

Introduced by: Hugh Dymont
Date November 18,2003
Action: Passed
Vote: Unanimous

CITY OF BETHEL, ALASKA

ORDINANCE #03-16

A ORDINANCE AMENDING THE BETHEL MUNICIPAL CODE SECTION 5.40.020 TO CLARIFY THE MAXIMUM NUMBER OF TIMES A CHAUFFEUR APPLICANT CAN TAKE THE WRITTEN AND THE DRIVING TESTS IN ONE CALANDAR YEAR

WHEREAS, Ordinance #2001-30 amended Bethel Municipal Code Subsection 5.40.020(C) to require a chauffeur applicant to pass both the written and the driving portions of the examination; and

WHEREAS, Ordinance #2001-30 allows the chauffeur applicant to retake the written and the driving portions of the examination no more than three times in a calendar year; and

WHEREAS, the purpose of this ordinance is to clarify that the chauffeur applicant may not retake more than three times in a calendar year the written or the driving portions of the examination. This means that if the applicant fails *either* the written *or* the driving portion of the test three times in one calendar year, the applicant may not take either the written or driving test for a one year period following the third test failure.

BE IT ORDAINED by the City Council of Bethel, Alaska that:

SECTION 1. Classification. This ordinance is permanent in nature and shall be incorporated into the Bethel Municipal Code ("CODE").

SECTION 2. Content. Section 5.40.020 of the Code is hereby amended to read as follows (new language is underlined and deleted language is stricken out):

5.40.20 Application for license.

- A. An application for a chauffeur's license shall be made to the Transportation Inspector
- B. An application shall be submitted on a form approved by the Transportation Inspector and shall be accompanied by:

1. The fee specified in section 5.20.160;
 2. Photographs to be taken by the Transportation Inspector;
 3. A complete set of fingerprints made by the Bethel Police Department or the Transportation Inspector on an FBI – approved form;
 4. A certificate from a physician licensed in the state to perform such testing, verifying the applicant’s physical ability to drive, and proof of a negative drug test from a City – approved drug and alcohol testing facility;
 5. Proof that the applicant currently holds a valid state driver’s license which entitles him or her to operate a vehicle by which persons are transported for compensation, has held a valid driver’s license in Alaska or another state in the United States for at least one year before the date of the application;
 6. Proof that the applicant is at least 18 years old; and
 7. Proof that the Applicant has complied with paragraphs C and D of this section.
- C. Except as provided in subsection D, and application shall not be complete until the applicant has passed an examination administered by the transportation inspector or his or her designee that tests the applicant’s knowledge of safe driving, safe vehicle maintenance, knowledge of the City streets and significant locations, driver personal safety, drug and alcohol testing requirements, and any other subjects the commission finds to be in the public interest of ensuring safe and responsible public transportation. ~~The examination shall consist of a written test and a driving test. If an applicant fails either the written or the driving portions of the examination three times in a calendar year, the applicant may not reapply for a chauffeur’s license for one year from the date of the third failure.~~ The examination shall consist of two portions. One portion shall be written test and the other portion shall be

driving test. An applicant shall first take the written portion of the examination. If the applicant fails the written portion of the examination, he or she may not take the driving portion of the test. If the applicant fails either portion of the examination in any combination three times in any one calendar year the applicant may not reapply for a chauffeur's license for one year from the date of the third failure.

- D. A chauffeur operating a taxicab or river taxi (as opposed to a limousine or bus) who is renewing a license under section 5.20.130(B) is required to take and pass the written and driving tests described in subsection C every other year.
- E. Applicants for a chauffeur's license must show proof of a successful passage of the written and driving portions of the examination required in subsections C and D of the section and proof of payment of any fees required in Chapters 5.20 through 5.50
- F. Any person who has been denied a license pursuant to this chapter may not apply again for such a license for a period of one year.

SECTION 3. Effective Date . This ordinance shall take effect immediately upon approval by the City Council.

PASSED AND APPROVED THIS ____ DAY OF OCTOBER 2003, by a vote of ____ in favor and ____ opposed.

ATTEST:

Hugh Short, Jr., Mayor

Amanda Roudebush, City Clerk