicles operating as shuttles shall:
 - (A) Submit a map of their current route to the administrator.
 - (B) Carry and follow the map submitted under (a)(2)(A) of this section.
 - (C) Not stop for passengers at any location not depicted as a stop on the map submitted under (a)(2)(A) of this section.
 - (D) Not stop in the downtown area except for posted CPV stops.

(b) Violation of this subsection is an infraction.

(Amended 4-12-2004, eff. 4-21-2004)

20 CBJAC 40.540 Reserved

20 CBJAC 40.550 Reserved

20 CBJAC 40.560 Reserved

20 CBJAC 40.570 Reserved

20 CBJAC 40.580 Insurance.

(a) No certificate of public convenience and necessity shall be issued or continued in operation unless there is in full force and effect automobile insurance policies issued by one or more insurance companies licensed to do business in the state of Alaska and covering all vehicles authorized under the certificate. The policy shall provide coverage for each vehicle authorized in the amount of \$100,000.00 for bodily injury to any one person, in the amount of \$300,000.00 for injuries to more than one person which are sustained in the same accident, and \$50,000.00 for property damage resulting from any one accident. Each policy shall name the City and Borough of Juneau as an additional insured.

(b) Each policy shall contain a clause that it may not be canceled or terminated or allowed to expire by insurer without 30 days' notice to the City and Borough. A certificate showing issuance of the policy and containing statements as to coverage and cancellation shall be filed annually with the administrator.

(c) The administrator may allow the holder to file individual liability insurance policies for each vehicle registered to the certificate. If the owner of a vehicle registered to a certificate is not the holder, the owner may purchase the policy. It is the responsibility of the holder to have at all times on file with the administrator the individual certificates of insurance.

(Amended 4-12-2004, eff. 4-21-2004)

20 CBJAC 40.585 City and Borough taxes.

(a) *Certificate holder with Class A endorsement.* Holder shall maintain and preserve supporting records as are necessary to determine the correct amount of tax liability for which the holder is liable under CBJ 69.05 and 69.10. Supporting records include daily taximeter activity logs on forms provided by the administrator submitted by each driver. In addition, the records must include an accounting for each taximeter reading at the beginning of the first day of each month.

- (1) Holder shall require a driver permitted to operate under the holder's certificate to:
 - (A) Submit a taximeter activity log report to the holder that includes the beginning and ending readings from each shift of the taximeters for all of the following non-resettable totalized values:
 - (i) Total distance traveled by the taxi;
 - (ii) Total distance traveled when hired; and
 - (iii) Total amount charged.
 - (B) Calculate the sales tax collected for each shift.
 - (C) Surrender the sales tax collected to the permit holder at the end of each shift.
- (2) Holder shall:
 - (A) Verify the taximeter reading and the accuracy of the driver's tax calculation.
 - (B) Collect the Sales Tax at the end of each shift from each driver.
 - (C) Accumulate the total sales on the Permit Holder Taximeter Activity Report form provided by the administrator, calculate the net taxable sales and sales tax due and remit the sales tax as required in 69.05.070.
- (3) Subsection (a) may be waived or partially waived by the CPV administrator upon demonstration by the certificate holder of tax accounting procedures adequate to satisfy the requirements of the CBJ sales tax code as determined by the sales tax administrator.

(b) *Certificate holder with Class B endorsement.* Holder shall maintain and preserve supporting records as are necessary to determine the correct amount of tax liability for which the holder is liable under CBJ 69.05 and 69.10 on forms approved by the sales tax administrator.
(Amended 4-12-2004, eff. 4-21-2004)

20 CBJAC 40.590 Issuance.

The administrator shall issue the certificate upon a finding that:

- (1) All vehicles registered to the certificate are the subject of a current vehicle approval, if required;
- (2) All drivers registered to the certificate are in possession of a current professional drivers permit or commercial drivers license, as required.
- (3) Required insurance policies are in place;
- (4) All fees have been paid; and
- (5) All other requirements of this chapter have been satisfied.

(Amended 4-12-2004, eff. 4-21-2004)

20 CBJAC 40.595 Permittee's duty to provide information.

Every permittee shall advise the administrator in writing of any change in that permittee's address or telephone number.

(Amended 4-12-2004, eff. 4-21-2004)