

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2023-XX

AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA AMENDING TITLE 11 "VEHICLES AND TRAFFIC" OF THE SITKA GENERAL CODE BY REPEALING CHAPTER 11.56 "TAXICABS" AND REPLACING WITH CHAPTER 11.55 "COMMERCIAL PASSENGER VEHICLES"

1. CLASSIFICATION. This ordinance is of a permanent nature and is intended to become a part of the Sitka General Code (SGC).

2. SEVERABILITY. If any provision of this ordinance or any application to any person or circumstance is held invalid, the remainder of this ordinance and application to any person or circumstance shall not be affected.

3. PURPOSE. The purpose of this ordinance is to protect the public safety promote safe and convenient commercial passenger vehicle services, and to establish and enforce reasonable, clear, and consistent standards and procedures for regulating those services. The specific purposes of this ordinance are to:

- a. Encourage safe, convenient, and effective commercial passenger vehicle services;
b. Establish standards for drivers, and operational standards for commercial passenger vehicle services; and
c. Authorize promulgation of regulations to implement this ordinance.
d. Protect the public safety.

4. ENACTMENT. NOW, THEREFORE, BE IT ENACTED by the Assembly of the City and Borough of Sitka that the Sitka General Code Title 11, entitled "Vehicles and Traffic", be amended by repealing Chapter 11.56, entitled "Taxicabs" and replacing with Chapter 11.55, entitled "Commercial Passenger Vehicles" to read as follows (deleted language stricken, new language underlined):

Title 11
VEHICLES AND TRAFFIC

Chapter:

11.56 TAXICABS

Chapter 11.56
TAXICABS

Sections:

- 11.56.010 Definitions.
11.56.020 Operator's license.
11.56.030 Application for operator's license.
11.56.040 Police investigation for applicant.
11.56.050 Eligibility for operator license.
11.56.060 Consideration of application.

- 53 11.56.070 — Insurance.
- 54 11.56.080 — Operator's license.
- 55 11.56.090 — Taxi driver's permit required.
- 56 11.56.100 — Application for driver's permit.
- 57 11.56.110 — Police investigation of applicant for driver's permit.
- 58 11.56.120 — Eligibility for driver's permit.
- 59 11.56.130 — Consideration of application for driver's permit.
- 60 11.56.140 — Permit to be posted.
- 61 11.56.150 — Suspension and revocation of driver's permit.
- 62 11.56.160 — Initial license/permit — Duration.
- 63 11.56.170 — License/permit renewal and late penalty.
- 64 11.56.180 — Fees.
- 65 11.56.190 — Transfer of license or permit.
- 66 11.56.200 — Licenses and permits property of the municipality.
- 67 11.56.210 — Notice of suspension or revocation.
- 68 11.56.220 — Hearing.
- 69 11.56.230 — Rates.
- 70 11.56.240 — Receipts.
- 71 11.56.250 — Acceptance and discharge of passengers.
- 72 11.56.260 — Vehicles.
- 73 11.56.270 — Reports and records.
- 74 11.56.280 — Preexisting licenses and permits.
- 75 11.56.290 — Violation — Penalty.

76

77 **11.56.010 Definitions.**

78 Unless expressly stated, wherever used in this chapter, the following words shall mean:

79 A. — "Municipality" means the city and borough of Sitka.

80 B. — "Police chief" means the chief of police of the city and borough of Sitka, or his/her
81 authorized representative.

82 C. — "Person" means any natural person, firm, corporation, partnership, or association.

83 D. — "Street" means every road, highway, thoroughfare, alley and place, including bridges,
84 viaducts and other structures within the boundaries of this municipality used or intended for the
85 use of the public for vehicles.

86 E. — "Taxicab" means every motor vehicle, except cars for rent without drivers, used for the
87 transportation of passengers for hire within the corporate limits of the municipality, not operated
88 exclusively over a fixed and defined route, but used for transportation of passengers where the
89 destination and route are controlled by the passengers, for which a charge is made.

90 F. — "Taxicab driver" means person who carries on the vocation of driving a taxicab.

91 G. — "Taxicab operator" means any person engaged in the business of providing services of a
92 taxicab.

93 ~~**11.56.020 Operator's license.**~~

94 ~~No person shall operate or permit a taxicab owned or controlled by them to be operated as a~~
95 ~~vehicle for hire upon the streets of the city and borough of Sitka without having first obtained an~~
96 ~~operator's license from the chief of police.~~

97 ~~**11.56.030 Application for operator's license.**~~

98 ~~A.— An application for an operator's license shall be filed with the police chief upon forms~~
99 ~~provided by the municipality. The application shall be accompanied by a nonrefundable fee to~~
100 ~~be determined by the police chief per person named as owner or co-owner. Such application~~
101 ~~shall be verified under oath and shall include the following information:~~

- 102 ~~1.— The name and residence address of the applicant;~~
- 103 ~~2.— The business name and business address of the taxicab operation;~~
- 104 ~~3.— The experience of the applicant in the transportation of passengers;~~
- 105 ~~4.— The number of vehicles to be operated or controlled by the applicant and the location of~~
106 ~~proposed depots or terminals;~~
- 107 ~~5.— The color scheme or insignia to be used to designate the vehicle or vehicles of the~~
108 ~~applicant is to be approved by the police chief;~~
- 109 ~~6.— Information regarding any criminal convictions; and~~
- 110 ~~7.— Information as the police chief may require.~~

111 ~~B.— The application shall be signed by the applicant; such signature shall constitute the~~
112 ~~applicant's consent to an investigation conducted by the municipality of the applicant's~~
113 ~~qualifications.~~

114 ~~**11.56.040 Police investigation of applicant.**~~

115 ~~The police department shall conduct an investigation of each applicant for an operator's license,~~
116 ~~and a report of such investigation shall be maintained.~~

117 ~~Applicants shall provide proof of their residence or residences for the ten years previous to their~~
118 ~~application and shall provide fingerprints and F.B.I. and state police record printouts as~~
119 ~~necessary.~~

120 ~~**11.56.050 Eligibility for operator license.**~~

121 ~~Except as provided for in Section 11.56.060, no operator license shall be issued to:~~

122 ~~A.— A person who has been convicted of murder in the first degree or murder in the second~~
123 ~~degree or any other unclassified felony, or their counterparts in another jurisdiction; or~~

124 ~~B.— A person who has been convicted of any other crime included in the Alaska Statutes or its~~
125 ~~counterpart in another jurisdiction, within the time period specified as follows:~~

126

127

**Years Immediately
Preceding
Application for
License**

Crime(s)

10

Class A or B felony

5

Class C felony or
Class A misdemeanor
or other felony or
misdemeanor not
specifically classified
as unclassified, A, B
or C

2

Class B misdemeanor

128

129 C.— An applicant who fails to supply information so required or submits false or misleading
130 information.

131 ~~11.56.060 Consideration of application.~~

132 A.— The police chief, after considering the application, the reports required to be attached
133 thereto, and the results of the police investigation, shall approve or deny the application for an
134 operator's license. The chief of police shall issue a statement of reasons in writing for a denial. If
135 the application is denied, the applicant may request a hearing, pursuant to Section 11.56.220,
136 before the police chief, to offer evidence why the denial should be reconsidered. An adverse
137 decision may be appealed to the municipal administrator and ultimately to the municipal
138 assembly.

139 B.— The purpose of these regulations is to promote the safety of taxicab passengers and of the
140 public generally. In considering an appeal or application, the police chief, the administrator and
141 the assembly shall consider the nature of the disqualifying offense or other justification for
142 permit denial, the time which has passed, as well as the applicant's driving record and the
143 applicant's completion of any condition or requirement of any probation imposed, in determining
144 if public safety will be protected if the appeal is granted.

145 C.— No right of appeal should be afforded to persons convicted of a class A felony.

146 ~~11.56.070 Insurance.~~

147 A.— Before a license is issued to any operator, the operator shall deposit with the police chief a
148 policy or policies of an insurance company or companies duly licensed to transact business in
149 the state, insuring the operator of any taxicab against loss and liability imposed by law for
150 damages on account of bodily injuries or death, or for damages to property resulting from the
151 ownership, maintenance, or use of any taxicab to be owned or operated under such license and
152 naming the city as an additional insured. The policy or policies shall be approved by the
153 municipal attorney as to form and compliance with this chapter. The limit in any such insurance
154 policy shall be not less than fifty thousand dollars for damage to or destruction of property
155 arising out of a single accident or occurrence, one hundred thousand dollars for bodily injuries to
156 or death of one person, and two hundred thousand dollars for any number of claims arising out
157 of a single accident or occurrence.

158 ~~B.—The policy or policies shall be maintained in full force and effect during the operation of the~~
159 ~~business and shall provide for thirty days' prior notification to the police chief of all changes in~~
160 ~~the terms and/or cancellation of the policy.~~

161 ~~C.—Any license issued under the provisions of this chapter shall expire automatically upon the~~
162 ~~cancellation of the insurance required by this section.~~

163 ~~D.—The licensed operator may not sublet or permit satellite business operations to extend from~~
164 ~~his license; and~~

165 ~~1.—The operator must be the person or entity controlling the business operations of the~~
166 ~~taxicab operation for which the license is issued;~~

167 ~~2.—The operator may allow drivers with permits required by SGC Section 11.56.100 to~~
168 ~~lease his vehicles or drive their own vehicles if all of the following exist:~~

169 ~~a.—The vehicles are properly licensed and registered, and~~

170 ~~b.—The vehicles and drivers are fully insured as required by SGC Section 11.56.070~~
171 ~~and fully comply with the other requirements of this chapter, including, but not limited to~~
172 ~~insignia and color requirements, and~~

173 ~~c.—The operator shall maintain central records for all taxicabs in his operation, and~~

174 ~~d.—The operator shall be responsible for any damage or personal injury caused by~~
175 ~~negligent or wilful misconduct of drivers and vehicles in his operation;~~

176 ~~E.—Any change in ownership shall require a new application for an operator's permit or license.~~

177 ~~**11.56.080 Suspension or revocation of license.**~~

178 ~~A.—The operator's license issued under the provisions of this chapter may be revoked or~~
179 ~~suspended by the chief of police if the holder thereof has:~~

180 ~~1.—Violated any of the provisions of this chapter;~~

181 ~~2.—Discontinued operations for more than thirty days;~~

182 ~~3.—Committed any offense as listed in Section 11.56.050;~~

183 ~~4.—Violated subsection D of Section 11.56.070.~~

184 ~~B.—Except as otherwise provided in subsection C below, prior to suspension or revocation, the~~
185 ~~holder shall be given notice of the proposed action to be taken in accordance with the provisions~~
186 ~~of Section 11.56.210.~~

187 ~~C.—Upon determining that an immediate danger to persons or property exists, the police chief~~
188 ~~may suspend the license at once. The suspension shall take effect immediately upon notice of~~
189 ~~the suspension being received by the licensee, or being delivered to the licensee's business~~
190 ~~address as stated on the licensee's application for the license that is being suspended. The~~
191 ~~notice provided for in Section 11.56.210 shall be mailed to the licensee by certified mail.~~

192 ~~**11.56.090 Taxi driver's permit required.**~~

193 ~~No person shall drive a taxicab for hire upon the streets of the city and borough of Sitka and no~~
194 ~~person who owns or controls a taxicab shall permit it to be so driven unless the driver of the~~
195 ~~taxicab shall have first obtained and shall have then in force a taxicab driver's permit issued~~
196 ~~under the provisions of this chapter.~~

197 ~~**11.56.100 Application for driver's permit.**~~

198 ~~A.— An application for a taxicab driver's permit shall be filed with the police chief on forms~~
199 ~~provided by the municipality; and such application shall be accompanied by a nonrefundable fee~~
200 ~~to be determined by the police chief. The application shall be verified, under oath, and shall~~
201 ~~contain the following:~~

202 ~~1.— Name and residence address of the applicant;~~

203 ~~2.— A concise history of the applicant's employment;~~

204 ~~3.— Name of prospective employer;~~

205 ~~4.— Information relating to criminal convictions;~~

206 ~~5.— Information relating to convictions of traffic infractions;~~

207 ~~6.— Number of valid Alaska driver's license;~~

208 ~~7.— Such other information as the police chief may require;~~

209 ~~8.— Two two-inch by two-inch full face photographs, to be taken by the Sitka police~~
210 ~~department.~~

211 ~~B.— The application shall be signed by the applicant; such signature shall constitute the~~
212 ~~applicant's consent to an investigation conducted by the municipality of the applicant's~~
213 ~~qualifications.~~

214 ~~C.— A taxicab driver's license shall not be issued to any person who does not meet the medical~~
215 ~~standards set forth in 2 AAC 90.440.~~

216 ~~**11.56.110 Police investigation of applicant for driver's permit.**~~

217 ~~The police department shall conduct an investigation of each applicant for a taxicab driver's~~
218 ~~permit, and a report of such investigation shall be forwarded to the police chief.~~

219 ~~Applicants shall provide proof of their residence or residences for the ten years prior to their~~
220 ~~application and shall provide fingerprints and F.B.I. and state police record printouts as~~
221 ~~necessary.~~

222 ~~**11.56.120 Eligibility for driver's permit.**~~

223 ~~Except as provided for in Section 11.56.130, no driver's permit shall be issued to:~~

224 ~~A.— A person who does not have a valid driver's license issued by the State Department of~~
225 ~~Motor Vehicles; or~~

226 ~~B.— A person who has been convicted of murder in the first degree or murder in the second~~
227 ~~degree, or any other unclassified felony, or their counterparts in another jurisdiction; or~~

228 ~~C.— A person who has been convicted of any other crime included in the Alaska Statutes not~~
229 ~~described in Section 11.56.120D or its counterpart in another jurisdiction within the time periods~~
230 ~~specified as follows:~~

231

232

233

Years Immediately Preceding Application for Permit	Crime(s)
10	Class A or B felony
5	Class C felony or Class A misdemeanor or other felony or misdemeanor not specifically classified as unclassified, A, B or C
2	Class B misdemeanor

234

235 ~~D.— A person who has been convicted of a traffic offense, as is defined in Alaska Statute Title~~
236 ~~28, or Title 11 of the Sitka General Code, or their counterparts in another jurisdiction, within the~~
237 ~~time periods specified as follows:~~

Years Immediately Preceding Application for Permit	Crime(s)
2	Major traffic offense, including driving while under the influence, refusal to take breath test
4	Accumulation of eight or more points under the Department of Motor Vehicles system in any one year

238

239 ~~E.— An applicant who fails to supply information so required or who submits false or misleading~~
240 ~~information.~~

241 **~~11.56.130 Consideration of application for driver's permit.~~**

242 A.— ~~The chief of police shall, upon consideration of the application and the police investigation,~~
243 ~~approve or deny the application for a driver's permit. The chief of police shall issue a statement~~
244 ~~of reasons in writing for a denial. If the application is denied, the applicant may request a~~
245 ~~hearing, which shall be held in accordance with the provisions of Section 11.56.220 to offer~~
246 ~~evidence why the denial should be reconsidered. An adverse decision may be appealed to the~~
247 ~~municipal administrator and ultimately to the municipal assembly.~~

248 B.— ~~The chief of police shall have the power, in his/her sole discretion, to issue temporary~~
249 ~~licenses pending completion of the application investigation.~~

250 C.— ~~The purpose of these regulations is to promote the safety of taxicab passengers and of the~~
251 ~~public generally. In considering an appeal or application, the police chief, the administrator and~~
252 ~~the assembly shall consider the nature of the disqualifying offense or other jurisdiction for permit~~
253 ~~denial, the time which has passed, as well as the applicant's driving record, and the applicant's~~
254 ~~completion of any condition or requirement of any probation imposed, in determining if public~~
255 ~~safety will be protected if the appeal is granted.~~

256 D.— ~~No right of appeal should be afforded to persons convicted of a class A felony.~~

257 **~~11.56.140 Permit to be posted.~~**

258 ~~The driver's permit shall be posted in a conspicuous place in the taxicab which the driver is~~
259 ~~operating.~~

260 **~~11.56.150 Suspension and revocation of driver's permit.~~**

261 A.— ~~The police chief may suspend or revoke any driver's permit issued under this chapter for~~
262 ~~failure to comply with the provisions of this chapter and for violation of the offenses listed in~~
263 ~~Section 11.56.120.~~

264 B.— ~~Except as otherwise provided in subsection C of this section, prior to suspension or~~
265 ~~revocation, the permit holder shall be given notice of the proposed action to be taken, in~~
266 ~~accordance with the provisions of Section 11.56.210.~~

267 C.— ~~Upon determining that an immediate danger to person or property exists, the police chief~~
268 ~~may suspend the license at once. The suspension shall take effect immediately upon notice of~~
269 ~~the suspension being received by the licensee, or being delivered to the licensee's business~~
270 ~~address as stated on the licensee's application for the license that is being suspended. The~~
271 ~~notice provided for in Section 11.56.210 shall be mailed to the licensee by certified mail.~~

272 **~~11.56.160 Initial license/permit—Duration.~~**

273 ~~Unless a shorter period is specified, new licenses or permits shall be valid from the date of~~
274 ~~issuance for a term of one year.~~

275 **~~11.56.170 License/permit renewal and late penalty.~~**

276 ~~The application for renewal of a license or permit shall be made to the municipality prior to the~~
277 ~~license or permit expiration date. A penalty to be determined by the police chief shall be added~~
278 ~~to the license or permit fee accompanying a renewal application received by the municipality~~
279 ~~after the expiration date.~~

280 ~~**11.56.180 Fees.**~~

281 ~~No taxicab operator's license or taxicab driver's permit shall be issued or continue to be valid~~
282 ~~unless the holder thereof has paid the fees as required.~~

283 ~~**11.56.190 Transfer of license or permit.**~~

284 ~~No license or permit issued in accordance with the provisions of this chapter may be sold,~~
285 ~~assigned, or otherwise transferred.~~

286 ~~**11.56.200 Licenses and permits property of the municipality.**~~

287 ~~Any license or permit issued in accordance with the provisions of this chapter shall remain the~~
288 ~~property of the city and borough of Sitka, and upon expiration, revocation or suspension, it shall~~
289 ~~be returned to the municipality. If a license or permit is lost or destroyed, upon affidavit made as~~
290 ~~to its loss or destruction, it may be replaced upon payment by the applicant of a required fee to~~
291 ~~be determined by the police chief.~~

292 ~~**11.56.210 Notice of suspension or revocation.**~~

293 ~~Unless otherwise provided, prior to revocation or suspension of a license or permit issued under~~
294 ~~the provisions of this chapter, the chief of police shall provide a notice to the holder of said~~
295 ~~license or permit. The notice shall contain the following information:~~

296 ~~A.—The name and title of the person issuing the notice;~~

297 ~~B.—The date on which the suspension or revocation will become effective;~~

298 ~~C.—The reason for the revocation or suspension;~~

299 ~~D.—That the licensee or permittee may request a hearing regarding the revocation or~~
300 ~~suspension;~~

301 ~~E.—That the request for a hearing must be made in person or in writing and received by the~~
302 ~~police chief within ten days after receipt of the notice;~~

303 ~~F.—That failure to appear in person or mail a letter within ten days after receipt of the notice or~~
304 ~~by its return by the Postal Service shall act as a waiver of the right to a hearing and the~~
305 ~~revocation or suspension will, if applicable, become effective on the date included in the notice.~~

306 ~~**11.56.220 Hearing.**~~

307 ~~A.—Upon request for a hearing, as provided above, a hearing shall be held before the chief of~~
308 ~~police. The hearing shall be set and conducted within forty-eight hours of receipt of the request,~~
309 ~~holidays, Saturdays, and Sundays not to be included. The hearing can be set for a later date if~~
310 ~~the applicant, licensee or permittee so requests.~~

311 ~~B.—At the hearing the applicant, licensee or permittee may contest the denial, revocation or~~
312 ~~suspension of the license or permit.~~

313 ~~C.—If the police chief finds that the applicant, licensee or permit holder is not eligible for a~~
314 ~~license or permit, the chief of police may declare the license or permit denied, revoked or~~
315 ~~suspended. The action of the chief of police is appealable to the assembly of the city and~~
316 ~~borough of Sitka. The decision of the assembly is final.~~

317 ~~D.— If the applicant, licensee or permittee does not appear at the scheduled hearing, the police~~
318 ~~chief shall enter an order supporting the denial, revocation or suspension of the license or~~
319 ~~permit.~~

320 ~~**11.56.230 Rates.**~~

321 ~~A.— The police chief shall have the right, at any time, after notice to license holders and public~~
322 ~~hearing, to approve the maximum rates to be charged by taxicabs in the municipality, and no~~
323 ~~operator shall thereafter charge any passenger a rate higher than those approved by the police~~
324 ~~chief.~~

325 ~~B.— The driver or operator of any taxicab shall post in a conspicuous place on such vehicle, and~~
326 ~~keep posted, a copy of such rates in accordance with the rates approved by the police chief.~~

327 ~~**11.56.240 Receipts.**~~

328 ~~The driver of a taxicab shall, upon demand by the passenger, render to such passenger a~~
329 ~~receipt for the amount charged, either by a mechanically printed receipt or by a specially~~
330 ~~prepared receipt, on which shall be the name of the owner, license number, charges, and the~~
331 ~~date of transaction.~~

332 ~~**11.56.250 Acceptance and discharge of passengers.**~~

333 ~~Drivers of taxicabs shall not receive or discharge passengers in the roadway, but shall pull up to~~
334 ~~the right-hand side as nearly as possible or, in the absence of a sidewalk, to the extreme right-~~
335 ~~hand side of the road and there receive or discharge passengers, except upon one-way streets,~~
336 ~~where passengers may be discharged at either the right-hand or left-hand sidewalk or side of~~
337 ~~the roadway in the absence of a sidewalk.~~

338 ~~**11.56.260 Vehicles.**~~

339 ~~A.— Vehicles must be kept in clean and sanitary condition and shall be inspected by the Sitka~~
340 ~~police department prior to being used as a taxicab and each year upon renewal of the operator's~~
341 ~~license or permit or periodically as determined by the police chief. There will be a fee for each~~
342 ~~inspection.~~

343 ~~B.— All vehicles belonging to, or operated by, a particular operator shall be designated by an~~
344 ~~insignia or logo sufficient to identify that operator's taxicabs to the public.~~

345 ~~C.— Smoking in the vehicle is prohibited under Section 9.20.015(L), entitled "Prohibition of~~
346 ~~smoking in public places."~~

347 ~~**11.56.270 Reports and records.**~~

348 ~~Any accidents arising from or in connection with the operation of taxicabs which result in death~~
349 ~~or injury to any person or in damage to any vehicle or to any property in an amount exceeding~~
350 ~~the sum of five hundred dollars shall be reported within twenty-four hours from the time of~~
351 ~~occurrence to the police chief.~~

352 ~~**11.56.280 Preexisting licenses and permits.**~~

353 ~~All operator licenses and taxicab driver permits valid on January 15, 1986, the effective date of~~
354 ~~the ordinance codified in this chapter, shall be and remain valid until their normal expiration~~
355 ~~dates, unless revoked or suspended in accordance with the provisions of Sections 11.56.080,~~
356 ~~11.56.150 or 11.56.290.~~

357 ~~11.56.290 Violation—Penalty.~~

358 ~~Any person violating any of the provisions of this chapter shall be deemed guilty of a~~
359 ~~misdemeanor and, upon conviction thereof, shall be fined in an amount not exceeding one~~
360 ~~thousand dollars or by imprisonment not exceeding ninety days, or by both such fine and~~
361 ~~imprisonment.~~

362 * * *

363
364 **Chapter 11.55**
365 **COMMERCIAL PASSENGER VEHICLES**
366

367 Sections:

- 368 11.55.010 Definitions.
369 11.55.020 Administration.
370 11.55.030 Permit application, issuance, and amendment.
371 11.55.040 Administrative sanctions and permit denials.
372 11.55.050 Procedure for permit denials and administrative sanctions.
373 11.55.060 No vested rights.
374 11.55.070 Professional driver's permit and registration required.
375 11.55.080 Professional driver's permit qualifications and application.
376 11.55.090 Class C driver's permit and registration required.
377 11.55.100 Class C driver's permit qualifications and application.
378 11.55.110 Vehicle approval required.
379 11.55.120 Vehicle standards.
380 11.55.130 Radar detectors, radio scanners, excess passengers prohibited.
381 11.55.140 Certificate of public convenience and necessity required.
382 11.55.150 Registration of drivers and vehicles.
383 11.55.160 Endorsements.
384 11.55.170 Insurance.
385 11.55.180 City and Borough taxes.
386 11.55.190 Intercepting service call.
387 11.55.200 Application of traffic laws.
388 11.55.210 Official traffic control devices.

389
390 **11.55.010 Definitions.**

391 The following words, terms and phrases when used in this chapter, shall have the meanings
392 ascribed to them in this section, except where the context clearly indicates a different meaning:
393

- 394 A. "Bus" means a commercial passenger vehicle designed to transport more than 15
395 passengers, including the driver.
396
397 B. "Certificate" means a certificate of public convenience and necessity issued under this
398 chapter.
399
400 C. "Commercial passenger vehicle" means a vehicle, including a vehicle propelled solely by
401 human or animal power, while in use, or marked or otherwise apparently available for use for
402 the transportation of passengers for compensation, but not including courtesy vehicles, school
403 buses operating exclusively under a contract to the school district; vehicles used by profit or
404 nonprofit transportation providers solely for elderly or disabled persons and their attendants; or

405 vehicles operated by or while engaged in providing services directly to the City and Borough,
406 the state, or the federal government.

407
408 D. “Commercial passenger vehicle stop” means a location established by the chief of police
409 at which specified classes of commercial passenger vehicles are subject to specified privileges
410 or limitations.

411
412 E. “Compensation” means a fee paid by a passenger directly or indirectly to a commercial
413 passenger vehicle permittee, whether the payment is made at the time the service is rendered,
414 or in the form of a monthly or other periodic payment. A tip or gratuity shall not be considered
415 compensation provided that it is neither directly nor indirectly solicited and is neither an explicit
416 nor implicit condition of transportation.

417
418 F. “Courtesy vehicle” means a vehicle providing passenger transportation to patrons of a
419 business as a regular amenity without direct compensation.

420
421 1. For purposes of this definition:

422
423 a. “Business” means a person whose primary commercial service is one or more of
424 the following:

425
426 i. Commercial lodging facilities, meaning a structure or portions of a
427 structure occupied or intended or designed for occupancy by transients
428 for dwelling, lodging, or sleeping purposes and includes any hotel, motel,
429 inn, bed and breakfast, or similar structure.

430
431 ii. Tours or experiences, but not sightseeing in the vehicle.

432
433 iii. Automobile repair.

434
435 b. “Patron” means a member of the public purchasing a primary service of the
436 business. Persons who are neither patrons nor employees of the business may
437 not be transported in the courtesy vehicle.

438
439 c. “Regular amenity” means the passenger service is offered to all patrons for the
440 purpose of rendering the primary service more attractive or convenient but is not
441 itself the primary purpose of the business and no separate charge is made to
442 patrons for the amenity.

443
444 G. “Dispatch” means to receive requests for, arrange for, coordinate or direct, the delivery
445 of commercial passenger vehicle services.

446
447 H. “Drive” means to be in, and “driver” means the person in, physical control of a
448 commercial passenger vehicle.

449
450 I. “Endorsement” means a certificate notation authorizing the holder to provide one of the
451 following types of commercial passenger vehicle services: Class A, Class B, Class C.

452

453 J. “Holder” means the person to whom a certificate of convenience and necessity has been
454 issued.

455
456 K. “Knowingly permit” means to be aware of an action or condition, to have the ability and
457 opportunity to prevent or end it and allow or fail to prevent or end it. There is a rebuttable
458 presumption that a person is aware of an action or condition which a reasonable person in the
459 same position would be aware of.

460
461 L. “Limousine services” means the limousine endorsement, which shall authorize
462 transportation services available only by advance reservation, at an hourly rate, provided by a
463 bona fide limousine company and marketed primarily for the luxury quality of the experience.

464
465 M. “Permit” used as a noun means a professional driver’s permit or Class C driver’s permit
466 issued under this chapter, a vehicle approval issued under this chapter, or a certificate of public
467 convenience issued under this chapter.

468
469 N. “Permittee” means a person who has been issued a permit.

470
471 O. “Person” means a natural person, partnership, corporation, association, or other legal
472 entity.

473
474 P. “Provide commercial passenger vehicle services” means to offer, advertise for, solicit for
475 sale, dispatch, or direct transportation in, or own or drive a commercial passenger vehicle.

476
477 Q. “Revoke” and “revocation” mean that a permit is permanently voided and the permittee
478 to whom it was issued may not be issued any other permit under this chapter for a period of one
479 year from the date the revocation is effective.

480
481 R. “Suspend” and “suspension” mean that a permit is ineffective for a specified portion of its
482 term, and the permittee to whom it was issued may not be issued any other permit under this
483 chapter during the suspension period. The suspension may be conditioned on correction of a
484 status or condition of a person or a vehicle.

485
486 **11.55.020 Administration.**

487 A. The chief of police or designee shall serve as the commercial passenger vehicle
488 manager. The commercial passenger vehicle manager shall exercise all powers necessary to
489 the administration and regulation of commercial passenger vehicles, subject to the general
490 supervision of the municipal administrator.

491
492 B. Regulations. The assembly shall adopt regulations as necessary to carry out the
493 provisions of this chapter.

494
495 **11.55.030 Permit application, issuance, and amendment.**

496 A. Application. Application for permits must be submitted on forms provided by the
497 commercial passenger vehicle manager, who shall reject applications which are incomplete,
498 unsigned, or unaccompanied by the required fee, or for a permittee that has unpaid commercial
499 passenger vehicle fines or fees. The commercial passenger vehicle manager may require an
500 applicant to submit evidence of authority to submit an application.

501

502 B. Issuance. Permits shall be issued to qualified applicants by the commercial passenger
503 vehicle manager in accordance with this chapter.

504
505 C. Amendment and transfer. Permits may be amended or transferred only upon written
506 application subject to the requirements provide in subsection A of this section and as authorized
507 by this chapter and regulations issued under this chapter.

508
509 **11.55.040 Administrative sanctions and permit denials.**

510 A. A permit may be denied, suspended, or revoked if the permittee has violated any
511 provision of this chapter, failed to comply with a lawful written order of the commercial
512 passenger vehicle manager, or has committed any criminal offense, infraction, or regulatory
513 violation specified in regulations issued pursuant to this chapter as grounds for denial,
514 suspension or revocation.

515
516 B. An application shall be denied, or a permit immediately suspended, upon the commercial
517 passenger vehicle manager's receipt of a criminal charging document or verifiable information
518 disclosing the circumstances of an arrest or conviction of the applicant or permittee for criminally
519 sexual behavior, defined as the offenses set forth in Article 4 of AS 11.41, or substantially
520 similar offenses under the laws of another jurisdiction within the United States.

521
522 **11.55.050 Procedure for permit denials and administrative sanctions.**

523 A. The commercial passenger vehicle manager may summarily suspend or revoke a permit
524 without notice or hearing upon a written determination that grounds for permit suspension or
525 revocation exist and that summary suspension or revocation is necessary to prevent a clear,
526 substantial, and imminent hazard to life, safety, or property.

527
528 B. Except as provided in subsection A of this section, an application may be denied, or a
529 permit may be suspended or revoked, only after notice, an opportunity for a hearing before the
530 chief of police, and a written finding that grounds for the denial or sanction have been
531 established by a preponderance of the evidence.

532
533 C. A finding by the chief of police regarding denial of an application or revocation of a
534 permit shall be in writing. The action of the chief of police is appealable to the municipal
535 administrator if such appeal is brought within 10 days. The appeal decision of the municipal
536 administrator shall comprise a final administrative decision of the City and Borough of Sitka,
537 which may be appealed to the Superior Court if such an appeal is brought within 30 days.

538
539 D. Hearing before the chief of police under this section shall be informal. Relevant
540 evidence must be admitted if it is probative of a material fact in controversy. Irrelevant and
541 unduly repetitious evidence shall be excluded.

542
543 E. For purposes of permit denial or revocation under this section, a criminal violation or
544 infraction as provided by SGC 11.55.040 (A) and (B) and (ADD REGULATORY CITE) may be
545 established either by evidence of a conviction or bail forfeiture in criminal court or by a
546 preponderance of the evidence in a hearing under this section.

547
548 **11.55.060 No vested rights.**

549 A. This chapter is enacted for the benefit and protection of the public safety and interest
550 and may be repealed or amended at any time for the same purpose without liability for the effect

551 such repeal or amendment may have on the profits or losses of any person. No vested rights
552 are created by this chapter, nor any permit issued by authority of this chapter. No interest in
553 any permit, license, or other type of permission granted under this chapter may be amended,
554 used, transferred, or modified in any way except as allowed by this chapter.
555

556 B. The grant or denial of a permit, or any act or omission by the City and Borough with
557 respect to such permit is not intended to regulate the private business relationships or to protect
558 the business interests of one party against another. It shall be the individual responsibility of
559 those regulated to enforce their rights and liabilities through civil actions or such other private
560 relief as may be available.
561

562 **11.55.070 Professional driver's permit and registration required.**

563 A. Drivers of Class A licensed vehicles must obtain a professional driver's permit. Drivers
564 of Class B licensed vehicles must obtain a professional driver's permit unless the driver holds a
565 current commercial driver's license.
566

567 B. A driver shall display the driver's permit as required by regulation.
568

569 C. It is unlawful for a certificate holder to allow a person who does not hold a current
570 professional driver's permit, or a commercial driver's license if operating a Class B vehicle, to
571 drive a commercial passenger vehicle.
572

573 D. Violation of subsection A, B, or C of this section is an infraction.
574

575 **11.55.080 Professional driver's permit qualifications and application.**

576 A. In order to qualify for a professional driver's permit, an applicant must possess a current
577 state driver's license.
578

579 B. In order to qualify for a professional driver's permit, a driver shall not have been
580 convicted of a felony within the preceding ten years or more than three misdemeanors within the
581 preceding five years, or had an operator's license suspended more than once or revoked at any
582 time within the preceding three years; provided, however, that if the crime for which the driver is
583 convicted is for criminally sexual behavior, as defined as the offenses set forth in Article 4 of AS
584 11.41 or substantially similar offenses of the laws of another jurisdiction within the United
585 States, or a felony for which the driver is convicted in any way involving a commercial
586 passenger vehicle, the police department shall not issue a professional driver's permit to that
587 person, regardless of when the conviction occurred.
588

589 **11.55.090 Class C driver's permit and registration required.**

590 A. Drivers of Class C licensed vehicles must obtain a Class C driver's permit.
591

592 B. A driver shall display the driver's permit as required by regulation.
593

594 C. It is unlawful for a certificate holder to allow a person who does not hold a Class C
595 driver's permit to drive a Class C commercial passenger vehicle.
596

597 D. Violation of subsection A, B, or C of this section is an infraction.
598

599 **11.55.100 Class C driver's permit qualifications and application.**

600 A. In order to qualify for a Class C driver's permit, an applicant must possess a current
601 state driver's license.

602
603 B. In order to qualify for a Class C driver's permit, a driver shall not have had an operator's
604 license suspended more than once, or revoked at any time, within the preceding three years.

605
606 **11.55.110 Vehicle approval required.**

607 A. No holder shall provide, or knowingly permit another to provide, commercial passenger
608 vehicle services with a vehicle that is not currently approved by the commercial passenger
609 vehicle manager. This section applies to vehicles operating under a Class A or Class C
610 endorsement, and to vehicles operating under a Class B endorsement which are not subject to
611 state regulation.

612
613 B. A vehicle approval shall be issued by the commercial passenger vehicle manager to the
614 holder of the certificate upon proof that the vehicle has been inspected by the police department
615 and otherwise meets all requirements set forth in this chapter and in regulations issued pursuant
616 to this chapter.

617
618 C. A vehicle shall be subject to unannounced inspection (i) If the commercial passenger
619 vehicle manager or any police officer has a reasonable suspicion that the vehicle creates an
620 imminent danger to the public, or (ii) under a program set forth by regulation.

621
622 D. Violation of subsection A of this section is an infraction. Each day of operation is a
623 separate offense.

624
625 **11.55.120 Vehicle standards.**

626 A. The chief of police shall issue regulations establishing safety and operational standards
627 for commercial passenger vehicle businesses. Such regulations shall be adopted by the
628 assembly as necessary to carry out the provisions of this chapter.

629
630 B. No person may provide commercial passenger vehicle services in a vehicle which is in
631 violation of the regulations promulgated under this section. Violation of this section is an
632 infraction subject to the fine described in (ADD REG CITE)

633
634 **11.55.130 Radar detectors, radio scanners, excess passengers prohibited.**

635 A. It shall be unlawful for any person to provide commercial passenger vehicle services in a
636 vehicle equipped with any device, passive or active, to detect or purposefully interfere with any
637 radar, laser, or other device employed by law enforcement personnel to measure the speed of
638 motor vehicles for law enforcement purposes.

639
640 B. It shall be unlawful for any person to provide commercial passenger vehicle services in a
641 vehicle carrying more than the maximum passenger capacity specified by the commercial
642 passenger vehicle manager for that vehicle. Each excess passenger is a separate offense.

643
644 C. It shall be unlawful for the driver of a taxicab, or the holder of a certificate endorsed for
645 taxi service to provide services in a vehicle equipped with a device capable of monitoring the
646 radio communications of another holder or the City and Borough police department. This
647 subsection shall not apply to a taxicab vehicle not in service and lawfully marked as such.

648

649 D. Violation of this section is an infraction.

650

651 **11.55.140 Certificate of public convenience and necessity required.**

652 A. It is unlawful for any person to provide or attempt to provide commercial passenger
653 vehicle services, or knowingly permit another to do so, except under the authority of a current
654 certificate of public convenience and necessity issued by the City and Borough.

655

656 B. Violation of this section is an infraction; each vehicle, each day, shall be a separate
657 offense.

658

659 **11.55.150 Registration of drivers and vehicles.**

660 A. Each certificate shall identify the drivers and vehicles registered to that certificate.

661

662 B. No holder shall provide, or knowingly permit another to provide, commercial passenger
663 vehicle services with a driver or vehicle that is not registered to a certificate issued to that
664 holder. Violation of this subsection is an infraction.

665

666 C. The holder of a certificate shall report to the commercial passenger vehicle manager any
667 violation of this chapter, or regulations adopted pursuant to this chapter, by a driver registered to
668 the certificate. The holder shall be responsible under this standard regardless of the legal or
669 contractual relationship between the holder and any other person conducting the commercial
670 passenger vehicle business, and regardless of whether the holder reported all violations.

671

672 **11.55.160 Endorsements.**

673 Each certificate of public convenience and necessity shall be endorsed for one or more of the
674 types of service set out in this section. The endorsement shall set forth conditions. Further
675 conditions may be established by regulation.

676

677 A. Class A endorsement.

678

679 1. Purpose. The Class A endorsement is for taxis and shall authorize unlimited services
680 for the purpose of providing readily available transportation throughout the City and
681 Borough 24 hours per day, seven days per week at a standard rate for passenger
682 directed, dispatched services. A certificate endorsed for Class A service may not be
683 endorsed for any other service.

684

685 2. Conditions. The endorsement shall be subject to the conditions that it charges by
686 taximeter or by the hour, in either case at a standard fare established by regulation
687 and that the service be available to provide transportation throughout the roaded
688 service area to the general public 24 hours a day, 365 days a year.

689

690 3. Method of establishing fares. The chief of police shall by regulation establish a
691 standard taximeter fare and a standard hourly fare to be charged by all taxis
692 operating in the City and Borough after considering the following factors:

693

694 a. The public need for readily available taxi service at a reasonable cost, in safe
695 vehicles, by skilled and experienced drivers, providing revenue sufficient to cover
696 all operating expenses including depreciation, rents, license fees and taxes.

697

698 4. Infractions. It shall be an infraction for a person driving a commercial passenger
699 vehicle pursuant to a Class A endorsement to charge, or to knowingly permit another
700 to charge, for such services in an amount other than that established by the chief of
701 police.

702
703 B. Class B endorsement.

704
705 1. Purpose. The Class B endorsement includes commercial passenger vehicles, other
706 than taxis, providing tours, limousine services, and similar services.

707
708 2. Conditions. The service shall be subject to conditions established by regulation
709 specifying stops, routes, forms of passenger pickup, or other limitations.

710
711 3. Infractions. It shall be an infraction for a driver operating pursuant to a Class B
712 endorsement to stop a vehicle to pick up or discharge a passenger at a place not
713 authorized by the endorsement.

714
715 C. Class C endorsement.

716
717 1. Purpose. The Class C endorsement is for human-powered vehicles.

718
719 2. Conditions. The services shall be subject to conditions established by regulation
720 specifying stops, routes, forms of passenger pickup, or other limitations.

721
722 3. Infractions. It shall be an infraction for a driver operating pursuant to a Class C
723 endorsement to stop a vehicle to pick up or discharge a passenger at a place not
724 authorized by the endorsement.

725
726 D. Operating a commercial passenger vehicle or knowingly permitting another to operate a
727 commercial passenger vehicle, in violation of its endorsement, or conditions of its endorsement,
728 is an infraction.

729
730 **11.55.170 Insurance.**

731 A holder, vehicle owner, or driver shall provide commercial passenger vehicle services only in a
732 vehicle covered by one or more liability insurance policies in amounts and for risks established
733 by the chief of police by regulation. Violation of this section is a Class A misdemeanor and
734 cause for suspension or revocation of a permit issued under this chapter.

735
736 **11.55.180 City and Borough taxes.**

737 A. An application may be denied, or a permit may be suspended or revoked, if the applicant
738 is delinquent in any City and Borough fee levied under this chapter, sales or business personal
739 property tax, penalty, or interest. In addition, an application may be denied, or a permit may be
740 suspended or revoked, for an entity in which the applicant, as an owner, operator, permittee,
741 director, shareholder, officer, partner, manager, assignor, seller, or transferor of any business,
742 which required a certificate of public convenience and necessity, regardless of its form of legal
743 entity, is delinquent in the payment of any City and Borough fee levied under this chapter, sales
744 or business personal property tax, penalty, or interest pursuant to **SGC 11.55.050 B – E.**

745
746

747 B. An application shall not be denied, nor a permit be suspended or revoked under
748 subsection A if the applicant or permit holder has entered into a confession of judgement for the
749 unpaid fee, tax, penalty, or interest, and remains in compliance with the terms of the associated
750 stipulation.

751
752 C. A holder is responsible to collect and remit the City and Borough sales taxes for
753 compensation paid for commercial passenger vehicle services provided under the holder's
754 certificate. The chief of police shall prescribe tax record-keeping requirements by regulation.

755
756 **11.55.190 Intercepting service call.**
757 It shall be unlawful for any person to provide commercial passenger vehicle services in
758 response to a request unless the request was directed to that person. Violation of this section is
759 an infraction.

760
761 **11.55.200 Application of traffic laws.**
762 In the event of a conflict between the provisions of this chapter and other traffic laws, this
763 chapter shall control.

764
765 **11.55.210 Official traffic control devices.**
766 The chief of police may install signs or other official traffic control devices which limit stopping,
767 standing, parking, or other operations by commercial passenger vehicles.

768 * * *

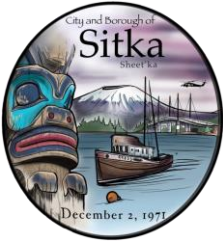
769
770
771 5. **EFFECTIVE DATE.** This ordinance shall become effective _____.

772
773 **PASSED, APPROVED, AND ADOPTED** by the Assembly of the City and Borough of
774 Sitka, Alaska, this _____ day of _____, 2023.

775
776 _____
777 Steven Eisenbeisz, Mayor

778 ATTEST:

779
780 _____
781 Sara Peterson, MMC
782 Municipal Clerk
783



SITKA POLICE DEPARTMENT



CITY AND BOROUGH OF SITKA
A COAST GUARD CITY

304 Lake Street, Suite 102 | Sitka, Alaska 99835
www.cityofsitka.com | spdadmin@sitkapd.org
907-747-3245 | FAX 907-747-1075

COMMERCIAL PASSENGER VEHICLE REGULATIONS

PART 1. ADMINISTRATION

Definitions.

The following words, terms and phrases when used in these regulations, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

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

"Manager" means the chief of police, or a person designated by the chief of police to administer the provisions of SGC 11.55. .

"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" 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.

Manager.

Compliance with enforcement officials. The Municipal Administrator may designate City and Borough employees as enforcement agents for the purpose of enforcing these regulations and SGC 11.55. It is a violation of these regulations for any permittee to refuse or fail to comply with a lawful request of the manager, 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.

Fees.

Fees are established as follows:

1. Fees for permit application:

-
- a. Driver's permits:
 - i. Professional driver's permit, two-year permit – (suggested \$75.00)
 - ii. Class C driver's permit – (suggested \$25.00)
 - b. Vehicle approval:
 - i. Inspection fee per motorized vehicle – (suggested \$50.00)
 - ii. Re-inspection fee (required for missed bi-annual inspection) – (suggested \$25.00)
 - iii. Application fee per non-motorized vehicle – (suggested \$25.00)
 - c. Certificate of public convenience and necessity and endorsement fees:
 - i. Engage in business:
 - 1. Class A and Class B – (suggested \$500.00)
 - 2. Class C – (suggested \$250.00)
 - ii. Registration and filing fees:
 - 1. Registration of vehicle to a certificate – (suggested \$50.00)
 - 2. Registration of driver on certificate application - No charge
 - 3. Notice to amend conditions of an endorsement, other than adding a driver or vehicle to a certificate – (suggested \$25.00)
 - iii. Application to transfer a certificate – (suggested \$500.00)
 - 2. Appeal fee – (suggested \$100.00)
 - 3. Late application fee – (suggested \$50.00)

PART 2. PERMITS

Permits: General.

Conditions; amendment. Each permit shall set forth on its face or in attachments all conditions applicable to that permit. Permit amendments are incorporated into the original issued permit.

Application for permits.

The manager may establish and amend permit application forms. Applications shall be accepted by the manager 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.

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 manager.

Administrative sanctions.

1. Revocation. A permittee whose permit is revoked loses all rights and privileges under that permit, shall deliver all copies of the permit to the manager, 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:
 - a. The permittee secured the permit through deceit, fraud, or intentional misrepresentation.
 - b. The permittee engaged in deceit, fraud, or intentional misrepresentation in the course of providing commercial passenger vehicle services.
 - c. 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:
 - i. Driving while license canceled, suspended, or revoked, or in violation of license limitation;
 - ii. Driving while intoxicated;
 - iii. Reckless driving;
 - iv. Speed contest or racing;
 - v. Fleeing or attempting to elude a police officer; or
 - vi. Leaving the scene of an accident.
 - d. 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.
 - e. The permittee is a driver who is no longer qualified under the standards established in these regulations for a professional driver's permit or a Class C driver's permit.
 - f. The permittee is a holder who has provided commercial passenger vehicle services with a person or vehicle not registered to that holder's certificate.
 - g. The permittee allowed another person to use the permittee's permit.
 - h. The permittee operated or attempted to operate under a suspended or revoked permit.
 - i. The permittee has committed a violation of these regulations for which permit revocation is specified as a sanction.

-
2. Suspension for a definite period. A permit may be suspended for a period specified by the chief of police upon a finding that:
 - a. The permittee is a holder who knew or had reason to know of a violation of this section by a driver registered to that holder's certificate and failed to report the same in writing to the manager within five business days.
 - b. The permittee has violated a section of these regulations for which permit suspension is specified as a sanction.
 3. Suspension until correction. The manager 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.

Procedures for permit denials and administrative sanctions.

1. The manager 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. The written notice 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 seven days after the date of the determination, notice, or denial, the chief of police shall set a hearing date and time.
2. Except for summary action under (1), the procedure for the imposition of administrative sanctions against a driver or a permit denial shall be as follows:
 - a. The manager shall give written notice to the affected driver or applicant seven days in advance of imposing an administrative sanction or denial. The notice shall include the following information:
 - i. The grounds for sanction or reasons for denial; and
 - ii. That the permittee or applicant has an opportunity for a hearing before the chief of police to respond to the notice and introduce evidence to refute or mitigate the denial, suspension, or revocation. Upon written request filed within seven days after the date of the determination, notice, or denial, the chief of police shall set a hearing date and time.
 - b. The manager shall at the same time give written notice to the holder of the certificate to which the driver is registered.
 - c. All notices directed to a driver or holder may be served by personal delivery, or by first-class mail addressed to the permittee or applicant at the address of record provided by the permittee or applicant to the manager.
 - d. After the hearing, the chief of police shall issue a written administrative decision. The action of the chief of police is appealable to the municipal administrator if such appeal is brought within 10 days. The appeal decision of the municipal administrator shall comprise a final administrative decision of the City and Borough, which may be appealed to the Superior Court if such appeal is brought within 30 days.

-
3. Except for summary action under (1), the procedure for the imposition of administrative sanctions against a certificate holder shall be as follows:
 - a. The manager shall give written notice to the affected holder 30 days in advance of imposing an administrative sanction. The notice shall include the following information:
 - i. The grounds for sanction; and
 - ii. A scheduled date for a hearing before the chief of police to respond to the notice and introduce evidence to refute or mitigate the denial, suspension, or revocation.
 - b. Notices must be served either by personal delivery or registered mail to the holder at the address of record provided by the holder to the manager.
 - c. A hearing before the chief of police must be scheduled within 30 days of sending the notice to the certificate holder. After the scheduled hearing, the chief of police shall issue a written administrative decision. The action of the chief of police is appealable to the municipal administrator if such appeal is brought within 10 days. The appeal decision of the municipal administrator shall comprise a final administrative decision of the City and Borough, which may be appealed to the Superior Court if such appeal is brought within 30 days.
 4. Any hearing conducted pursuant to (1) or (2) or (3) 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.
 5. Any hearing conducted pursuant to (1) or (2) or (3) 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.
 6. Operations pending final decision. Except in the case of a summary suspension or revocation as provided in subsection (1) of this section, or denial of an application, whenever a timely appeal is filed pursuant to subsection (2) or (3) of this section, a permittee may continue to engage in the activity for which the permit is required pending a final decision by the municipal administrator.

PART 3. DRIVERS

Drivers: General.

Purpose. These regulations are intended protect the public safety and interest, to ensure that commercial passenger vehicle drivers are properly licensed, maintain minimum physical

qualifications, have no relevant criminal convictions, and are familiar with SGC 11.55 and these regulations.

Professional driver's permit.

1. Application. An application for a professional driver's permit shall be made in writing upon an approved form filed with the manager 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:
 - a. Name and address;
 - b. Place or places of residence for the past ten years;
 - c. Age, height, color of eyes and hair;
 - d. A statement that the applicant has read SGC 11.55 and these regulations;
2. A complete criminal history and driving record covering the past ten years, provided by the State of Alaska and any other jurisdiction as necessary as well as a record of any conviction at any time for criminally sexual behavior, defined as the offenses set forth in Article 4 of AS 11.41, or substantially similar offenses under the laws of another jurisdiction within the United States; and
3. 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 manager 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 municipal administrator 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 municipal administrator the following information:
 1. Applicant's name, address, and telephone number;
 2. Name, address, and telephone number of a certificate holder;
 3. Driving record showing a minimum of three years of driving experience as a for hire commercial passenger vehicle operator;
 4. 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;
 5. Copy of any previous or current waivers;
 6. Copy of applicant's driver's license;
 7. Statement from the applicant's treating physician that includes:
 - a. The extent to which the physician is familiar with the applicant's medical history;
 - b. Description of the applicant's medical condition for which a waiver is necessary;
 - c. 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
 - d. The physician's professional opinion that the applicant's condition will not adversely affect their ability to safely operate a commercial passenger vehicle.
 8. Other information considered necessary by the municipal administrator 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 municipal administrator 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 administrator. Failure to comply with this section may result in the revocation of the driver's permit.
 - iv. The municipal administrator 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 these regulations.
 - v. The municipal administrator may deny or revoke for good cause an application or waiver granted under this subsection. Notice of the municipal

administrator'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.
- d. Approval. The manager shall approve the application and issue a professional driver's permit if the administrator finds that the applicant:
 - i. Is at least 21 years of age;
 - ii. Is able to speak the English language;
 - iii. Meets the standards set forth in SGC 11.55;
 - iv. Was not subject within the preceding two years to administrative sanctions under this chapter which resulted in a permit revocation; and
 - v. Has submitted a complete application, with appropriate fees.
- e. Issuance. Upon approval of an application for a professional driver's permit, the manager 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.

Class C driver's permit.

- 1. Application. An application for Class C driver's permit shall be made in writing upon an approved form filed with the manager and shall include all required attachments. Renewal applications shall be submitted by (suggested March 15). The form shall require at least the following information from the applicant:
 - a. Name and address;
 - b. Place or places of residence for the past ten years;
 - c. Age, height, color of eyes and hair;
 - d. A statement that the applicant has read SGC 11.55 and these regulations; and
 - e. A complete driving record covering the past ten years, provided by the State of Alaska and any other jurisdiction as necessary.
- 2. Approval. The manager shall approve the application and issue a Class C driver's permit if the administrator finds that the applicant:
 - a. Is at least 18 years of age;
 - b. Is able to speak the English language;
 - c. Meets the standards set forth in SGC 11.55;
 - d. Was not subject within the preceding two years to administrative sanctions under this chapter which resulted in a permit revocation; and
 - e. Has submitted a complete application, with appropriate fees.

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3. Issuance. Upon approval of an application for a Class C driver's permit, the manager 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 from April 15 to October 15.

PART 4. VEHICLES

Vehicles: General.

These regulations are intended to encourage compliance with minimum vehicle safety, cleanliness, and administrative standards. These regulations do not constitute an express or implied warranty or representation by the City and Borough of Sitka that any commercial passenger vehicle is safe.

Vehicle approval.

Upon application submitted annually no later than April 15, the manager 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. For the vehicle to be approved, the vehicle's owner must be current in payment and filing of City and Borough business personal property tax for the vehicle.

Vehicle standards.

1. 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 1.a. and 1.c. below:
 - a. 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. All factory installed safety devices must be adequately maintained.
 - b. Operational standards.
 - i. The interior shall be maintained free of litter, dust, noxious odors, and any substance that could stain the clothing of a passenger;
 - ii. The exterior shall be sufficiently clean so that the vehicle markings can be read;
 - iii. 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.
 - c. Marking standards. Each commercial passenger vehicle, including state regulated buses, shall be marked as required in this subsection:
 - i. Generally. The marking system for all vehicles registered to a certificate shall:
 1. Be clearly distinct from that used by any other certificate.

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2. 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.
- ii. No markings shall be on the vehicle except as authorized by this section and indicated in the vehicle approval.
 - iii. Service endorsement markings.
 1. 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. The taxi toplight must be clearly visible.
 2. A Class B vehicle must at all times display a sign, in letters at least six inches high, indicating which type of service it is providing. If the vehicle is a 15-passenger van or smaller, signs must be posted on both side body panels and the rear door panel.
- d. Optional markings. In addition to the markings required by this section, a commercial passenger vehicle may display:
- i. A description of the particular services provided by the vehicle in letters no more than four inches high, not exceeding a total of 144 inches, and consistent with the vehicle's marking system. For vehicles with a Class A or B endorsement, the markings shall be on the same body panel as the service endorsement;
 - ii. Vehicles with a Class A or B endorsement may display signage, whether or not related to the services provided by the vehicle, not to exceed eight square feet in total. Such signage shall be attached to the trunk, roof, or, in the case of a van or similar vehicle, the back body panel. Signs may not obscure the driver's vision.
 - iii. Vehicles with a Class C endorsement may display signage, whether or not related to the services provided by the vehicle, not to exceed three square feet. Such signage shall be attached in a manner that does not obscure the driver's vision or interfere with the safe operation of the vehicle.
- e. 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:
- i. A certificate of insurance establishing that it is covered as required by these regulations;
 - ii. A copy of the certificate of public convenience and necessity under which the vehicle is authorized and all other required documentation; and
 - iii. A vehicle approval.

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- f. Taximeter standards. A taximeter in a vehicle operated pursuant to a Class A endorsement:
 - i. Shall be engaged whenever the vehicle is operated for compensation.
 - ii. Shall be sealed, tested, and certified by the manager under standards adopted by the State of Alaska as part of the annual taxicab certification.
 - iii. Shall be programmable to calculate at least two rates. By December 31, 2024, shall be fitted with non-resettable totalizers for all of the following values:
 - 1. The total distance traveled by the taxi;
 - 2. The total distance traveled when hired;
 - 3. The total number of hirings;
 - 4. The total amount of money charged as extras;
 - 5. The total amount of money charged at standard rates;
 - 6. The total amount of money charged at taxi tour rates.
 - iv. 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.
 - g. Passenger capacity standards. Each commercial passenger vehicle shall be marked as directed by the manager 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.
 - h. Violation of standards listed in this section is an infraction. In addition, violation of subsection 1.a., safety, or 1.f., taximeter, shall warrant summary action pursuant to these regulations.

Vehicle inspections.

- 1. 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 or, vehicle manufacturer certification that matches the manufacturer of the vehicle getting inspected. This section does not apply to a bus subject to and in compliance with commercial motor vehicle statutes and regulations of the State of Alaska.
- 2. Vehicle safety, cleanliness, and administrative compliance. Vehicles may be inspected in any of the following circumstances:
 - a. Biannual inspections. Prior to issuance of a vehicle approval in April and annually in October, the manager or the manager's designee shall inspect vehicles.
 - i. 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.

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- ii. As applicable the manager may issue citations for equipment violations under SGC Title 11, which will allow the operator to correct the violation, post bail, or appear in court.
 - iii. The vehicle shall not be used to provide commercial passenger services if the vehicle has:
 - 1. A broken windshield that impairs driver vision; or
 - 2. Defective brakes; or
 - 3. Tires with unsatisfactory tread depth; or
 - 4. Other equipment or safety violations which provide reasonable cause to believe the vehicle is unsafe.
 - iv. The manager shall record the totalized values from the taximeter as set forth in these regulations.
- b. Unannounced inspection program. Commercial passenger vehicles are subject to unannounced safety inspections by the manager or designee, as follows:
- i. When the manager or designee contacts the company owner or driver of a vehicle on duty, the vehicle shall be brought to the Sitka 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 manager or designee.
 - ii. 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.
 - iii. Unannounced inspections shall be conducted using the same form and method as biannual inspections outlined in these regulations.
 - iv. 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 these regulations. Vehicles which become delinquent in payment of City and Borough business personal property tax shall have their approval suspended.

PART 5. CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY

Certificate of public convenience and necessity.

- 1. Contents. The manager shall issue certificates of public convenience and necessity. Each certificate shall be endorsed for Class A, Class B, or Class C.
- 2. Applications.
 - a. Class A and B. An application to renew a current certificate for continuous operation shall be submitted between December 1 and January 31 and shall become effective on March 15.

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- b. Class C. An application to renew a current certificate shall be submitted by March 15 and shall become effective April 15.
 3. Term.
 - a. Class A and B. Certificates with an effective date of March 15 shall be valid for one year. Any certificate with an effective date after March 15, and any endorsement thereto, shall be valid only until the following March 14.
 - b. Class C. Certificates shall be valid only from April 15 to October 15.
 4. 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.
 5. Amendment to conditions of endorsement. Certificate holder shall notify the manager in writing of changes in driver registration, vehicle registration, route, or stops.
 6. Late applications will be subject to a late fee and may take up to 30 days to process.

Endorsements: General.

1. Vehicles and conditions. An endorsement shall identify whether the service is Class A, Class B, or Class C.
2. 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 manager. 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 manager upon demand.

Class A endorsement.

1. A Class A endorsement shall authorize the holder to provide taxi services subject to the following conditions:
 - a. A certificate endorsed for Class A service may not be endorsed for any other type of service.
 - b. The certificate shall require the service to operate and maintain no fewer than (suggested two) vehicles. At least (suggested one) of the vehicles shall be in service at all times.
 - c. Taxicab passengers shall be charged only at the rates specified in this section.
 - i. Flag drop. (suggested \$4.00) 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.
 - ii. Mileage rate. The rate of (suggested \$0.25) for each one-tenth mile shall be charged and measured by taximeter.
 - iii. Waiting time. The rate of (suggested \$0.75) for each minute of waiting time shall be measured by the taximeter and charged to the customer. Waiting time shall be charged when stopped and during traffic delays. Time and mileage shall be charged alternately and not concurrently.

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- iv. Taxi tour rate. The rate of (suggested \$70.00) 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 (suggested \$35.00) 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 (suggested \$12.00). No other units of time or charges are allowed.
 - v. Extra adult passenger. A charge of (suggested \$0.50) 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 taxi tour rate.
 - vi. Delivery charge. A charge of (suggested \$3.00) shall be added to the mileage rate for transport and delivery of items without a passenger. This does not apply to the taxi tour rate.
 - vii. Battery jump. The rate for providing an electrical boost to the battery of another vehicle shall be a charge of (suggested \$20.00).
 - viii. Cleaning fee. [A charge of] (suggested \$100.00) shall be charged for cleaning of taxi made necessary by any passenger.

Note: Licensee recovery of this fee shall be by civil process only.

- d. 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.
- e. Taxis shall be limited to vehicles designed to carry no more than eleven passengers including the driver.
- f. 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 as a walk-in service to the public.
- g. 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 (suggested two above) vehicles available for Class A service to qualify for the reduction in fees.

2. Violation of subsection (1) above is an infraction.

Class B endorsement.

- 1. A Class B endorsement shall authorize operation of one or more commercial passenger vehicles subject to the following conditions:
 - a. A Class B vehicle may be endorsed as a tour, shuttle, or limousine. This provision does not apply to vehicles owned, operated, or contracted by a cruise line or airline when transporting the cruise line's or airline's own passengers.
 - b. Operators of Class B vehicles operating as shuttles shall:

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- i. Submit a map of their current route to the manager.
 - ii. Carry and follow the map submitted under 1.b.i. of this section.
 - iii. Not stop for passengers at any location not depicted as a stop on the map submitted under 1.b.i. of this section. For the purposes of the route map, loading zones at Harrigan Centennial Hall and the O'Connell Bridge serving cruise passengers in the downtown area shall be considered one stop.
 - iv. Not stop in the downtown area except for posted Commercial Passenger Vehicle stops.
 - v. Post rates in plain view of the customer in letters no less than one-half-inch high.

2. Violation of subsection (1) above is an infraction.

Class C endorsement.

1. A Class C endorsement shall authorize operation of one or more commercial passenger vehicles subject to the following conditions:
 - a. Operation of Class C vehicles shall be limited to daylight hours. Class C vehicles are restricted to the Central Business District, from **(define)**.
 - b. Operators of Class C vehicles may not stop for passengers at any location that obstructs traffic or causes a safety hazard to passengers or others.
 - c. Operation of a Class C vehicle is prohibited between October 16 and April 14.

2. Violation of subsection (1) above is an infraction.

Insurance.

1. Commercial General Liability for Class A & Class B Vehicles. 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 motorized vehicles authorized under the certificate. The policy shall provide coverage for each motorized 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. This insurance policy is to contain, or be endorsed to contain, additional insured status for the CBS, its officers, officials, employees, and volunteers.
2. Commercial General Liability Insurance for Class C Vehicles. The holder must maintain Commercial General Liability Insurance in an amount it deems reasonably sufficient to cover any suit that may be brought against the Operator. This amount must be at least \$1,000,000 per occurrence, and \$2,000,000 aggregate. This insurance policy is to contain, or be endorsed to contain, additional insured status for the CBS, its officers, officials, employees, and volunteers.
3. 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 manager.

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4. The manager 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 manager the individual certificates of insurance.

City and Borough taxes.

1. 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 **SGC XX.XX.XXX**. Supporting records include daily taximeter activity logs on forms provided by the manager 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.
 - a. Holder shall require a driver permitted to operate under the holder's certificate to:
 - i. 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:
 1. Total distance traveled by the taxi;
 2. Total distance traveled when hired; and
 3. Total amount charged.
 - ii. Calculate the sales tax collected for each shift.
 - iii. Surrender the sales tax collected to the permit holder at the end of each shift.
 - b. Holder shall:
 - i. Verify the taximeter reading and the accuracy of the driver's tax calculation.
 - ii. Collect the sales tax at the end of each shift from each driver.
 - iii. Accumulate the total sales on the Permit Holder Taximeter Activity Report Form provided by the manager, calculate the net taxable sales and sales tax due and remit the sales tax as required in **SGC XX.XX.XXX**.
 - c. Subsection (1) may be waived or partially waived by the Municipal Administrator upon demonstration by the certificate holder of tax accounting procedures adequate to satisfy the requirements of the CBS sales tax code as determined by the Finance Director.
2. Certificate holder with Class B or Class C 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 **SGC XX.XX.XXX** on forms approved by the Finance Director.

Issuance.

The manager 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;

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3. Required insurance policies are in place;
 4. All fees have been paid; and
 5. All other requirements of this chapter have been satisfied.

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.